

AREA PLANS SUB-COMMITTEE 'WEST'

29 January 2014

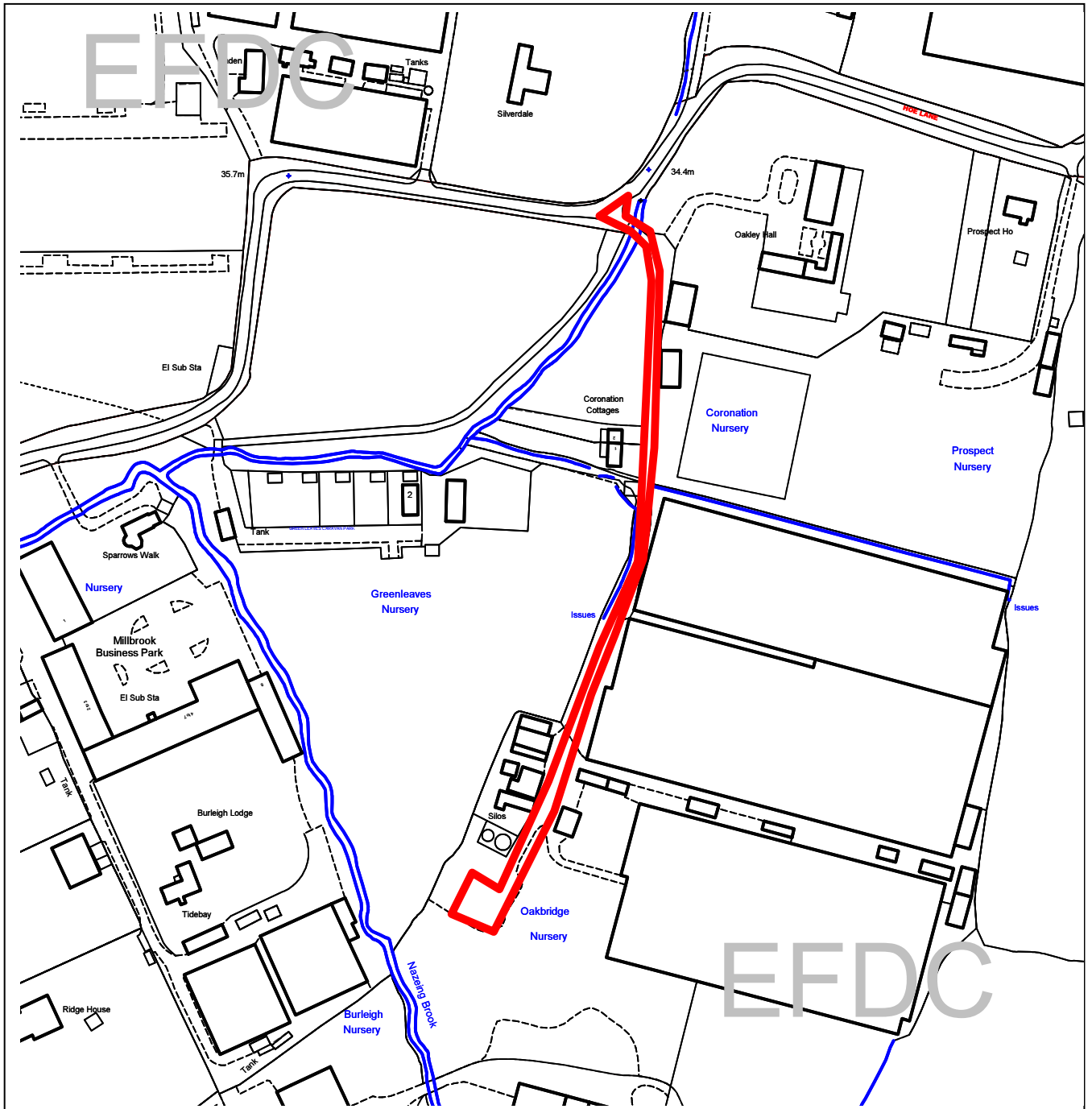
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Epping Forest District Council

AGENDA ITEM NUMBER 1



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Application Number:	EPF/2116/13
Site Name:	Coronation Nursery Ltd, Hoe Lane Nazeing, EN9 2RN
Scale of Plot:	1/2500

Report Item No: 1

APPLICATION No:	EPF/2116/13
SITE ADDRESS:	Coronation Nursery Ltd Hoe Lane Nazeing Essex EN9 2RN
PARISH:	Nazeing
WARD:	Lower Nazeing
APPLICANT:	Mr Franco Pullara
DESCRIPTION OF PROPOSAL:	Installation of a new boiler house and wood chip store area. Boiler house will contain a new biomass boiler, ancillary equipment, flue and area of hardstanding which will supply Coronation Nursery with renewable heat energy.
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=554972

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 in accordance with the approved drawings No's: RPS-CN-008, 009, 010, 011, and the proposed flue shall extend to a height of 10.5m above ground level as detailed.
- 3 Materials to be used for the external finishes of the proposed development shall be as detailed on the submitted plan numbered RPS-CN-008, unless otherwise agreed in writing by the Local Planning Authority.
- 4 Any deliveries in connection with the use shall only take place between the hours of 08:00 - 18:00 Monday to Saturday, unless otherwise agreed by the Local Planning Authority.
- 5 No external lighting shall be installed on or adjacent to the building other than in accordance with details that will be previously submitted in writing to, and approved, by the Local Planning Authority.

This application is before committee since it was deferred from the previous meeting held on 18/12/13 to offer the applicant more time to clarify a number of issues in relation to the proposed development. The original report is appended to this report which is providing the further information requested.

Introduction

The following information is provided to address the specific concerns highlighted by Members at the December meeting. These were specifically;

- Amount of storage required (in tons)
- Where else it is/could be stored
- Amount of use within a period of time
- Security re arson/vandalism
- Tonnage of vehicles
- Vehicle movements
- Fire issues and Health & Safety

The following response was received from the applicant to address these points;

CORONATION NURSERY INSTALLATION OF A NEW BOILER HOUSE AND WOOD CHIP STORE AREA

(PLANNING REF: EPF/2116/13)

Preface

The information below has been supplied by Renewable Power Systems (the Agent) on behalf of Franco Pullara (the Applicant) in response to Epping Forrest Planning Subcommittee West request for further information regarding the proposed installation of a new boiler house and wood chip store area at Coronation Nursery, Hoe Lane, Nazeing.

On December the 18th 2013, the planning committee decided to defer the application until further information could be supplied addressing specific questions. This document provides further information.

1 AMOUNT OF STORAGE REQUIRED (IN TONNES)

The proposed development is designed to offer an adequate covered storage area for wood chip product to ensure smooth and reliable operation of the new biomass boiler. In total, all storage areas (including the small external hard standing which is not preferred for storage - see below) will be capable of storing a maximum of approximately 75 tonnes of wood chip. Chips would be stored to a maximum height of approximately 2.5m as per the planning drawings.

For comparison, the fires that broke out at the large wood chip yard at Birchwood Industrial estate on Hoe Lane were reported to hold in excess of 100,000 tonnes of wood chip chips to piles over 15m high. The proposed development is not comparable in scale or nature.

2 WOOD CHIP STORAGE - WHERE ELSE IT IS/COULD BE STORED

When wood chip product is purchased for energy production, as is required for the proposed biomass boiler, it is not desirable to store the wood chip product outside. Rainwater would dampen the chips reducing their energy performance in the boiler, which would also lead to increased maintenance costs. In addition, storage outside, particularly on rough surfaces, could lead to grit, gravel and other contaminants entering the chip pile that would have negative implications for the biomass boiler operation.

The small area of external hard standing proposed (77m²) is primarily to provide a suitable clean area to unload the chips from delivery vehicles and access the boiler feeding mechanism. Part of this area could be used for short term storage of chips if required, but this would not be desirable due to the reasons given above. This area would not be required during normal operation of the boiler as the covered storage area provides adequate buffer storage for smooth operation of the biomass boiler. It is calculated that the external hard standing could hold approximately 18 tonnes of chips once allowing for the required access to the boiler feeding mechanism.

Wood chips could not be stored on site in areas other than those designated as part of the proposed development as there are no suitable areas on site, either covered or external.

The applicant is happy for a condition to be placed on the planning permission in order to ensure chips are stored in a suitable manner. It is considered that a condition limiting tonnage may be difficult for all parties to enforce or adhere to. However, a suitable condition might seek to limit the storage of chips to the areas designated as part of the proposed development, i.e., the covered storage and small area of external hard standing.

