

Report Item No: 1

APPLICATION No:	EPF/1566/13
SITE ADDRESS:	Mill House Betts Lane Nazeing Waltham Abbey Essex EN9 2DA
PARISH:	Nazeing
WARD:	Broadley Common, Epping Upland and Nazeing
APPLICANT:	Mr Tom Casey
DESCRIPTION OF PROPOSAL:	TPO/EPF/26/02 T2 - Willow - Fell
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=552053

CONDITIONS

- 1 The felling authorised by this consent shall be carried out only after the Local Planning Authority has received, in writing, 5 working days prior notice of such works.
- 2 Prior to the felling hereby agreed, the details of the replacement tree, or trees, of a number, species, size and in an appropriate position shall be approved in writing by the Local Planning Authority. The tree or trees shall then be planted within one month of the implementation as agreed, unless varied with the prior written agreement of the Local Planning Authority. If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, dies or becomes seriously damaged or defective another tree 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.

This application is before this Committee because any application to fell preserved trees falls outside the scope of delegated powers

Description of Site:

The tree stands about 20 metres to the rear of this derelict bungalow, which sits amongst open pasture, set back from Betts Lane, within the Nazeing and South Roydon Conservation Area. A pond, now congested with fallen branches fed by a field ditch, is partially blocked by the fallen subject tree. The regenerated shoots are now sizeable trees and form a bold hedgerow feature.

Description of Proposal:

T2. Willow – Fell

Relevant History:

There is no specific pruning history since the service of TPO/EPF/26/02 following a proposal to develop the land for the erection of glasshouses.

Relevant Policies:

LL9: Felling of preserved trees.

'the Council will not give consent to fell a tree protected by a TPO unless it is satisfied that this is necessary and justified. Any such consent will be conditional upon appropriate replacement of the tree.'

SUMMARY OF REPRESENTATIONS

NAZEING PARISH COUNCIL had made no comment at the time of writing this report.

Issues and Considerations:

Introduction

The applicant is the new owner of the property and wishes to restore the pond and house. The tree is a visually important part of this rural scene, giving a false appearance of a tree group but these are in fact overgrown side branches that have now grown to heights in excess of 9 metres.

Application

The reasons given for this application have been summarised, as follows:

- i) The tree has fallen down many years ago and now has a cluster of young trees growing out of the trunk. As they get bigger they will become unsafe as the trunk is rotting away.
- ii) The applicant would like to replace the tree with another White willow.
- iii) The need to remove the tree is integral to the clearing of the ditch to restore a normal drainage flow into the pond.

Key issues and discussion

The key issue is that of the poor condition of the fallen trunk, which is massively decayed and under increasing load from the vigorous large stems as they continue to grow and exert force onto the rotten base.

The officer's site inspection confirmed that the main trunks supporting this collection of young stems lay across and along the ditch bottom, significantly limiting the drainage function of the ditch. Though not currently sitting in water they will be subjected to long periods of submersion, which will aid in the decay decomposition processes and further collapse of the parent tree.

Planning policy considerations

- i) Tree condition and alternative solutions to felling

The tree's structure is very poor and whilst the several stems are vigorous it is a gravely compromised tree. Even heavy pruning will only prolong the eventual need to remove it.

ii) Replacement planting

The applicant has offered a suitable replacement, which will soon begin to fill the gap along that part of the hedge line.

iii) Public Amenity

The tree is clearly visible from the public footpath that crosses the neighbouring field. Its removal will be a considerable visual loss from this aspect but not so great a loss from more distant views along Betts Lane. There will be an impact visually on the conservation area, but the loss will be mitigated by good replacement planting, as discussed above.

Conclusion

T2 Willow is unviable for long term retention. With mitigation from replanting there is justification to fell the tree. It is, therefore, recommended to grant permission to fell on the grounds of terminal decay justifying the need for the tree's removal. The proposal accords with Local Plan Landscape Policy LL9.

