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# Epping Forest District Council

## AGENDA ITEM NUMBER 1



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Application Number:	1
Site Name:	Garage block adj 14 Harveyfields Waltham Abbey, EN9
Scale of Plot:	1/1250

**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/2040/13
<b>SITE ADDRESS:</b>	Garage block adj 14 Harveyfields Waltham Abbey Essex EN9
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey South West
<b>APPLICANT:</b>	Epping Forest District Council
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of garages and provision of 9 affordable flats within a three storey building with external parking and amenity areas.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**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=554573](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=554573)

- 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: 612 029 PL01, PL02, PL03B, PL04A, PL05A, PL08, PL09, PL10
- 3 No construction works above ground level shall have taken place until documentary and photographic details 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.
- 4 Prior to first occupation of the development hereby approved, the proposed window opening(s) in the flank elevation(s) shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 5 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where

appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant 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.

- 6 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.  
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]
- 7 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.  
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows]
- 8 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.  
[Note: This condition must be formally discharged by the Local Planning Authority

before the submission of details pursuant to the verification report condition that follows]

- 9 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval in writing. The approved monitoring and maintenance programme shall be implemented.
- 10 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.
- 11 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 08.00 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 12 The parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents (staff) and visitors vehicles.
- 13 A flood risk assessment and management and maintenance plan shall be submitted to and approved in writing 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 best practice tool. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.
- 14 Prior to the first occupation of the development any redundant dropped kerbs or vehicular access points shall be fully reinstated to include full construction of the footway and full height kerbing where necessary.
- 15 Prior to the first occupation of the development the developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council.
- 16 Prior to the commencement of development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. the approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.

- 17 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary,

*This application is before this Committee since it is an application for residential development consisting of 5 dwellings or more (unless approval of reserved matters only) and is recommended for approval (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(d))*

**Description of Site:**

The application site is a rectangular site measuring 35m x 25m which comprises 40 lock up single garages and hardstanding. The site is owned by this council and the garages are available to rent. The site is bounded to the east by King George Road and to the west by Harveyfields and there are residential properties surrounding the site, including a three storey flatted development directly opposite the site in Harveyfields.. Vehicular access is from Harveyfields to the west as there are bollards on the boundary with King George Road.

**Description of Proposal:**

The proposal is for the erection of a 3 storey block containing 9 units of flatted accommodation (5 two bedroom and 4 one bedroom). The new building is to be sited in the centre of the site with 16 surface level parking spaces, with access directly from Harveyfields and from King George Road. The proposed 3 storey building is of red brick with a pitched tiled roof and includes balconies on the west facing elevation. The building is well articulated with central gable features to both front and rear. The proposal includes provision of cycle and refuse storage within the building and space for soft landscaping including tree planting.

**Relevant History:**

None Relevant

**SUMMARY OF REPRESENTATIONS**

The Housing Directorate carried out their own extensive consultation prior to the submission of the application. In addition 48 Neighbours were consulted and a site notice was erected - the following responses were received:

TOWN COUNCIL- No objection: The existing garage boundary wall needs to be considered in the interests of safety and visual amenity.

51 GREENFIELD STREET. Object: Where are the existing garage occupants going to park, Parking in Harveyfields is already difficult.

**Policies Applied:**

- CP1 – Achieving sustainable development objectives
- CP2 – Protecting the quality of the rural and built environment
- CP3 – New development
- CP6 – Achieving sustainable urban development patterns
- H2A – Previously developed land
- H3A – Housing density
- H4A – Housing mix
- H5A -Provision of affordable housing

H9A - Lifetime Homes  
DBE1 – Design of new buildings  
DBE2 – Effect on neighbouring properties  
DBE3 – Design in urban areas  
DBE8 – Private amenity space  
DBE9 – Loss of amenity  
LL11 – Landscaping schemes  
ST1 – Location of development  
ST4 – Road safety  
ST6 – Vehicle parking

The above policies form part of the Councils 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.

### **Issues and Considerations:**

This is a council application to develop its own land for the provision of 9 affordable housing units.

#### Suitability of site:

The application site is located within the urban area of Waltham Abbey and is considered to be a sustainable location with relatively good access to the town centre, facilities, employment and public transport. The 'golden thread' that runs through the NPPF in terms of both plan-making and decision-taking is the presumption in favour of sustainable development. The principle of further development within this type of location is considered to accord with this presumption and therefore this should be afforded significant weight. Furthermore, the redevelopment of this site would constitute the reuse of previously developed land. Both the NPPF and Local Plan policy H2A encourage the reuse and intensification of use of such sites; however applications still need to be assessed on their individual merits.