3 AMOUNT OF USE WITHIN A PERIOD OF TIME

The biomass boiler as part of the proposed development has been sized to provide Coronation Nursery with renewable heating based on its typical annual heat demand. The boiler's use will typically follow the seasonal heat demand of the nursery, which is greatest in early spring. The biomass boiler will have a maximum thermal output of 999kW.

The new biomass boiler will only be able to utilise chips at a maximum rate that is determined by the thermal output of 999kW. The proposed covered storage area for chips will allow for smooth operation of the boiler when operating at its maximum capacity. Renewable Power Systems (RPS)

4 VEHICLE MOVEMENTS – TYPES – TONNAGES

Under normal operation, the proposed development would require an average of 2 HGV vehicles per week to deliver the wood chip product to the designated storage areas. In exceptional circumstances, there may be the requirement for up to 4 HGV deliveries a week. These figures were set out in the planning supporting statement.

This higher figure for HGV deliveries would only be required if deliveries were not able to access the site for a period of more than 1 week, i.e. if the storage areas were fully emptied and required refilling. To require the higher figure for deliveries, this problem would also have to coincide with the period of maximum heat demand by the nursery, which is typically in the early spring. There would not be a situation where higher HGV deliveries were required for two consecutive weeks as there is physically not enough storage areas to accommodate the wood chip that would be delivered. Should deliveries not be possible for more than 1 week, the nursery would simply increase the proportion of heat supplied from the existing gas boilers.

There would be no requirement for greater HGV deliveries than shown above as there is no additional storage areas for the chips and the boiler can only use chips at a maximum rate which is limited by its rated thermal capacity.

Wood chips will be likely be delivered to the site in a standard 25 tonne articulated HGV wood chip delivery vehicle. Similar HGV vehicles routinely visit the Coronation Nursery site to deliver materials and pick up produce from the nursery.

All wood chips will be delivered in enclosed vehicles as any chips open to the elements may increase in moisture content due to rain, this would lower their performance. As the chips are a paid for product by the Nursery, it will be in the Nursery's interest to ensure value and quality is maintained.

5 ACCESS RESTRICTIONS – SECURITY - ARSON/VANDALISM - FIRE ISSUES AND HEALTH & SAFETY

The Coronation Nursery site can only be accessed via a keypad operated security gate leading from Hoe Lane. There is no public access or footpaths adjacent to the proposed development. The Nursery site is in constant use and the risk of arson/vandalism is considered unlikely. In the highly unlikely event of a fire, the relatively small quantity of wood chip stored on site (maximum approx. 75 tonnes) and the isolation from neighbouring buildings, would mean that only the building covering the wood chip is likely to be affected.

The biomass boiler and feeding mechanism itself will be fitted with multiple fire protection monitoring and prevention systems to ensure that the risk of fire from the installed equipment is comprehensively mitigated. The boiler manufacturer will fit these as standard.

The wood chips do not present a health and safety risk to staff or members of the public. The chips will be of high quality and shall be sourced from a reputable supplier that will be compliant with the Government's forthcoming wood chip supplier's criteria associated with the Renewable Heat Incentive scheme.

As the chips are a paid for product by the Nursery, it will be in the Nursery's interest to ensure safety and quality is maintained at all times.

Conclusion:

It is hoped that the above information is adequate enough to furnish members with sufficient information to make a decision. The Officer recommendation remains that consent should be granted subject to the same suggested conditions. Such an approach to this proposal is consistent with the aims and objectives of the nationally adopted NPPF which underlines at paragraph 98 how even small scale renewable energy projects make a worthwhile contribution to cutting greenhouse submissions. The NPPF also states that the role of planning in supporting the delivery of renewable energy, amongst other matters, is central to the economic, social, and environmental dimensions of sustainable development. Paragraph 98 further states that applications for renewable energy should be approved if the impacts are, or can be made, acceptable, unless material considerations indicate otherwise. It is considered that a reasonable case has been made for this scheme such to justify the granting of consent.

THE ORIGINAL REPORT IS ATTACHED BELOW

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 is fairly extensive and within the boundaries of the Metropolitan Green Belt. The site is home to a nursery business and as such includes a number of large glasshouse structures as well as some smaller ancillary buildings to the west. These buildings are in use for general storage and the packing of fruit and vegetable products. There is a large area of hardstanding behind these ancillary buildings and this area is screened from outside the site by trees. The site is accessed down a private road off Hoe Lane on the outskirts of Nazeing and the road contains a general mix of both residential and commercial properties.

Description of Proposal:

The applicant seeks consent to install a wood chip boiler towards the rear of the site. The boiler would be contained in a building measuring approximately 18.0m x 9.0m with a ridge height measuring 6.5m from ground level. The structure would also include an internal storage area for wood chips and an area of hardstanding to the front. An extract flue would be located in the roof area. The facility would be used to burn wood chips in order to generate energy in connection with the nursery business based at the site. The building would be located towards the rear of the site on an existing area of hardstanding and behind the ancillary buildings.

Relevant History:

EPF/0462/99 - Erection of combined heat and power building and associated external plant. Grant Permission (with conditions) - 24/11/1999.

EPF/1365/11 - County Matters application for establishment of an organic recycling facility involving the development of a 'wet' anaerobic digestion facility with ancillary equipment. [ESS/26/11/EPF]. Refused Permission and dismissed on appeal.

EPF/1210/13 - Certificate of lawful development for a proposed biomass boiler and associated flue and wood chip feeding system, and areas of hardstanding required in connection with the agricultural operations at the site. Withdrawn by Applicant – 09/08/13.

EPF/1211/13 - Certificate of lawful development for a proposed 150sqm hardstanding area to store wood chippings for fuel for biomass boiler in connection with the agricultural use of the site. Withdrawn by Applicant – 09/08/13.

Policies Applied:

CP2 –Protecting the Quality of the Rural and Built Environment

CP4 – Energy Conservation

GB2A – Green Belts

GB11 – Agricultural Buildings

RP5A – Adverse Environmental Impacts

E13B – Protection of Glasshouse Sites

DBE1 – Design of New Buildings

DBE2 – Effect on Neighbouring properties

DBE4 – Design in the Green Belt

DBE9 – Loss of Amenity

ST4 – Road Safety

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 215 states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

Summary of Representations:

TOWN COUNCIL: Objection. The site is in the Green Belt and abuts the Conservation Area and there are no special circumstances to justify this development. Concern about the movement of vehicles on Hoe Lane which has had passed difficulties in relation to heavy Goods vehicles because of its narrow width. With constant use with heavy lorries the lane surface and boundary structures are becoming damaged. Planning permission has been granted for a care home nearby. Access from Hoe Lane is on a difficult bend. The size of the building will have a visible impact. With glasshouse space in short supply it makes no sense to remove glasshouses and replace it with a biomass plant that could become a precedent for further change.

13 neighbours consulted and site notice displayed: No objections received.

Issues and Considerations:

The main issues to consider relate to the sites location in the Metropolitan Green Belt, design, issues of amenity, highway safety and the comments of consultees.

Green Belt

The site is within the boundaries of the Green Belt and local and national policy recognises agricultural buildings as being an appropriate form of development. This is acknowledged by local plan policy GB11 which states that agricultural buildings are appropriate if it is established that they are “demonstrably necessary for the purposes of agriculture”. The proposed use of this building is to provide an alternative means of energy generation to serve the nursery business. There is no doubt that the site is in use for agricultural purposes and the issue is whether the proposed development is necessary or desirable. The applicant has provided a very detailed submission with regards to a justification for this scheme.

In reference to the Green Belt the statement makes the case that the General Permitted Development Order (GDPO) recognises wood chip boilers as necessary for the purposes of agriculture. This is a reference to the amendment to the GDPO in 2012 which states that “reasonably necessary for the purposes of agriculture” includes, in relation to the erection, extension or alteration of a building, for housing a biomass boiler or an anaerobic digestion system; for storage of fuel for or waste from that boiler or system; or for housing a hydro-turbine”. Such developments are therefore recognised as necessary for the purposes of agriculture in relation to this Order. It has already been established by previous applications that such a unit at this site would not qualify under permitted development (within 400m of a protected building). It is evident that the spirit of this change is to recognise that such developments can play an important role in the workings of an agricultural/horticultural holding. The changes to the GDPO are to facilitate such developments more readily within the planning system. It is clear that such schemes provide more economically sustainable options for energy production for horticultural businesses and are becoming a more common option. In this regard it is rational to recognise this scheme as “reasonably necessary for the purposes of agriculture”. The supporting statement does outline the reasoning behind installing the plant and it is considered that a case has been made that this development is “demonstrably necessary for the purposes of agriculture”. The system will provide a lower cost option in meeting the nursery’s energy costs and the planning system should be supportive of such developments subject to the scheme being in acquiescence with other material considerations.