In the event of Members allowing the felling of the tree, it is recommended that a replacement planting condition be attached to the decision notice requiring a new tree to be planted at an agreed nearby location within one month of the felling.

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:

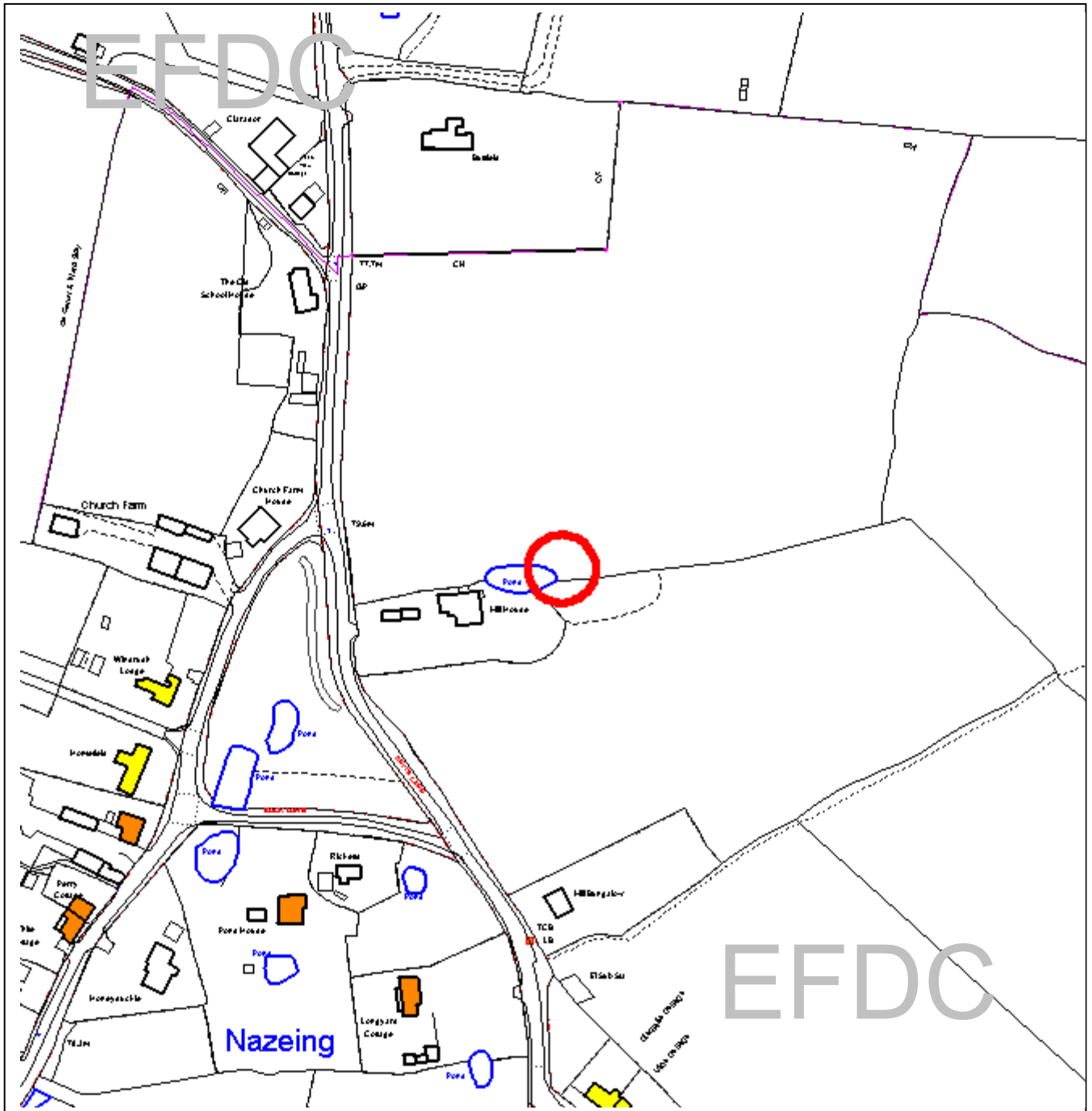
***Planning Application Case Officer: Robin Hellier
Direct Line Telephone Number: 01992 564546***