#### Amenity considerations:

The proposed development would be a three storey block replacing existing single storey flat roofed garage blocks. The west elevation will face towards the front of flats in Harveyfields of a similar height, at a distance of between 27 and 32 metres and the eastern elevation will face the side elevation of number 13 King George Road and its rear garden at a distance of about 17 metres and the front elevation of number 15 King George Road at a distance of about 26 metres. It is not considered that this will cause any significant loss of privacy or overlooking. Whilst there will be side facing views of the private amenity area of Number 13, which is at present not overlooked the situation is very similar to many corner plots and the distance is in accord with the guidance in the Essex design guide.

The block has been sited some 8 metres from the side elevation of the nearest property to the south and roughly on the same building line such that there will be no adverse impact with regard to light and outlook. The side facing windows proposed are to be obscured glazed so there will be no overlooking issue. The proposed balconies will enable occupants of the flats at the southern end of the block views over the front garden of number 14 King George Road, but as this is a publicly visible area this is not considered harmful.

#### Design

The surrounding area comprises a range of architectural styles and designs including 2 storey terraced housing, semi detached properties and 1970's 3 storey flats. The proposed 3 storey

development will fit well within this mix and will not be over dominant. The front and rear elevations both incorporate gable features and changes in materials to break up the facades and the materials proposed are considered appropriate.

The proposal is designed to meet Level 4 of the code for sustainable homes and would comply with the Lifetime Homes criteria. The Ground floor flats are suitable for wheelchair users.

The design has also taken into consideration the need for security and ensures that the parking areas and communal spaces are open and visible to limit crime and antisocial behaviour problems. Whilst the scheme does result in quite prominent parking which is not ideal, given the restraints of the site and its current use as a car park it is not considered that this would be grounds for refusal.

Each of the flats has its own private balcony or small terrace area and there is a limited amount of communal space between the building and the parking spaces, it is considered that for this provision is sufficient for these 1 and 2 bed flats.

The proposals include indicative landscaping and the landscape officer is content that subject to a landscaping condition there is scope for some greening which will soften the impact of the proposal in the locality.

In terms of townscape it is considered that the development can only be an improvement over the existing garage court which has no value in visual amenity terms.

#### Highway Safety and Parking Issues

The proposal will result in the loss of 40 existing council garages and the impact of this loss needs to be assessed. There is however no specific planning policy which seeks to retain existing parking courts. Of the 40 garages 18 are currently void and 22 are let. A report undertaken by the Highway engineers Mouchel indicates that within Essex County Council 78% of all garages are not used for car parking, as such it can be surmised that potentially only 5 of the garages at the site are likely to be used for parking. At present the council currently has 51 garages vacant and to let in surrounding roads, so anyone who loses a space within the site would potentially be able to rent an alternative space within a few hundred metres.

In addition 34 additional parking spaces were recently approved under planning reference EPF/1543/13 and are unallocated spaces that could be used by people who currently use the garage site. Whilst it is acknowledged that there is extensive on street parking in the area it is not considered that this development will result in a significant increase in this problem.

With regard to the proposed parking within the site, 15 parking spaces are proposed. This meets the adopted parking standards of 2 spaces per 2 bed unit and 1 space per 1 bed unit with 2 visitor spaces. The spaces will be accessed directly from Harveyfields and King George Road.

The Highway Authority has raised no objection to the proposal either on the grounds of level of provision or on highway safety grounds, subject to the imposition of conditions.

#### Affordable Housing

The development falls below the threshold which requires the provision of affordable housing, and as such there is no requirement for a legal agreement to secure affordable housing. The application is, however, a Council proposal and the development will provide 9 much needed units for applicants on the Council's Housing waiting list, at an affordable rent.



### Drainage

The site is not within any Environment Agency Floodzone but is within an Epping Forest District Council flood risk assessment zone and is of a size where it is necessary to avoid generating additional run off and the opportunity should be taken to improve existing surface water runoff. The Engineering, Drainage and Water Team have raised no objection to the proposal subject to the imposition of a land drainage condition.

### Contamination

The site is potentially contaminated land and it is therefore necessary to impose full contaminated land conditions to ensure the safe development

### Other Issues

The Town Council whilst not raising objection to the proposal have asked that the existing garage boundary wall be considered in the interests of safety and visual amenity. The application drawings indicate that the existing garage wall along the southern boundary is to be retained if structurally sound. This is considered appropriate subject to suitable finishing of the wall but a condition can be added requiring details to be submitted.

### Conclusion

This proposal for the redevelopment of an underutilised and unsightly area of land within the urban area of Waltham Abbey to provide 9 flats is considered to be in accordance with the principles of sustainability set out in the NPPF making the best use of urban land. Whilst there will be a reduction in parking provision given the number of vacant garages within the locality it is not considered that this will result in significant additional on street parking. The design is appropriate to the location and will enhance the visual amenity of the area, and there will be no significant harm to the residential amenity of surrounding residents. The application is considered to be in accordance with the adopted policies of the Local Plan and the NPPF and is 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: Mrs Jill Shingler  
Direct Line Telephone Number 01992 564106***

***Or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***