Policy GB11 also requires that the new development will not be detrimental to the character of the area or the amenity of nearby residents. The building is a fairly standard, utilitarian structure that will not look out of place in a rural setting, particularly when considered in the context of the wider site. A heavy tree screen does exist on the rear boundary that would part shield the building to

views from outside the site. The appearance of the building is not an issue of concern and its finishing as per the submitted plans would be acceptable. This can be secured by condition. .

The Parish Council has raised concern about the loss of glasshouses at the site but the plans clearly indicate that no glasshouse structures would be affected. The development does not offend local Green Belt policy.

Amenity

It is evident that such uses have the potential to emit smoke and could arguably cause nuisance. The comments received from the Council's Environmental Health Section indicate that the concern with smoke relates largely to the use of damp or wet pellets or during start up or shut down periods. Such developments are relatively heavily regulated by the Environment Agency and if smoke from the appliance causes nuisance recourse is available through the Environmental Protection Act and the Clean Air Act. The Environmental Health Section is satisfied that the proposed flue would do an efficient job in dealing with the issue of smoke dispersal. Officers are content to accept that a modern system will be installed and that if an issue arises remediation could be achieved through separate channels. The advice outlines that such appliances do not generate excessive noise levels and as the nearest residential dwelling is some 100m away this should not be a contentious issue. The Parish Council comments make reference to a care home that has been granted consent nearby but this does not seem relevant to this analysis and it is not clear that there would be directly related amenity concerns. With regard to carbon emissions such schemes are governed by the requirements for Environmental Permits or the Government Renewable Heat Incentive (RHI) scheme.

Highway Safety

The Parish Council has expressed concern with regard to road safety in the area of Hoe Lane and that this development will result in damage to the road. The submitted Planning Statement outlines how vehicle movements in relation to deliveries will be at a maximum of four per week. Bearing in mind that the lawful use of the site is as a working nursery, and indeed the entire road is home to commercial businesses, this increase is considered minimal and not a reason to withhold consent. The denying of consent in this instance would not eradicate existing issues of concern with the movement of large vehicles along Hoe Lane which may exist. Safe access to Coronation Nursery from Hoe Lane exists from an established access.

Existing Power Plant

It is noted that an existing gas powered plant currently provides the nursery with energy and the submission details how this new plant will be to part replace the existing facility. It is stated that the new machinery will be more cost effective and that the gas plant is incurring increased costs. This is a fairly small scale facility and it appears it would be used to reduce the need to rely solely on the gas facility and as such usage of gas. Officers are mindful that very often these units qualify as permitted development and in this spirit, and in support of local business, this additional facility is justified.

Conclusions:

Applications for renewable energy schemes are generally supported and in this instance a case can be made to support this proposal. Conditions which ensure the development is constructed in accordance with the submitted plans, including the proposed flue, are deemed necessary. A condition controlling lighting of the facility is also necessary. Issues of nuisance relating to smoke emissions are controlled by separate legislation and it appears it would be unnecessary to duplicate these controls with a planning condition having regard to the six tests of a planning

condition required by Circular 11/95. It is not necessary to control by condition the limited amount of vehicle movements necessary in connection with the biomass boiler.

In conclusion this proposal is in compliance with sustainable development objectives and is in support of local business. It is deemed necessary for the purposes of agriculture and impact on the open character of the Green Belt would not be excessive. There are no clear concerns with regards to amenity and no highway issues. Drawing all matters together for consideration it is recommended that consent is granted, subject to conditions.

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: Mr Dominic Duffin
Direct Line Telephone Number: (01992) 564336***

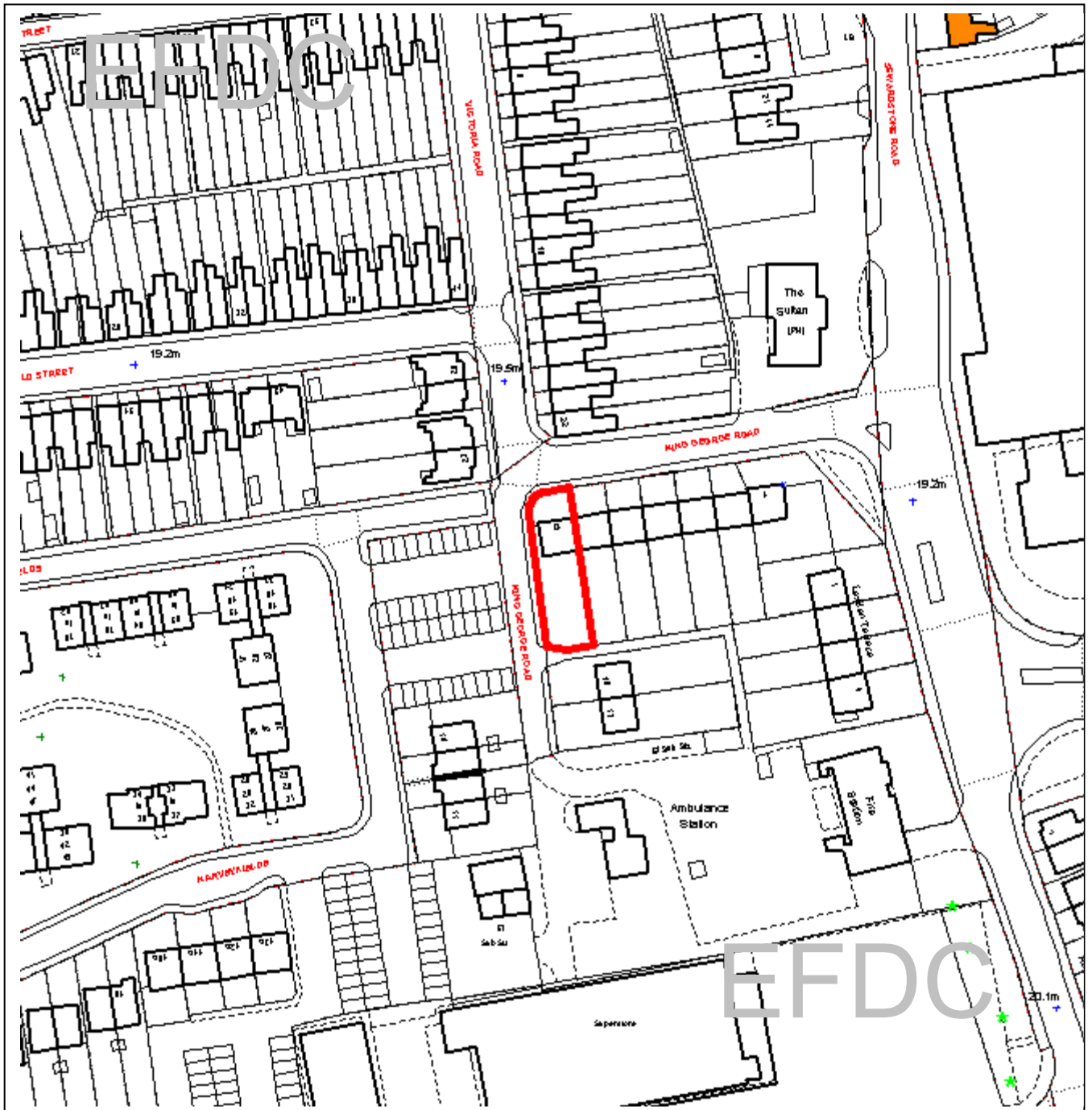
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Epping Forest District Council

AGENDA ITEM NUMBER 2



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Application Number:	EPF/2272/13
Site Name:	13 King George Road, Waltham Abbey EN9 1HG
Scale of Plot:	1/1250

Report Item No: 2

APPLICATION No:	EPF/2272/13
SITE ADDRESS:	13 King George Road Waltham Abbey Essex EN9 1HG
PARISH:	Waltham Abbey
WARD:	Waltham Abbey South West
APPLICANT:	Mr Saide Firaku
DESCRIPTION OF PROPOSAL:	Conversion of two storey family unit into 2 separate units.
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=555990

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; the submitted location plan, Proposed Plan, Proposed Section, proposed Elevations (received amended on 10/01/14).

This application is before this Committee since it has been 'called in' by Councillor Watts (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(h))

Description of Site:

The application site is located at the end of a terrace run of 7 dwellings. The immediate area is characterised by terrace properties and to the west of the site is a number of lock up garages. The house is two storey and has recently been extended. The site is a short walk from the town centre of Waltham Abbey and the various services available there. A large garden area exists to the rear of the building and there are double yellow line parking restrictions to the front.