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/1566/13
Site Name:	Mill House, Betts Lane Nazeing, EN9 2DA
Scale of Plot:	1/2500

Report Item No: 2

APPLICATION No:	EPF/1154/13
SITE ADDRESS:	15 Sun Street Waltham Abbey Essex EN9 1ER
PARISH:	Waltham Abbey
WARD:	Waltham Abbey South West
APPLICANT:	Mr Paul Viner
DESCRIPTION OF PROPOSAL:	Proposed conversion, part rear ground floor demolition and rear extensions to create 3 no. one bedroom flats (C3) on the upper floors with a mixed use retail (A1) and Veterinary Surgery (S/G) use on the ground floor along with the retention of the existing pet grooming (S/G) use at the rear.
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=550251

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 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 888 050, 888 051C, 888 052A
- 3 No development shall take place until samples 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. For the purposes of this condition, the samples shall only be made available for inspection by the Local Planning Authority at the planning application site itself.
- 4 Additional drawings that show details of proposed new or altered shopfronts, by section and elevation at scales between 1:20 and 1:1 as appropriate, shall be submitted to and agreed in writing by the local planning authority prior to the installation or undertaking of any works to the existing shopfronts.
- 5 The premises fronting onto Sun Street, identified on Drawing No 888051C as 'shop' shall be used solely for either A1 (retail) or a mixed use of A1 (retail) and a veterinary surgery and the premises fronting onto Quaker Lane, identified on Drawing No.888051C as 'Pet Grooming' shall be used solely for either A1 (retail) or for a Pet Grooming use and for no other purpose (including any other purpose in any Class of the Schedule to the Town & Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order.

- 6 The rear court yard area shown on plan ref: 888 051C shall be provided prior to the first occupation of the development and shall be retained free of obstruction for a servicing area and/or for parking purposes.

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(g))

Description of Site:

The application site currently consists of a two storey building fronting onto Sun Street that contains A1 retail use on the ground floor and a single residential unit at first floor level. To the rear of the site is a series of single storey additions serving as additional space for the retail unit, a separate Pet Grooming (S/G) unit, and access to the first floor flat.

The site is within the Waltham Abbey Town Centre and the frontage on Sun Street is within the key frontage. The site is also within the Waltham Abbey Conservation Area.

Description of Proposal:

Consent is being sought to demolish the single storey rear section of the existing building and to erect a new part single storey/part two storey extension, replace the existing pitched roof with a mansard roof, and install two front and one rear dormer window. The proposed single storey rear addition would replace the footprint of the existing rear projections almost like for like. The rearmost part of the building would remain as a Pet Grooming store (S/G) and remainder of the ground floor would be used for a mixed A1 and S/G purpose as a veterinary surgery/retail store. The proposed first floor extension would be located above part of the rear projection and would measure 4.8m in width and 7.3m in depth. The proposed new roof would not increase the ridge height of the existing building but would alter the slope of the roof from a standard pitched roof to a mansard roof. The proposed dormer windows would measure 1.3m in width. The upper storey extensions/alterations would accommodate three no. one bed flats.

Relevant History:

EPF/1133/07 - Retention of a single storey timber framed rear extension – withdrawn 12/07/07
EPF/2461/07 - Retention of a single storey timber framed rear extension (revised application) – approved/conditions 09/01/08

Policies Applied:

CP1 – Achieving sustainable development objectives
CP2 – Protecting the quality of the rural and built environment
CP7 – Urban form and quality
DBE1 – Design of new buildings
DBE2 – Impact on neighbours
DBE3 – Design in urban areas
DBE9 – Loss of amenity
H4A – Dwelling mix
HC6 – Character and appearance and setting of conservation areas
HC7 – Development within conservation areas
TC1 – Town centre hierarchy
TC3 – Town centre function

TC4 – Non-retail frontage
ST1 – Location of development
ST6 – Vehicle parking

The above policies form part of the Council's 1998 Local Plan. Following the publication of the NPPF, policies from this plan (which was adopted pre-2004) are to be afforded due weight where they are consistent with the Framework. The above policies are broadly consistent with the NPPF and therefore are afforded full weight.

Consultation Carried Out and Summary of Representations Received:

4 Neighbouring properties were consulted and a Site Notice was displayed on 21/06/13.

TOWN COUNCIL – Object. Committee stressed that we have enough one bedroom flats in the area already and that there is a need for more larger family sized accommodation. Committee also stressed there was not enough information regarding un-surveyed areas.

Issues and Considerations:

The main issues to be addressed in this case are the principle of the development in this location, whether the proposed design and appearance is acceptable within the street scene and conservation area, and whether it would have a harmful impact on residents' amenities.

Principle of development:

The proposed development would better utilise and intensify the existing site, which is located within the Waltham Abbey town centre. The ground floor additions would be broadly similar in footprint to the existing building and the creation of two additional residential units on the first floor would in principle be acceptable in this location.

Whilst the Town Council have objected as they do not consider there is a need for any more one bed flats in the area, there is no evidence available to justify this. Residential units above shops in town centre locations such as this would not sufficiently cater for 'family sized accommodation' as they tend to have limited amenity space, car parking provision and tend to be less 'family friendly'. Whilst the provision of a mix of one and two bed units would be desirable, given the small scale of the development it is considered that the lack of such a mix would not be essential in this instance.

Whilst the ECC Vehicle Parking Standards requires 1 vehicle parking space for each of the proposed residential units, 8 parking spaces for the ground floor use (based on a purely A1 use class), plus 1 visitor parking space, the Standards do state that "*a lower provision of vehicle parking may be appropriate in urban areas (including town centre locations) where there is good access to alternative forms of transport and existing car parking facilities*" and that "*in all cases adequate provision shall be made for the parking and turning of vehicles serving the site, off the highway*". Recent applications within Waltham Abbey have been refused and dismissed on appeal due to the lack of parking/servicing areas, including No. 11 Sun Street.

The site as exists (which caters for both an A1 and a Pet Grooming unit and a single two bed residential unit) benefits from a rear courtyard accessed from Quaker Lane, which serves as a servicing/parking area. This space would be retained within the new development. Although Waltham Abbey is not well served by public transport there are other means of transport available (particularly buses, however Waltham Cross train station is an acceptable distance away), nearby local facilities and amenities, and an abundance of existing car parking facilities. As such, it is considered that the retention of the rear service/parking area alone complies with the requirements of the Vehicle Parking Standards and Local Plan policies ST4 and ST6.

The application site is located within the key frontage of Waltham Abbey town centre and it is proposed to change the use of the existing A1 retail store to a mixed use A1 and Veterinary Surgery (with the intended occupants being Medivet). Whilst the introduction of non-retail frontage within the key frontage of town centres is controlled by Local Plan policies, this proposal would still retain an A1 element and the frontage onto Sun Street would be unaltered. The development could be conditioned to ensure that the unit can only be used as a mixed use A1/Veterinary Surgery or as a sole A1 use but for no other purpose (including a sole Veterinary Surgery use). This would guarantee that the retail use is not completely lost on the site however would ensure continued use of this unit, which would benefit the vitality and viability of the town centre.

Design/appearance:

The proposed rear extensions would be a visual improvement over the existing piecemeal flat roofed additions as the proposed pitched roofs give a much more traditional appearance to the Quaker Lane elevation, which is more sympathetic to the character of this part of the conservation area.

The proposed mansard roof is also a traditional roof profile and the high gable end walls (which suggest the roof has been lowered in the past) can comfortably accommodate the change in pitch of the roof. The proposed dormers are in keeping with the appearance of the area as several properties along Sun Street have dormers.