Description of Proposal:

The applicant seeks consent to convert the existing dwelling into two separate residential units. This would result in a self contained flat on the ground floor and one on the first floor. Two separate entrances would be created to the front. Amenity space would be provided to the rear. The forms indicate no parking spaces would be provided. The plans also show two windows in the gable of the house but no floor plan has been submitted. It is understood this area would be used for storage purposes.

Relevant History:

EPF/0598/13 - Two storey rear and side extension with pitched roofs. Grant Permission (With Conditions) – 20/05/13.

Policies Applied:

CP1 – Achieving Sustainable Development Objectives
CP2 – Protecting the Quality of the Rural and Built Environment
CP3 – New Development
CP4 – Energy Conservation
CP5 – Sustainable Building
CP6 – Achieving Sustainable Urban Development Patterns
CP7 – Urban Form and Quality
DBE1 – Design of New Buildings
DBE2 – Effect on Neighbouring Properties
DBE3 - Design in Urban Areas
DBE6 – Parking in New Developments
DBE8 – Private Amenity Space
DBE9 – Excessive Loss of Amenity to Neighbouring Properties
ST1 – Location of Development
ST2 – Accessibility of Development
ST4 – Road Safety
ST6 – Vehicle Parking
H2A – Previously Developed Land
H4A – Dwelling Mix

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 214 states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

SUMMARY OF REPRESENTATIONS:

TOWN COUNCIL: No objection, but members were disappointed not to see provision made for parking included in the curtilage.

6 neighbours consulted: 1 reply received.

22 VICTORIA ROAD: Objection. I am apposing the Conversion of this two storey family unit into 2 separate units, as no provision has been made, for off street parking. We already have a terrible parking problem in this area. We are about to have the garage blocks 1 -40, demolished, so those cars will have to go somewhere, the garages are being replaced with 9 flats, which have only been allocated 1 parking space each, so again if the flats have 2 cars more parking spaces are already required. Also No 12 King George Rd the ex Fire Station tied house, has just been sold and that again has no off street parking, as the firefighters all parked their cars in the Fire Station. No 21 and 20 Victoria Rd are room rented houses, so there are already 3 occupants in 21 - no parking provisions, and the same for 20. Also when the house was first being extended, the front/side of the house had 3 door ways, which seemed to be very strange for an extended family house.

Issues and Considerations:

The main issues that arise with this application relate to design, layout and parking.

Design

Extensions to the dwelling have been previously approved by the Local Planning Authority and these are currently being constructed. From a design perspective the proposed changes with this scheme would be relatively superficial and raise no issues.

Layout

The immediate area is characterised by relatively densely packed housing and the conversion of this unit to two separate residences would not result in a development which would be seriously out of character with the immediate area. The existing garden area to the rear would provide adequate amenity space.

Parking

The main issue of contention with this application appears to relate to parking. It is noted from the application forms that the development will provide no parking spaces but it is also stated that none currently exist. The 40 lock up garages to the side of the property are the subject of an approved scheme to demolish these buildings and replace them with 9 affordable housing units (EPF2040/13). A neighbour of the development has expressed concern that this scheme would exacerbate what is an already concerning issue with regards to parking in the immediate vicinity. It should be noted that Essex County Council Highways Section has been consulted and raise no objection to the development. The site is very close to the town centre and associated facilities and in such locations reduced parking can be appropriate, including accepting no provision for parking.

As stated the existing garages will be lost to a recently approved scheme but a report by Mouchel found 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. 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. 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. 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.

The proposed development from a policy perspective is appropriate in that it would result in the more efficient use of a previously developed site. The nationally adopted guidance in the NPPF encourages Local Planning Authorities to permit developments which accord with the development plan and promote sustainable economic development. The more efficient use of brownfield sites has been a key Local Authority aim and is enshrined in Policy H2A. Supplementary Guidance contained in the adopted parking standards from Essex County Council also outlines how in urban areas with good public transport links a reduction in usual standards can be justified. In this instance the proposed development is in close proximity to alternative modes of transport and is also within walking distance of many essential local services. These characteristics weigh in favour of approval.

In the coming years the Local Planning Authority will have to release Greenfield sites in order to meet the five year supply of sites required by Paragraph 47 of the NPPF. Some of these sites may be located in Waltham Abbey. Any opportunity to reduce the need to release Greenfield sites, however small, should be encouraged. The increase of one residential unit would not seriously impact on parking in the immediate area. Town centre living is increasingly encouraged by Central Government and the most recent example of this was demonstrated by changes brought in by Class J of the General Permitted Development Order which facilitates the change of use of B1

offices to residential. It is considered that the characteristics of this scheme and that of the immediate vicinity justify two residential units with no provision for parking. This is often the position adopted by Appeal Inspectors when assessing similar schemes. Essentially it is Officers view that the fact that this proposal does not make provision for parking is not a strong enough reason to withhold consent. It is not considered that the development will seriously increase the practice of off street parking, which is really outside the control of the planning process.

Conclusion:

The proposal to sub divide the existing dwellinghouse to form two separate residential units is considered an appropriate form of development. Concerns about parking issues are noted but it is not considered that this concern is sufficient to justify a refusal of the scheme. It is therefore recommended that consent is granted, subject to conditions.

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: Mr Dominic Duffin
Direct Line Telephone Number: (01992) 564336***

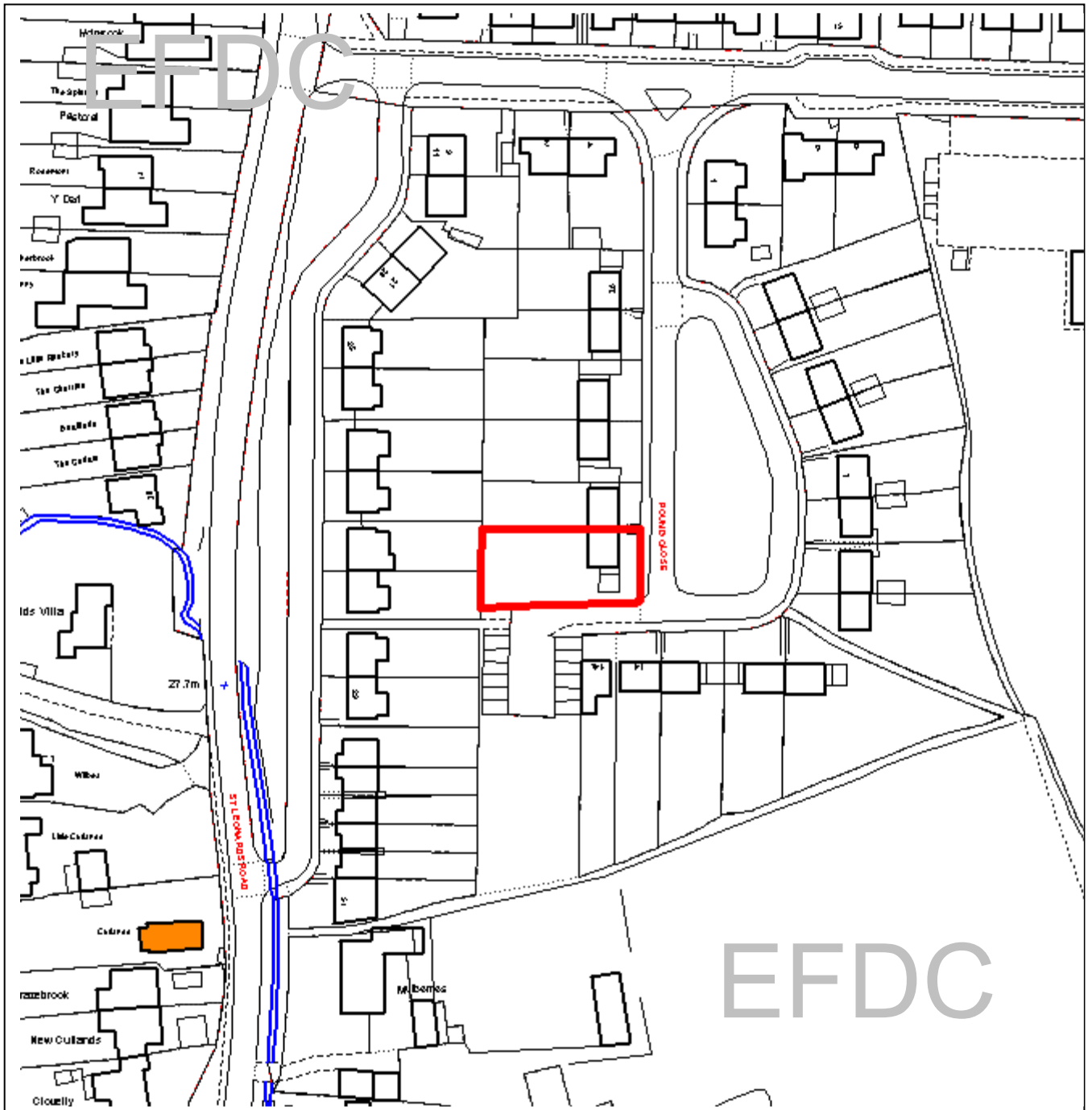
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Epping Forest District Council