The details of the external materials and further details of the windows, doors and shopfronts on the Quaker Lane elevation should be dealt with by way of a condition. Aside from the change to the roof, the front façade of the existing building is stated to remain unaltered, however if any change is to occur to the shopfront on Sun Street then details of this will need to be approved prior to the commencement of works.

Amenity considerations:

The proposed flats would not benefit from any private or communal amenity space, however this is not unusual for one bed flats such as this located within a town centre. The access to the proposed flats would be relocated to the front of the site via Sun Street (using an existing doorway), which would be an improvement for future occupants over the existing access from Quaker Lane.

The proposed first floor addition would extend 7.3m beyond the existing first floor rear wall of the building. Due to the depth of this extension it would have some impact on the amenities of neighbouring residents, however this impact would not be considered unduly detrimental. Although the proposed extension would be located immediately adjacent to the shared boundary with No. 13 Sun Street this extension would adjoin the entrance way to the neighbouring residential unit, which is screened by a 2m high solid boundary treatment. Due to this, any loss of light or outlook to this entranceway/terrace already occurs from the existing boundary treatment, and therefore the proposed extension would not significantly exacerbate this existing harm. The extension would fall within 45 degrees of the closest window at No. 17 Sun Street, however this would be at a distance of approximately 3.5m and therefore is not considered unduly detrimental.

Conclusion:

The proposed development would not be unduly detrimental to the vitality and viability of the town centre, the character and appearance of the conservation area, or the amenities of neighbouring residents. The existing servicing/parking area is to be retained, and therefore this is considered to be acceptable in terms of parking/highway concerns. As such, the proposal complies with the relevant Local Plan policies and is therefore recommended for approval.

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:

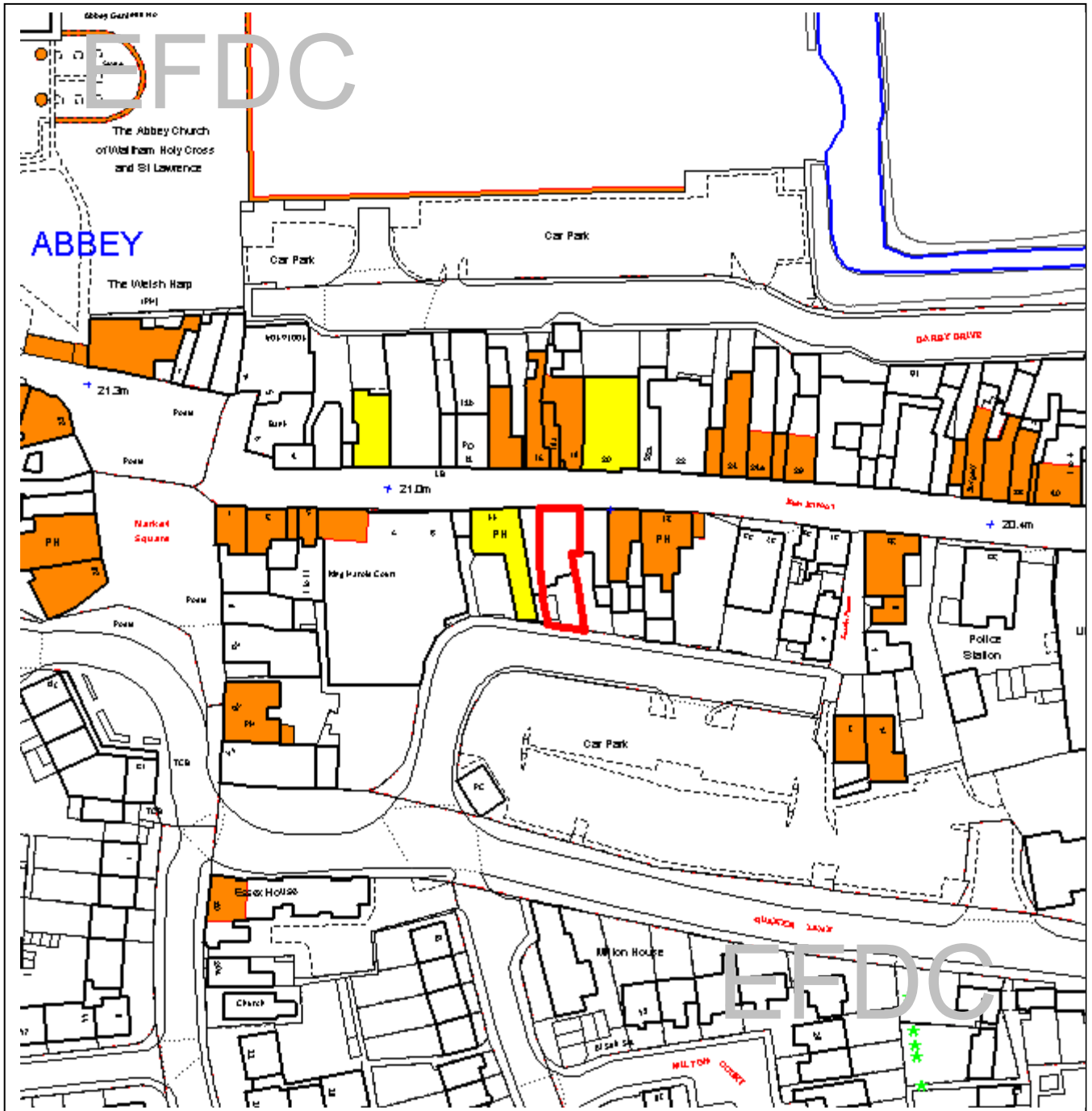
**Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228**