AGENDA ITEM NUMBER 3



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Application Number:	EPF/2341/13
Site Name:	15 Pound Close, Nazeing EN9 2HR
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/2341/13
SITE ADDRESS:	15 Pound Close Nazeing Essex EN9 2HR
PARISH:	Nazeing
WARD:	Lower Nazeing
APPLICANT:	Laurence Hamilton
DESCRIPTION OF PROPOSAL:	Erection of detached dwelling. (Revised application to EPF/1776/13)
RECOMMENDED DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

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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 drawing number 7A and the submitted location plan.
- 3 No construction works above ground level shall take 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. The development shall be implemented in accordance with such approved details.
- 4 An assessment of flood risk, focussing on surface water drainage, shall be submitted to and approved by the Local Planning Authority prior to commencement of the development. The assessment shall demonstrate compliance with the principles of Sustainable Drainage Systems (SuDS). The development shall be carried out and maintained in accordance with the approved details.
- 5 The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site.

Should any discoloured or odorous soils be encountered during development works or should any hazardous materials or significant quantities of non-soil forming materials be found, then all development works should be stopped, the Local Planning Authority contacted and a scheme to investigate the risks and / or the adoption of any required remedial measures be submitted to, agreed and approved in writing by the Local Planning Authority prior to the recommencement of development works.

Following the completion of development works and prior to the first occupation of the site, sufficient information must be submitted to demonstrate that any required remedial measures were satisfactorily implemented or confirmation provided that no unexpected contamination was encountered.

- 6 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 and visitors vehicles.
- 7 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.
- 8 No development shall take place until details of foul and surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 9 The proposed window openings in the flank elevations at first and second floor level shall be fitted with obscured glass and have fixed frames up to a height of 1.7 metres above the finished floor level, and shall be permanently retained in that condition.
- 10 All construction/demolition works and ancillary operations (which includes deliveries and other commercial vehicles to and from the site) which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 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.

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:

15 Pound Close is a two storey semi-detached property located on the west side of Pound Close within the built up area of Nazeing. The property is the last in a row of a terrace of houses and is adjacent to a garage/parking area. The houses are arranged around a central green. The property is not within a Conservation Area or the Metropolitan Green Belt. The house has a single storey extension to the side and a conservatory addition to the rear.

Description of Proposal:

The applicant seeks consent to construct a dwelling to the side of the existing house. The building would have a footprint measuring 5.8m wide x 9.5m deep. The roof would be gabled with a dormer window inserted in the rear roof slope. The house would be four bedroom and the existing rear garden would be divided to create two separate private amenity space areas. There is space for car parking to the front of the site/

Relevant History:

EPF/2521/07 – Two storey side extension (revised application) – App/Con
EPF/0818/08 - Erection of two storey dwelling (attached) – App/Con
EPF/1857/08 – Erection of a detached house – App/Con
EPF/1548/11 – Extension of Time application for the erection of a new house – App/Con.
EPF/1776/13 – Erection of Detached Dwelling – Withdrawn by Applicant.
EPF/1802/13 - Certificate of lawful development for a proposed rear dormer window in a loft conversion. Lawful – 17/10/13.
EPF/1820/13 - Prior notification application for a 6 metre single storey rear extension following removal of existing conservatory. Prior Approval Not Required.

Policies Applied:

CP1 – Achieving Sustainable Development Objectives
CP2 – Protecting the Quality of the Rural and Built Environment
CP3 – New Development
CP4 – Energy Conservation
CP5 – Sustainable Building
CP6 – Achieving Sustainable Urban Development Patterns
CP7 – Urban Form and Quality
DBE1 – Design of New Buildings
DBE2 – Effect on Neighbouring Properties
DBE3 - Design in Urban Areas
DBE6 – Parking in New Developments
DBE8 – Private Amenity Space
DBE9 – Excessive Loss of Amenity to Neighbouring Properties
ST1 – Location of Development
ST2 – Accessibility of Development
ST4 – Road Safety
ST6 – Vehicle Parking
H2A – Previously Developed Land
H4A – Dwelling Mix

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 214 states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

SUMMARY OF REPRESENTATIONS:

NAZEING PARISH COUNCIL: Objection. The house is three storeys which is out of keeping with neighbouring properties and the new house would not complement or enhance the streetscene. Parking in Pound Close is already a problem and this will likely be exacerbated with a new house. The stock of smaller dwellings in Nazeing must be maintained.

13 neighbours consulted: no replies received.

Issues and Considerations:

The main issues that arise with this application relate to the principle of the development, design, layout, amenity and parking. The planning history of the site is another consideration.

Principle of the Development

The principle of a dwelling on this site has been long established and agreed by a number of applications. As such an extant permission exists and could be implemented (EPF/1548/11). This proposal is a reworking of what has been approved but the actual footprint of the building has not significantly changed. The key change is that the originally approved scheme had a gabled roof to the front with a hipped section to the rear. With this scheme the entire roof would be gabled and a dormer window inserted in the rear roof slope. As the property is an end of terrace the new house would be exposed to the side and this elevation would be more prominent than with the previous scheme.

The Town Council are concerned that the changes will render the dwelling three storeys and as such be out of character with the existing pattern of development. However in truth most residential dwellings can be extended with rear dormer windows as this form of development has generally been removed from planning control under Class B of the GDPO. Indeed the host dwelling has recently been granted permission for such an extension, although much bulkier (EPF/1802/13). The dormer window proposed as part of this submission is actually fairly modest and would relate well to the overall appearance of the house. It is not excessively bulky and is well set in from all edges of the roof. As stated an extant permission exists to build a new house on site and the applicant could add a dormer window to the rear and side roof slopes on the rear hipped section of this scheme. The result would be a poor design and the current scheme would be much more preferential from a streetscene perspective.

Although this house would be slightly deeper than neighbouring dwellings it would not be as wide and the principle of such a floor area has previously been agreed. Officers are of the view that the proposed appearance of the building would not have a detrimental impact on the streetscene and the principle of this dwelling in lieu of the extant scheme is considered acceptable.

Design and Layout

The proposed design of the dwelling is such that the house would blend in fairly seamlessly with the existing pattern of development. It would be narrower and deeper but this is not an issue of concern. As stated the dormer window is a modest design and would not detract from the appearance of the house. The proposed amenity space for both houses is acceptable and generally there are no concerns with the design or layout of this scheme.

Amenity

The house has a number of side facing windows to the west but as there is no immediate neighbour on this side there would be no serious impact on amenity. However a condition ensuring that windows in the first and second floor on both flank walls are obscure glazed is necessary. The proposed rear wall would be located 4.7m beyond the rear wall of the host dwelling. However the existing conservatory would reduce any overbearing impact from the garden and the extension is set 1.0m from the common boundary. Rear facing windows would receive an adequate supply of sunlight on the host house. The new house does project some distance beyond the host dwelling but it is generally on a previously agreed footprint. It is not considered that the creation of a gable would excessive increase any impact and from an amenity aspect this scheme is considered acceptable. The proposed dormer window raises no issues of amenity.

Parking

The comments from the Parish Council in relation to parking are noted but the proposed scheme includes parking for at least 1 vehicle per dwelling and this is considered adequate. The parking area can be agreed by condition.

Land Drainage

The site is within an Epping Forest Floodzone and the size of the development is such as to require a Flood Risk Assessment which can be secured by condition.

Housing Stock

The Parish Council has expressed the view that the stock of smaller housing in Nazeing should be maintained. The approval of this scheme would not impact on the current housing stock and what is proposed is a reasonable proposition providing a single family home.

Conclusion:

The principle of a new dwelling on the site has been historically agreed and an extant permission for a house exists. The comments of the Parish Council have been taken into consideration but this new proposal is considered to comply with local policy. It is therefore recommended that the application is approved with conditions.