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Agenda Item Number:	2
Application Number:	EPF/1154/13
Site Name:	15 Sun Street, Waltham Abbey EN9 1ER
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/1208/13
SITE ADDRESS:	2 Takeleys Manor Cottages Upland Road Epping Upland Epping Essex IG7 6BF
PARISH:	Epping Upland
WARD:	Broadley Common, Epping Upland and Nazeing
APPLICANT:	Mr Leonard Lucas
DESCRIPTION OF PROPOSAL:	Rebuilding of garage with revised orientation. Change of use of agricultural land to residential land to provide access to garage and construction of gravel drive.
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=550476

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 .The development hereby permitted will be completed strictly in accordance with the approved drawings No's: 11/10, 11, 12 and the submitted location plan.
- 3 Materials to be used for the external finishes of the proposed development, shall be as detailed on the submitted plans and application forms, unless otherwise agreed in writing by the Local Planning Authority.
- 4 The proposed change of use from agricultural land to residential shall only relate to the area outlined in red and the remaining part of the site currently in agricultural use shall remain as such.
- 5 Prior to the first use of the vehicular access it shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall not be less than 3 metres and shall be retained at that width for at least 6.0m into the site and shall be provided with an appropriate dropped kerb vehicular crossing of the highway verge.
- 6 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary of the site.

- 7 Means to prevent the discharge of surface water from the development onto the highway shall be incorporated into the design of the accessway. The scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.
- 8 Any new gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the carriageway.

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(g))

Description of Site:

2 Takeleys Manor Cottages is a two storey semi-detached dwelling located on the north side of Upland Road forming one of two semi detached houses. This pair of cottages is located in a relatively rural location surrounded by open fields and opposite a farm yard. The application site is within the Metropolitan Green Belt but not within a Conservation Area. The existing garage currently utilises a shared drive with No. 1 Takeleys Manor Cottages. To the rear of both houses a gate leads into an agricultural field and some hard core has been lain leading to the existing garage at the application site.

Description of Proposal:

This is a revised application following the refusal of consent (EPF/1588/11) whereby the applicant seeks consent to replace the existing garage, change its orientation and extend the residential land relating to the house to create a new access running along the eastern boundary of the site which is currently laid in hard core. As such this strip of land would change use from agriculture to residential. The replacement garage would have a footprint measuring 5.0m x 4.9m a ridge height of 4.4m an eaves level of 2.2m. The garage would be finished in black weatherboard with red pantiles for the roof covering. The new drive would be finished in gravel and would extend for approximately 26.0m x 3.0m wide.

Relevant History:

EPF/1588/11 - Replacement of garage with revised access. Refuse Permission - 21/09/2011.

Policies Applied:

CP2 – Protecting the Quality of the Rural and Built Environment
GB2A – Development in the Green Belt
GB4 – Extensions to Residential Curtilages
GB7A – Conspicuous Development
DBE1 – Design of New Buildings
DBE2 – Effect on Neighbouring Properties
DBE4 – Design in the Green Belt
DBE9 – Loss of Amenity
ST4 – Road Safety

The above policies form part of the Council's 1998 Local Plan. Following the publication of the NPPF, policies from this plan (which was adopted pre-2004) are to be afforded due weight where

they are consistent with the Framework. The above policies are broadly consistent with the NPPF and therefore are afforded full weight.

Summary of Representations:

PARISH COUNCIL: Objection. Agricultural land taken into residential as a convenience not a necessity, encroachment into the Green Belt and concern about the safety of the access.

Issues and Considerations:

The main issues are whether the proposal would have a detrimental impact on the open character of the Green Belt, the design of the garage/accessway and amenity issues.

Green Belt

The same planning application was refused in November 2011 for the following reason:

“The application site is within the Metropolitan Green Belt and the Council is not convinced the proposed access to the garage lies within the residential curtilage of the existing dwelling. The proposal would therefore result in a domesticated incursion away from the established residential curtilage contrary to GB2A and GB4 of the Adopted Local Plan and Alterations”.

The concern previously was that the application did not clearly indicate that the new accessway would involve a material change of use of that strip of land from agriculture to residential. It clearly would and the development description indicates as such on this occasion. Local plan policy does allow extensions to residential land in the Green Belt and requires that this may be permissible if the piece of land in question is not excessive in size; it would not have an adverse impact on open character and would relate well to existing residential curtilages.

This proposal is slightly odd in that the extension would run parallel to the rear boundaries of both residential plots in order to create a new access. However it is not a significant incursion and the use of suitable materials would ensure it blended into the landscape. It is considered that this new accessway would not significantly impact on the open character of this part of the Green Belt and it would relate well in terms of size to the neighbouring garden area. Furthermore the intention of the scheme is to remove the need for the applicants to use the existing shared access to the garage, which is located on a blind bend. This is considered to be a substandard and unsuitable way to enter the highway and is hazardous for road users. With this proposal the access for No. 2 would move some 10m to the north (although the existing access would remain for use by No. 1). Essex County Council Highways Section is in agreement with the view that this will improve road safety, as driver to driver sight lines will improve and the level of usage of the existing unsafe access would be reduced. Although this small incursion is in itself not strictly inappropriate within the Green Belt, there is also the added special circumstance of improving road safety. A number of conditions are suggested, all of which are considered appropriate.

The proposed garage is a smaller structure than existing and therefore raises no Green Belt concerns.

Design

The design of the proposed garage and accessway as detailed on plan and in the submitted application forms are suitable to a rural area.

Amenity

There would be no impact on the amenity of neighbouring residents.

Conditions

A condition ensuring that the change of use only relates to the accessway is deemed necessary. Material finishes can be agreed by condition and a number of highway related conditions are also necessary.

Conclusion:

The proposed development involves only a minor incursion into the Green Belt and there are clear highway benefits in allowing the scheme. The proposed design of the garage and access is agreeable and as such the proposed development is recommended for approval with conditions.