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:

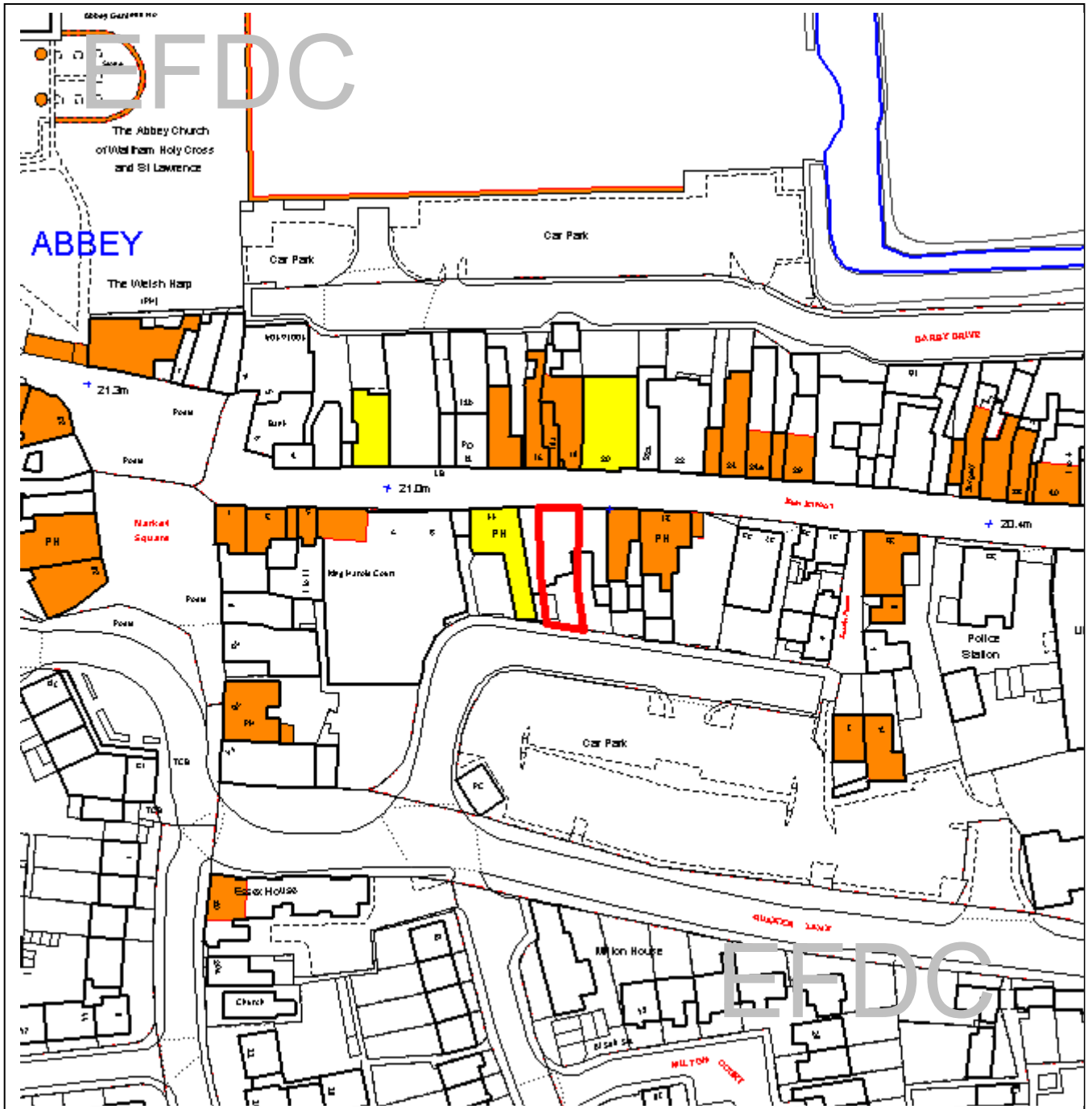
***Planning Application Case Officer: Mr Dominic Duffin
Direct Line Telephone Number: (01992) 564336***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

AGENDA ITEM NUMBER 4



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Application Number:	EPF/2461/13
Site Name:	Waltham Abbey Pets, 15 Sun Street
Scale of Plot:	

Report Item No: 4

APPLICATION No:	EPF/2461/13
SITE ADDRESS:	Waltham Abbey Pets 15 Sun Street Waltham Abbey Essex EN9 1ER
PARISH:	Waltham Abbey
WARD:	Waltham Abbey South West
APPLICANT:	Mr Paul Viner
DESCRIPTION OF PROPOSAL:	Minor material amendment application to EPF/1154/13 (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.) to allow for rear access to residential units.
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/AnitellM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=556954

CONDITIONS

- 1 The development hereby permitted must be begun not later than 30th August 2016.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 888 180A, 888 181A, 888 182A
- 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 for parking of an ambulance in connection with the veterinary use, unless otherwise agreed in writing with the Local Planning Authority.
- 7 No development, including works of demolition or site clearance, shall take place until a structural survey has been submitted to and agreed in writing by the Local Planning Authority showing what demolition works will occur on site and how the remainder of the building and the neighbouring buildings will be protected during the works. The development shall thereafter be undertaken in accordance with the agreed details.
- 8 Prior to occupation of the site, details of the storage of waste and recycling for both the residential and commercial uses shall be submitted to and agreed in writing by the Local Planning Authority. The agreed waste and recycling storage must be installed prior to the occupation of the site and retained thereafter, unless otherwise agreed in writing by the Local Planning Authority.
- 9 All building materials for the proposed development must enter the site from the rear via Quaker Lane.
- 10 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 18.00 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.

This application is before this Committee since it has been 'called in' by Councillor Watts (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(h))

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 for a minor material amendment to EPF/1154/13 that was granted consent in August 2013 for:

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.

The proposed minor amendment is to reduce the width of the rear extension and to add a black metal staircase to obtain secondary access to the residential flats on the upper storeys. The previously approved front entrance (onto Sun Street) and all other factors will remain as previously approved.

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

EPF/1154/13 - 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 – approved/conditions 30/08/13

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 11/12/13.

TOWN COUNCIL – No objection

19 SUN STREET – Support the application.

Issues and Considerations:

As this proposal is simply for a minor material amendment with regards to the proposed new rear access, this is all that will be assessed as part of this application.

The proposed new rear access is proposed to enable residents of the upper storey flats to gain access to the bin store to the rear of the site adjacent to Quaker Lane. To enable the proposed access the recently approved single storey rear extension would be reduced in width to allow for a 1m wide walkway to be provided adjacent to the eastern boundary of the site. This would also entail the installation of a black metal staircase, an external gate, and a new first floor doorway. To continue to allow space for vehicle parking/serving of the unit, the rear most 'pet grooming' element of the development would also be reduced in width.

Given the size of the previously approved mixed use A1/Veterinary Surgery, the small loss of floor space that would result from these works would not impact on the vitality and viability of the proposed business, or indeed Waltham Abbey Town Centre as a whole.

There are several other black metal staircases evident within the surrounding area, and therefore the introduction of this staircase would not be harmful to the visual appearance or character of the area. In fact the reduction in width of the rear extensions would be an improvement over the previously approved scheme, as this would result in a more appropriate roof span.

The proposed amendment would not result in any change in the retention of the parking/service area accessed from Quaker Lane.

Conclusion:

Due to the above, the proposed minor amendment would be an acceptable change to the previously approved scheme and complies with the relevant Local Plan policies. As such, the application 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: Graham Courtney
Direct Line Telephone Number: 01992 564228***

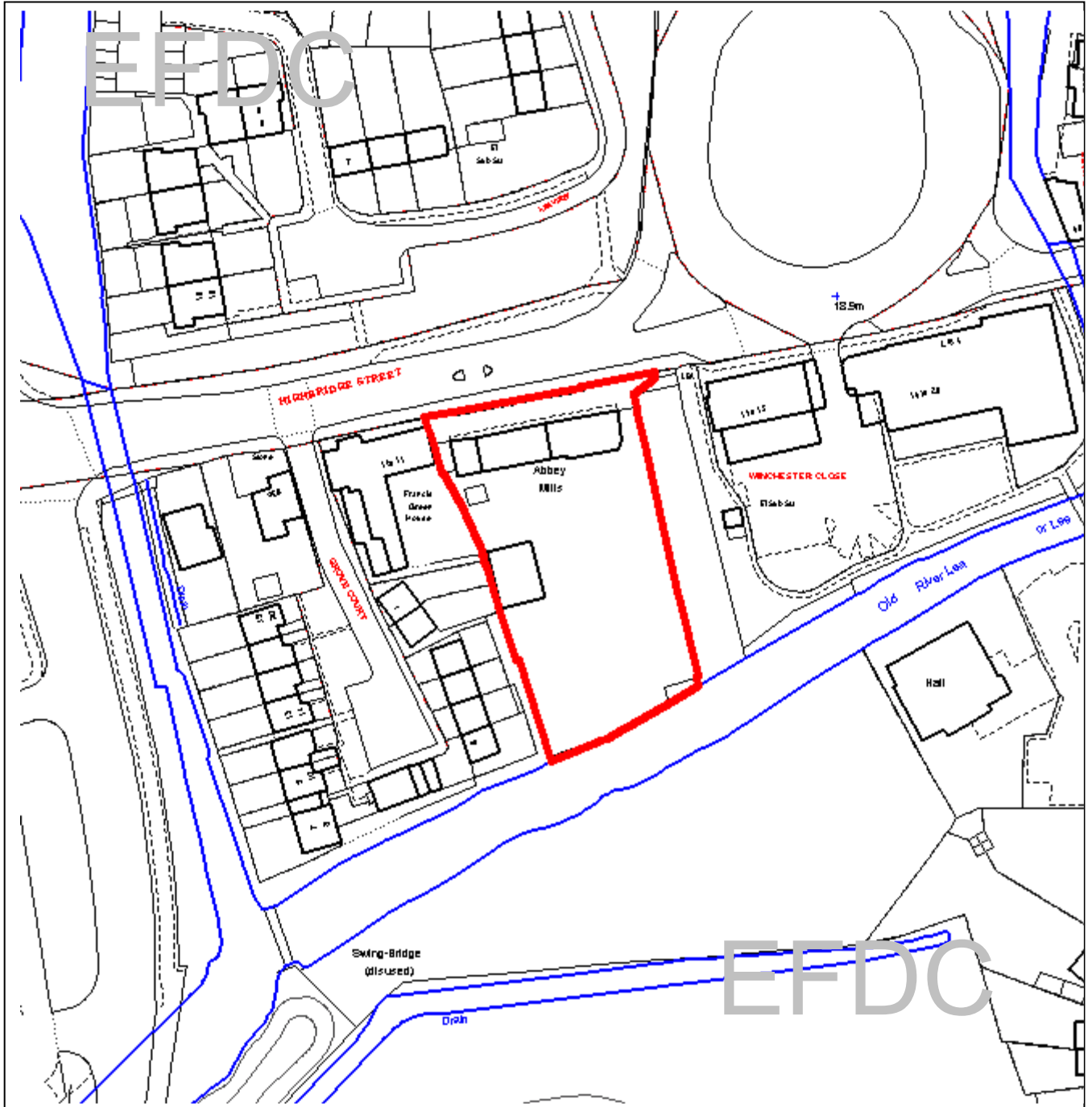
or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

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Epping Forest District Council

AGENDA ITEM NUMBER 5



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Application Number:	EPF/2665/13
Site Name:	Abbey Mills, Highbridge Street Waltham Abbey, EN9 1BP
Scale of Plot:	1/1250

Report Item No: 5

APPLICATION No:	EPF/2665/13
SITE ADDRESS:	Abbey Mills Highbridge Street Waltham Abbey Essex EN9 1BP
PARISH:	Waltham Abbey
WARD:	Waltham Abbey South West
APPLICANT:	Mr Colin Rickard
DESCRIPTION OF PROPOSAL:	Demolition of the existing building and the erection of one row of 7 two and 3 storey terraced houses plus 6 two and three storey semi-detached houses, with associated access, parking and amenity. (Revised application to EPF/2004/13)
RECOMMENDED DECISION:	Grant Permission (With Conditions) Subject to Legal Agreement

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=557994

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: 13.7367.150 Rev: C, 13.7367.200, 13.7367.401 Rev: B, 13.7367.403 Rev: B, 13.7367.404 Rev: B, 13.7367.405, 13.7367.501 Rev: B, 13.7367.502 Rev: C, 13.7367.503 Rev: B, 13.7367.504 Rev: C, 13.7367.505 Rev: A, 13.7367.600, 13.7367.601 Rev: D, 13.7367.701, Bir.4332_01B
- 3 Materials to be used for the external finishes of the proposed development shall match those specified on plan Ref: 13.7367.200, unless otherwise agreed in writing by the Local Planning Authority.
- 4 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.

- 5 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan and Arboricultural Method Statement in accordance with BS:5837:2005 (Trees in relation to construction) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved Tree Protection Plan and Arboricultural Method Statement unless the Local Planning Authority gives its written consent to any variation.
- 6 Prior to first occupation of the development, the the proposed private drive shall be constructed to a width of 5.5 metres for at lease the first 6 metres from the back of carriageway and provided with an appropriate dropped kerb crossing of the footway.
- 7 Prior to first occupation of the development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, as previously approved by Essex County Council.
- 8 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 and visitors vehicles.
- 9 Gates shall not be erected on the vehicular access to the site without the prior written approval of the Local Planning Authority.
- 10 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 11 No development shall take place until a scheme for the provision and management of an 8 metre wide buffer zone alongside the River Lee has been submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping; and could form a vital part of green infrastructure provision. The scheme shall include:
 - plans showing the extent and layout of the buffer zone;
 - details of any proposed planting scheme;
 - details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term, including adequate financial provision and named body responsible for management plus production of detailed management plan;
 - details of any proposed fencing and lighting;
 - details of the regrading of the river bank.
- 12 No development shall take place until details of foul and surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 13 The development shall be carried out in accordance with the approved Flood Risk Assessment ref: R-FRA-R6643PP-04 dated 12th December 2013, and the finished floor levels of the dwellings hereby approved shall be set to at least the following

levels:

- Plot 1 - 19.36 metres Above Ordnance Datum
- Plots 3-7 - 19.34 metres Above Ordnance Datum
- Plots 8-13 - 19.18 metres Above Ordnance Datum.

- 14 No development, including demolition works, shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall be submitted to and agreed in writing by the local planning authority:
- 1) A preliminary risk assessment which has identified:
 - all previous uses of the site;
 - potential contaminants associated with those uses;
 - a conceptual model of the site indicating sources, pathways and receptors;
 - potentially unacceptable risks arising from contamination at the site.
 - 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - 3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 - 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
- Any changes to these components will require written consent of the local planning authority. The scheme shall be implemented as approved.
- 15 No occupation of the dwellings shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.
- 16 If, during construction, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.
- 17 No infiltration of surface water drainage into the ground at this site is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

- 18 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.
- 19 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Planning Authority.
- 20 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 in writing 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]
- 21 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 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]
- 22 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 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]

- 23 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. The approved monitoring and maintenance programme shall be implemented.
- 24 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.

And the completion by 16 March 2014 of a legal agreement under section 106 of the Town and Country Planning Act to secure a contribution of £40,661 (index linked to April 2013 costs) towards the provision of primary education within the area. In the event that the developer/applicant fails to complete a Section 106 Agreement within the stated time period, Members delegate authority to officers to refuse planning permission on the basis that the proposed development would cause harm to local education service by generating additional demand that cannot be accommodated within existing capacity.

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 currently contains a two storey linear office block located on the southern side of Highbridge Street. The existing building was constructed in the 1970s and is flat roofed and benefits from a large car park and storage to the rear. The site is located within an Environment Agency flood zone 3, the designated Waltham Abbey town centre, and the Lee Valley Regional Park. There is a row of preserved trees within the adjacent site that are located approximately 5m from the eastern site boundary, with some closer adjacent trees that are not subject to TPO's. There are also two hawthorn trees located at the front of the site, which are within the applicant's ownership but not preserved.

Description of Proposal:

Consent is being sought for the demolition of the existing office building and the erection of a row of 7 no. two and three storey terraced houses and 6 no. two and three storey semi-detached houses.

The proposed 7 no. terraced houses would be located towards the front of the site roughly on the footprint of the existing office building (albeit slightly closer to Highbridge Street). These proposed houses would each measure between 4.2m and 4.8m in width to a combined width of 33.6m, and would all be 8.4m in depth. The three storey dwellings within this row would consist of the two end properties (Plots 1 and 7) that would have front and rear gabled roof to a ridge height of 9.8m. The central two storey dwellings would have pitched roofs to a ridge height of 8.1m.

The proposed 6 no. semi-detached houses would be located towards the rear of the site within the existing car park. Plots 8 and 9 would each be 4.5m in width and 8.4m in depth and would have hip ended pitched roofs to a ridge height of 8.3m. Plots 10 and 11 would each be 4.5m in width. Plots 8 and 9 would each be 4.5m in width, 8.4m in depth and would have pitched roofs to a ridge height of 8.1m. Plots 12 and 13 would each be 5m in width and 8.4m in depth and would be three storeys with pitched roofs to a ridge height of 10.7m.

Each of the 13 proposed dwellings would benefit from two off-street parking spaces and private rear garden areas. Vehicle access to the properties would be via the existing vehicle access serving the site.