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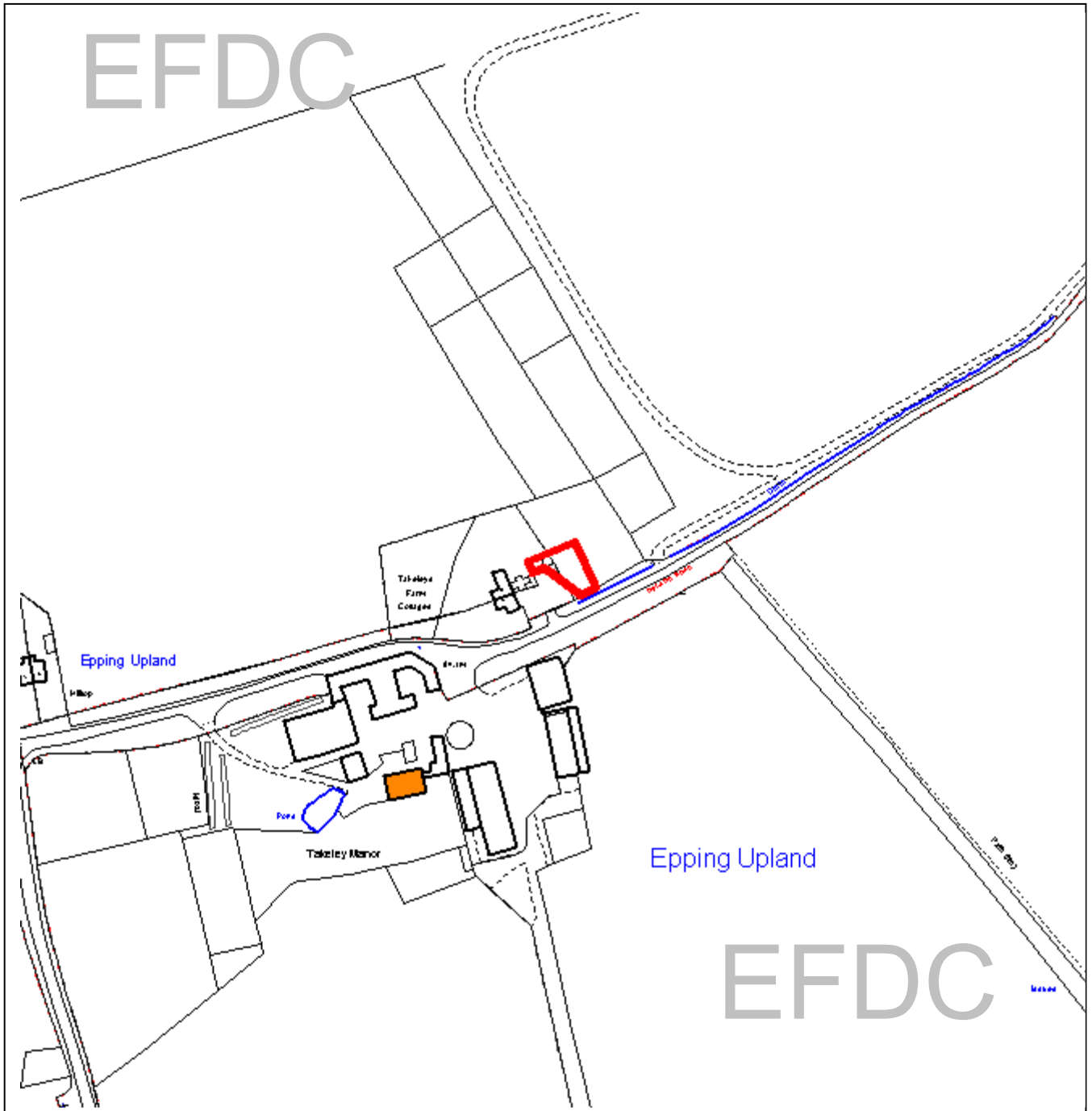
***Planning Application Case Officer: Mr Dominic Duffin
Direct Line Telephone Number: (01992) 564336***

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Agenda Item Number:	3
Application Number:	EPF/1208/13
Site Name:	2 Takeleys Manor Cottages, Upland Road, Epping Upland, IG7 6BF
Scale of Plot:	1/2500