Relevant History:

There is a long history to this commercial site, however the only previous application relevant to this proposal is as follows:

EPF/2004/13 - Demolition of existing building and erection of one row of 7 two and three storey terraced houses and 6 two and three storey semi-detached houses, with associated access, parking and amenity – withdrawn 06/12/13

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
DBE1 – Design of new buildings
DBE2 – Effect on neighbouring properties
DBE3 – Design in urban areas
DBE8 – Private amenity space
DBE9 – Loss of amenity
LL10 – Adequacy of provision for landscape retention
LL11 – Landscaping schemes
U2A – Development in flood risk areas
RST24 – Design and location of development in the LVRP
ST1 – Location of development
ST4 – Road safety
ST6 – Vehicle parking
RP3 – Water quality
RP4 – Contaminated Land

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:

38 neighbours were consulted and a Site Notice displayed on 24/12/13. The time period to allow comments to be received had expired by the time this report was prepared, however, should any later representations be received, they will be verbally summarised and reported at the meeting.

TOWN COUNCIL – The scheme is planned to be discussed at their meeting dated 22nd January and therefore comments will be verbally reported to Members. However there was no objection to the previously withdrawn scheme (EPF/2004/13).

Main Issues and Considerations:

This application is identical to the previous application, which was withdrawn due to an objection from the Environment Agency regarding flooding and ecological impact. However the points previously raised by the Environment Agency have now been addressed (in consultation with the EA) and can now be dealt with by conditions.

Suitability of site:

The application site is located within the urban area of Waltham Abbey, within (albeit on the edge of) the designated town centre. Waltham Abbey is a large built up town on the edge of the District and is served by local services and amenities, and has some public transport links (primarily buses). However the application site is within walking distance of Waltham Cross railway station.

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 the 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.

The application site does lie within an Environment Agency flood zone 3 and therefore a Sequential Test was necessary to justify its location. A Sequential Test was submitted and agreed by Planning Officers, and therefore the principle of redeveloping this site is considered acceptable, subject to it not resulting in increased flooding on or off site.

Amenity considerations:

The terrace of 7 houses is located roughly on the footprint of the existing office building and in line with the neighbouring property to the west. As such, these would not impact on any surrounding residents. The semi-detached houses to the rear would introduce additional built form to the site, however would be sufficient distance from the neighbouring properties to not be unduly harmful to resident's amenities. The only proposed flank windows would serve hallways/landings and therefore, in the case of Plot 8, can be conditioned to be obscure glazed to protect against any overlooking or loss of privacy.

Given the existing use of the site as an office with a large car park, the proposed housing development would not result in any excessive increase in noise or activity, and vehicle

movements would be reduced, when compared to the existing use of the site. Therefore, this would not result in any additional loss of amenity to surrounding residents.

Local Plan policy DBE8 and the Essex Design Guide expect 20 sq. m. of private amenity space for each habitable room when assessing new residential dwellings. The proposed houses would have amenity areas smaller than preferred by policy DBE8, however reductions to this level can be considered acceptable in certain circumstances, including when developments are within urban areas (particularly town centres) and when there is nearby public open space available. Both these factors are relevant to this application as the site is located within the designated town centre and is close to several areas of public open space, including Town Mead, Abbey Gardens and the Lee Valley Regional Park. As such, the proposed level of amenity space is considered acceptable. Furthermore, the houses located to the rear of the site are sufficient distance from the gardens of the front most houses, ensuring that the proposed garden areas would be sufficiently private.

Design:

The existing building on site is a 1970s flat roofed office block of no architectural or visual merit. The proposed front terrace would be more visually appealing and in character with the street scene and, whilst taller than existing, would replicate or be lower than the neighbouring buildings. The two three storey dwellings within the front development would 'frame' the terrace and add visual interest to this important gateway site.

The six semi-detached dwellings would be located to the rear of the site and not easily viewed from public viewpoints and would be formed of three varied shaped pairs of dwellings, although all would be of a similar finish. The change in heights of these dwellings has been proposed to provide a 'stepping down' between the four storey block of flats/commercial building to the east of the site and the two storey dwellings to the west of the site. These proposed dwellings are considered to be of an acceptable design.

There are several trees on adjacent sites, but only two hawthorn trees within the application site itself. The two front trees are proposed for retention, and the development can be conditioned to ensure all neighbouring trees are sufficiently protected during construction. Furthermore, a landscape scheme could be sought by condition to help soften the development and better integrate this site into the LVRP.

Highways and parking issues:

The proposed dwellings would be served by 26 off-street parking spaces. The Essex County Council Vehicle Parking Standards require 2 spaces plus 0.25 visitor parking space per 2+ bedroom residential units. This would equate to a total of 33 spaces. However, the parking standards 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*". Given that the application site is located within the designated town centre and is well served by local facilities and public transport, it is considered that 26 parking spaces would be acceptable in this instance.

The proposed development would utilise the existing vehicle access that serves the offices and would result in less vehicle movements than the current use. As such, it is not considered that the proposal would be detrimental to highway safety or the free flow of traffic on this section of Highbridge Street.

Flooding/ecology:

The previous application was withdrawn due to objections received from the Environment Agency with regards to flooding and ecological impact. As a result of discussions between the EA and the

applicant, the information and flood risk assessment submitted with this application are now considered sufficient to ensure that the development would result in biodiversity enhancements for the River Lee and would ensure that the proposed houses would be 300mm above the 1 in 100 chance in any year flood level, including an allowance for climate change. Therefore, subject to conditions ensuring compliance with the FRA and submitted information, this development is now considered to be acceptable in flooding and ecological terms.

LVRP:

The application site is located within the LVRP however it consists of an area predominantly laid to hardstanding and containing a 1970s office building of no architectural merit. Whilst the redevelopment of the site for housing would not aid the sport and recreational use of the Park, it would not harm the aims of the LVRPA and would provide an opportunity for additional landscaping. Therefore, the development complies with Local Plan policy RST24.

Loss of employment:

Given the guidance within the National Planning Policy Framework, and as several of the Local Plan's employment policies no longer comply with the Framework, there is no longer any need to justify the loss of an employment site such as this.

Archaeology:

The application site lies within an area once occupied by housing and workmen's quarters associated with the nearby Royal Gunpowder Factory. The site itself had various uses throughout the years ranging from a corn mill and a fulling mill, which was adapted in the early 17th century, to an oil Mill which produced vegetable oil. In the late 1800's the eastern front section of the site was a tanning yard for making gloves and in the early to mid-1900's various uses for the site had been recorded from metal smelting, chemical manufacture, lace curtain manufacture and abrasive manufacture, right up to the present time when it is a building with office use. An archaeological evaluation at Abbey Mills undertaken in 2005 revealed archaeological features survived, these included a pit containing a large collection of cattle horn cores, possibly linked with the tannery, as well as boundary walls and elements of the steam mill, including a possible chimney base and a brick tank, surviving below the present ground surface. The remains of post medieval and Victorian structures dating from the 18th century were identified, increasing in density through the 19th century when the steam mill was established.

It is therefore likely that further archaeological deposits relating to the medieval and post-medieval occupation of Waltham Abbey would be disturbed during groundwork for the proposed development, and as such an archaeological condition would be required on any approved redevelopment of the site.

Land contamination:

Due to the previous uses on the application site, and as identified in the submitted information, the land is potentially contaminated. As such, investigations would need to be undertaken to identify and, where necessary, remediate these. This can be dealt with by way of conditions.

Education:

The development falls in the priority admissions area of Waltham Holy Cross Infant and Junior Schools. The infant school has a net permanent capacity of 270 places and, according to the latest forecasts, by the year 2014/15 the school will be full. The junior school has permanent net capacity of 360 places and it is forecast that by 2017/18 the school will be at full capacity.

As such, additional provision will be needed at primary level and this development will further add to this need. Therefore a financial contribution towards education will be required by way of a S106 agreement. The formula as outlined in the Essex County Council's *Developers' Guide to Infrastructure Contributions* (2010) calculates that a primary education contribution of £40,661, index linked to April 2013 costs, will be required in this instance. The applicant has agreed to this requirement.

With regards to early years and childcare provision and secondary provision, latest forecasts indicate that there is likely to be sufficient provision at both levels to serve the needs of the proposed development. Therefore no contribution will be required for this.

Conclusion:

In light of the above the proposed development would make more efficient use of previously developed land and would be in line with the National Planning Policy Framework's presumption in favour of sustainable development. The development complies with all relevant Local Plan policies and would be a visual improvement over the existing office block on the site. As such the revised application is considered to be acceptable and is therefore recommended for approval, subject to conditions and a S106 agreement.

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***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk