

Report Item No: 1

APPLICATION No:	EPF/1720/06
SITE ADDRESS:	Field North of Cobbins Brook between Brookmeadow Wood and Fernhall Wood Upshire Waltham Abbey
PARISH:	Waltham Abbey
APPLICANT:	Environment Agency
DESCRIPTION OF PROPOSAL:	Temporary storage of soil in relation to the construction of the Cobbins Brook Flood Alleviation Scheme (EPF/0120/05).
RECOMMENDED DECISION:	GRANT

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice but not before the commencement of the development the subject of planning application EPF/120/05.
- 2 This consent shall inure for a limited period expiring on the first of the following two dates: 5 years from the date of this Notice or 2 years from the commencement of the development the subject of planning application EPF/120/05, at which time the development permitted by this Notice shall be discontinued and the land restored to its former condition in accordance with the method statement submitted under cover of the Halcrow Group Limited letter dated 6 September 2006.
- 3 The fencing, or other protection which is part of the approved Statement shall not be moved or removed, temporarily or otherwise, until all works, including external works have been completed and all equipment, machinery and surplus materials removed from the site.

The Arboricultural Method Statement shall indicate the specification and timetable of any tree works, which shall be in accordance with the British Standard Recommendations for Tree Works (BS.3998: 1989).

The Arboricultural Method Statement shall include a scheme for the inspection and supervision of the tree protection measures. The scheme shall be appropriate to the scale and duration of the works and may include details of personnel induction and awareness of arboricultural matters; identification of individual responsibilities and key personnel; a statement of delegated powers; frequency, dates and times of inspections and reporting, and procedures for dealing with variations and incidents. The scheme of inspection and supervision shall be administered by a suitable person, approved by the local planning authority but instructed by the applicant.

- 4 Notwithstanding the details submitted with the planning application, the development hereby approved shall not be commenced until there has been submitted to and approved by the Local Planning Authority the results of a survey of badgers, great crested newts, reptiles and breeding birds on the application site together with details of measures to mitigate the impact of the development on them. The development shall be carried out in accordance with the approved mitigation measures.

Description of Proposal:

This application is for the use of a field for the storage of soil in relation to the construction of a flood alleviation scheme (FAS) for which the Council resolved to grant planning permission subject to the completion of a Section 106 Agreement. The use would be for a temporary period and the applicants say they would need to use the field for approximately 18 months from the commencement of construction work on the FAS.

It is proposed that topsoil would be stored in a stockpile up to a maximum of 2m high. It is further proposed that no topsoil would be stored within 6m of the edge of the field or within 10m of the Cobbins Brook. This has been indicated by the limits of the application site, which are shown on the submitted drawings to stop short of the edge of the field. It is described more precisely in the method statement and Environmental Impact Assessment (EIA) submitted with the application.

The source of the topsoil is adjoining land where the FAS would be constructed. The construction process would require most of the land for the FAS to be stripped of topsoil, which would be stored on the application site. The stored topsoil would subsequently be reinstated to the parts of the FAS site from where it was stripped.

The topsoil would be stored in distinct stockpiles on the field in accordance with which part of the FAS site it was stripped from to assist its return. Any subsoil found to have been stripped inadvertently would be stored separately on the site.

Description of Site:

The application site comprises a low-lying field forming part of Fernhall Farm, an agricultural holding. It is situated north of the Cobbins Brook, west of Fernhall Wood and northeast of Brookmeadow Wood, midway between Breach Barns Caravan Park to the west and Fernhall Lane to the east.

The site is within the Metropolitan Green Belt and surrounded by fields, meadow and woods. It forms part of a designated area of Ancient Landscape and land to the south forms part of the Upshire Conservation Area.

Relevant History

EPF/120/05 Construction of new earth flood embankment and creation of flood storage area. Resolved to grant planning permission following completion of a Section 106 Agreement.

Policies Applied

Structure Plan:

CS2 – Protecting the natural and built environment
CS4 – Sustainable new development
C2 – Development within the Metropolitan Green Belt
NR12 – Protecting Water Resources
CC3 – Coast Protection and Flood defence

Local Plan and Local Plan Alterations:

GB2A – Green Belt
HC2 – Ancient Landscapes
HC6 – Works within or adjacent to conservation areas
RP3 – Protection of surface water and groundwater
U2 – Development in areas at risk from flooding
DBE9 – Impact of development on amenity
LL2 – Impact of development on the character of the landscape
LL10 – Provision for landscaping
LL11 – Landscaping schemes

Issues and Considerations

The development is not appropriate development in the Green Belt therefore it is necessary to consider whether any very special circumstances exist that outweigh the harm caused by inappropriateness and any other harm. That requires an assessment of need as well as an assessment of the impact of the works on the landscape.

The original planning application included an area for the temporary storage of topsoil but following further detailed design the applicant's contractor has indicated it would be more efficient to strip and reserve all the topsoil at the start of construction, rather than as a rolling activity as previously envisaged. The applicant has identified two main advantages of the proposal over that previously considered:

- 1) The creation of a safer construction site through providing more working space and generation of fewer vehicle movements within the construction site.

- 2) A lower risk of adversely affecting the soil structure through a reduction in handling of the soils. This would have the benefit of facilitating the proper establishment of landscaping on and around the FAS.

Construction safety can be a material planning consideration and given the large size of the proposed works it is appropriate to treat it as such in this case. It is clear that the land associated with the original construction site did not include a comparable area for topsoil storage and so to work within its constraints topsoil would have to either have been stored in very much higher stockpiles than proposed on the adjacent field or the development phased to allow soil to be stored on land not being worked on. Given the linkages between the different parts of the site, i.e. clay from a borrow pit would be required for the embankment, the area of the site that would have to be worked on would comprise most of it. A phased development across the entire site for the duration of the construction process would be impractical if topsoil from the site is also required to be stored on it. That is because the stored topsoil would not be re-laid until towards the end of the construction process so phasing would necessitate storage in taller stockpiles than proposed on the adjacent field that would have to be repeatedly moved to make way for construction work. Clearly storing topsoil elsewhere would significantly free up the construction site and that would result in a safer working environment.

With regard to the impact on soil structure, this is principally because the storage of topsoil in high stockpiles would be much more likely to result in its compaction making it less suitable for relaying without some form of treatment. It would also be much harder to store topsoil from different parts of the site separately. This could lead to soil not being returned to the area it was originally stripped from. Although not fatal to the functioning of the engineering works as an embankment, this could be prejudicial to achieving the best possible landscaping for the development.

In addition to the matters specifically raised by the applicant as very special circumstances, it is important to note, the proposal is only for the temporary use of the land for a period of approximately 18 months. Consequently, the land will revert to its lawful use as a field for agriculture on or before the expiry of any planning permission given and this can be secured by a condition making any consent granted temporary. Furthermore, the method statement submitted with the application indicates that the field will be restored to at least its former condition therefore it is clear that positive steps will be taken to ensure the land will be capable of use for agriculture once the use for topsoil storage ceases. The specific steps that the applicant proposes to be taken are to reinstate any damaged field drainage system and to strip and reinstate the field soil to deal with any excessive compaction. It would be possible to include this as a requirement in the above-mentioned condition.

In terms of impact on the landscape, the use would have an adverse visual impact and would not be acceptable on a permanent basis. However, its impact would be mitigated by the low height material would be stored at and the low-lying nature of the land. Given that, the temporary nature of the proposed use, proposals for reinstating the land to its existing condition and that the use is required to facilitate the proper construction of a development that would have unique acknowledged benefits of importance, the impact on the landscape for a temporary period is acceptable.

English Nature has raised objections to the development on the basis that the use might impact on legally protected species including badgers, great crested newts, reptiles and breeding birds. In raising their objection English nature would have been aware the lawful use of the land is for agriculture and what that could entail. English Nature has requested that a wildlife survey of the site is carried out by an appropriately qualified ecologist and a suitable mitigation strategy submitted to the Council for consideration prior to a grant of planning permission. The EIA submitted with the application did in fact consider the impact on fauna on the land and it revealed the only possible impact would be the loss of nesting potential for skylarks. The action proposed

to mitigate the impact is to ensure the field is occupied before any nests are established and to reinstate the land to its present condition. Moreover, the EIA submitted with the original application for the development of the FAS revealed no badgers, otters, water voles, reptiles or hares have been found within the vicinity of the site. The surveys carried out for that EIA did indicate the presence of great crested newts in the Cobbins Brook Valley but none within 500m of the proposed development. Given the short-term impact of the proposal and the information provided in two EIA's, but having regard to the Council's duty to ensure the potential impact of development on protected species is addressed, it is considered appropriate to deal with the objection raised through the imposition of conditions on any consent granted. Such conditions could require the submission of the results of a detailed survey and details of appropriate mitigation steps for approval.

For the avoidance of doubt, the proposed use has no implications for traffic generation on local roads above that already identified in connection with the construction of the FAS that the Council has already resolved to approve.

Conclusion

There is good justification for the temporary use of the land in Green belt terms while the short-term adverse impact on the landscape is justified. The proposal includes a methodology for limiting any harm caused and returning the land to its former condition following the cessation of the use. The potential for the use to impact on protected species is addressed in the application and the earlier submission for the FAS. The potential for the development to cause harm can be further mitigated by the imposition of conditions on any consent granted. Accordingly, the proposal accords with adopted planning policy and temporary planning permission could be granted.

REPRESENTATIONS RECEIVED

WALTHAM ABBEY TOWN COUNCIL: No objection

CONSERVATORS OF EPPING FOREST: No response received

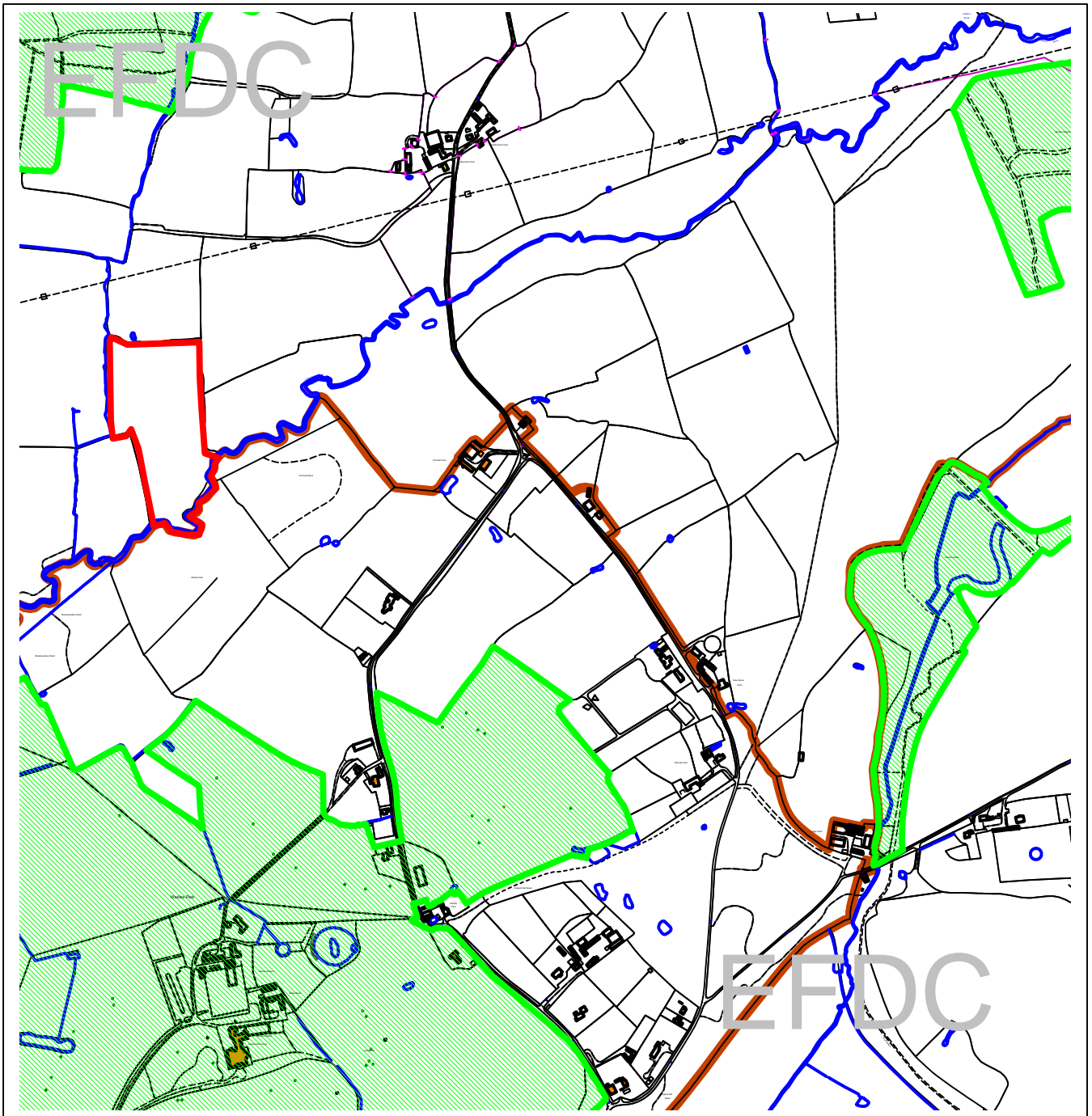
ENGLISH NATURE: Objection. The use might impact on legally protected species including badgers, great crested newts, reptiles and breeding birds. *(In relation to the application for the FAS English Nature advised it has been fully consulted during the development of the proposal and is satisfied that the proposed development is not likely to have any impact on any SSSI's or other identified areas of high nature conservation interest.)*

NEIGHBOURS: No response received.



Epping Forest District Council

Area Planning Sub-Committee



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Agenda Item Number:	1
Application Number:	EPF/1720/06
Site Name:	Land between Brookmeadow Wood and Fernhall Wood, Upshire
Scale of Plot:	1/10000

Report Item No: 2

APPLICATION No:	EPF/1639/06
SITE ADDRESS:	Former Garage Block Homefield Waltham Abbey Essex EN9 3LS
PARISH:	Waltham Abbey
APPLICANT:	Estuary Housing Assoc & Epping Forest District Council
DESCRIPTION OF PROPOSAL:	Erection of 3 no. four bedroom residential houses with parking. (Revised application)
RECOMMENDED DECISION:	GRANT

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 3 Prior to the commencement of development details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected before the occupation of any of the dwellings hereby approved and maintained in the agreed positions.
- 4 The development shall be carried out in accordance with the amended plans received on 16th October 2006 unless otherwise agreed in writing with the Local Planning Authority.
- 5 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting the Order) no windows other than any shown on the approved plan shall be formed at any time in the flank walls of the building hereby permitted without the prior written approval of the Local Planning Authority.
- 6 Prior to first occupation of the building hereby approved the proposed window openings in southern flank of the detached dwelling facing No. 17 Harries Court shall be fitted with obscured glass and have fixed frames, and shall be permanently retained in that condition.
- 7 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of

Part 1 Classes A and B shall be undertaken without the prior written permission of the Local Planning Authority.

- 8 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) have been submitted to an approved in writing by the Local Planning Authority, and these works shall be carried out as approved. These 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 vehicle artefacts and structures, including signs and lighting and functional services above and below ground. 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.
- 9 A flood risk assessment shall be submitted to and approved by the Local Planning Authority prior to commencement of the development. The assessment shall demonstrate that adjacent properties shall not be subject to increased flood risk and, dependant upon the capacity of the receiving drainage, shall include calculations of any increased storm run-off and the necessary on-site detention. The approved measures shall be carried out prior to the first occupation of the building hereby approved and shall be adequately maintained.

Description of Proposal:

Consent is being sought for the erection of 3 four bedroom houses with associated parking. The site would be split into one detached dwelling on the south side of the site and a pair of semi detached dwellings to the north. The houses would be separated by a small access to the rear of the site where 5 parking spaces would be provided. The two existing garages to the west side of the site would be retained for use by their current occupiers and would be accessed through the site. The entrance to the site would be via an existing crossover.

Originally each of the three houses benefited from a rear dormer window, however officer concerns regarding size were raised with the applicant, who has now removed these elements from the scheme. Although each house would have a room in the roof space, these would be served by roof lights.

Outline permission was granted in 2002 for the erection of 3 dwellings on this site (EPF/1156/02), however this was for 2 two bedroom and 1 three bedroom houses. Therefore whilst members previously agreed that the principle of residential development has been established on this site, this is effectively a full application, unrelated to the previous approval.

The application has been submitted by Estuary Housing Association working in partnership with Epping Forest District Council and is one of eight council owned housing sites that already benefit from outline permission, to provide a total of 57 properties, 39 of which would be affordable with

the other 18 to be sold on the open market to cross subsidise the cost of providing the affordable housing.

Description of Site:

A roughly rectangular site measuring approximately 28m deep by 25m wide, located on the northern side of Harriescourt, to the south of No. 61 Homefield, in an area predominantly characterised by semi detached dwellings. It is hardsurfaced and was previously a garage court. The site backs onto the long rear gardens of properties in Pick Hill and provides access to two garages in these rear gardens. The site slopes from east to west by some 1.5m and continues to slope down towards the bungalows along Pick Hill, some 40m away from the rear boundary of the site. The site is not in a Conservation Area.

Relevant History:

EPF/1156/02 – Outline application for 2 x 2 bedroom houses and 1x3 bedroom house – Approved with conditions.

EPF/791/06 – Erection of 3 x 4 bedroom houses with parking - Withdrawn

Policies Applied:

Structure Plan:-

BE1 – Urban Intensification

Local Plan and Local Plan Alterations:-

H5A – Provision for affordable housing

DBE1, DBE2, DBE3, DBE6, DBE8 and DBE9 relating to residential development, its design and the built environment

LL10, LL11 – Landscaping

ST4, ST6 – Highways and parking considerations.

Adopted Supplementary Planning Guidance:-

The Essex Design Guide 1997

Essex Planning Officers Association Vehicle Parking Standards 2001

Issues and Considerations:

The main issues here relate to the affordable housing aspect of the proposal, the impact of the proposed development on the character and appearance of the locality, its affect on the amenities of neighbouring residential properties, the adequacy of private amenity space, its impact on highway conditions and road safety and the suitability of the car parking provision proposed.

Affordable Housing

This scheme has the full support of the Councils Head of Housing. There is a severe shortage of affordable homes within the district. He argues that, The Housing Needs survey undertaken in 2003 showed *"...665 new affordable homes per annum were required to meet the current and projected housing need. In contrast, an average of only 62 new affordable homes have been*

produced per annum over the past three years. Furthermore, there are only two developments currently on site that will complete in 2006/7, which will provide just 25 affordable homes.”

This site is in an ideal location within an existing residential area, well served by public transport, close to existing schools and amenities.

The Impact On The Character And Appearance Of The Locality

Policy BE1 of the Essex & Southend-on-Sea Replacement Structure Plan 2001 says that existing built up areas will be used in the most efficient way to accommodate new development by the use of higher densities where compatible with the character of the area concerned and urban design controls. This is in addition to the recycling of vacant and derelict land. Therefore the principle of the development is acceptable here.

Properties in the area are generally semi detached, the footprints of the proposed dwellings would be of similar size to the existing dwellings and, from this perspective, would not look out of place. In addition, a detached dwelling has recently been granted on appeal directly opposite the site, adjacent to No. 57 Homefield.

The area contains examples of both hipped and gable ended roofs and, subject to the appropriate control of materials, the proposed designs would also be acceptable.

The height of the dwellings would be similar to those of the adjacent properties and would not look unduly prominent within the streetscene. The siting of the houses on the plot would not appear overly cramped and would make a positive contribution to the character and appearance of the area, over and above the current situation.

The parking, contained in a shared area to the rear of the dwelling would not result in cars dominating the streetscene. Close boarded fencing is proposed to the sides and rears of each property, which would result in an acceptable level of privacy being achieved.

The Impact On The Amenities Of The Neighbouring Properties

The relationship of the proposed houses to neighbouring houses accords with the criteria set out in the Essex Design Guide.

Although the semi detached house on the north side of the site would be set some 4.8m further back, there is a separation of over 4m between the existing dwelling at No. 61 Homefield and it is considered that whilst there would be some loss of outlook it is not to such a material level to warrant a refusal. The loss of sunlight or daylight, again is not so great to result in a material loss of amenity to that property.

The distance between the flank elevation of proposed detached house would be approximately 30m from the rear elevation of No. 17 Harriescourt and would not result in a material loss of amenity to the occupiers of that house. Similarly, the shortest distance between the proposed dwellings and the dwellings to the west along Pick Hill would be over 55m. Even though they would be sited on higher ground and could impact on views, the separation is considered acceptable not to result in an excessive loss of residential amenity.

Private Amenity Space

Policy DBE8 expects rear gardens of new houses to have a minimum area of 100m². This accords with Essex Design Guide specifications for the garden size of three bedroom or larger houses. The garden sizes here are 57m², 61m² and 93m² for house 1, 2 and 3 respectively. However, the policy argues that *“inevitably there will be exceptions and the Council must be prepared to relax these standards in certain circumstances . These may include where; i) the housing is “affordable” and the amount of land available is likely to be at a premium.”*

Therefore in this case it is considered that whilst the garden space for two of the houses is significantly smaller than what the policy requires, since these houses would be for much needed affordable housing, a relaxation in the policy can be justified. Moreover, none of the gardens are so small as to warrant opposing the scheme on this matter alone and they would all be a usable shape so the aim of the policy of ensuring the provision of good amenity space is met.

Impact On Highway Conditions, Road Safety and Parking

The site is served by an existing access and the Highway Authority is satisfied that the development would not result in a hazard to road safety. The number of parking spaces is in accordance with adopted parking standards.

Conclusion:

Whilst this proposal is larger than the scheme granted outline consent in 2002, the principle remains the same. This is an ideal location for affordable housing, would be a positive contribution to the character of the area, would not result in a material loss of amenity to neighbouring properties and is served by an existing access. Officer recommendation is to approve.

Summary of Representations:

WALTHAM ABBEY TOWN COUNCIL – Objection – Overdevelopment of the site

PATERNOSTER NORTH RESIDENTS ASSOCIATION – Objection – development extends beyond the existing building lines of surrounding properties; would result in loss of light and privacy; houses would tower over homes, overpowering and be clearly visible; overdevelopment; maybe single storey houses would be more suitable; out of character

4 PICK HILL – Objection – would dominate the skyline; should be single storey; would spoil aspects of area.

7 AMESBURY – Objection – out of character; loss of privacy; overlooking; unsightly; clearly visible.

2 PICK HILL – Objection – would look out of place; should be single storey.

61 HOMEFIELD – Objection – would cut down light and privacy on my house; overdevelopment

14 HARRIESCOURT – Objection – would not follow suit of neighbouring houses.

63 HOMEFIELD – Objection – will house large families with children; most of estate are retired or middle aged; putting families smack in the middle doesn't seem fair to anyone; invasion of privacy and loss of light; out of character; why not housing for the elderly.



Epping Forest District Council

Area Planning Sub-Committee



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Agenda Item Number:	2
Application Number:	EPF/1639/06
Site Name:	Former garage site, Homefield, Waltham Abbey
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/1418/06
SITE ADDRESS:	Land adj, 40 Orchard Gardens Waltham Abbey Essex EN9 1RS
PARISH:	Waltham Abbey
APPLICANT:	Mr and Mrs Eglington
DESCRIPTION OF PROPOSAL:	Outline application for a new attached dwelling.
RECOMMENDED DECISION:	GRANT

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Application for the approval of details reserved by this permission must be made not later than the expiration of three years from the date of this notice. The development hereby permitted must be begun not later than the expiration of two years from the date of the final approval of the details reserved by this permission or, in the case of approval on different dates, the final approval of the last matter approved.
- 3 Prior to the commencement of development details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected before the occupation of any of the dwellings hereby approved and maintained in the agreed positions.
- 4 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.

Description of Proposal:

This is an outline application and all matters of detail are reserved for subsequent consideration should consent be granted however, the indicative drawing submitted with the application gives clear indication of the design principles for the development.

It is proposed to form a new house to the western flank of the original house. This would be achieved by erecting a 3.5m wide two-storey side extension in addition to an existing 4.25m wide two-storey side extension and using the space in the existing and proposed extensions to form the proposed house. The new dwelling would therefore be 7.75m in width. The proposed extension would be the same depth and height as the existing house and the flank wall of the proposed addition would be set between 1.3 and 2.3m of the western site boundary. The formation of the

new house would result in 38 and 40 Orchard Gardens ceasing to be semi-detached and becoming part of a terrace of 3 houses. Vehicular access could only be from Orchard Gardens.

Description of Site:

The application site comprises a semi-detached dwelling in the urban area of Waltham Abbey, located on the northern side of Orchard Gardens. The property was extended with a two storey side extension in 1993 prior to the adoption of the Local Plan in 1998. To the west of the site is Town Mead Recreational Ground and a Council depot while to the east and south are short two-storey terraces. The adjacent land to the west forms part of the Metropolitan Green Belt. The plot shape is irregular being wider in the front but narrower at its rear. The property also reached by a rear access serving 28 to 40 Orchard Gardens and No. 32 Tower Mead Road, Waltham Abbey.

Relevant History:

Planning permission for the erection of a two storey side extension was approved under application number EPF/364/93 in May 1993. This permission has been implemented.

Policies Applied:

Structure Plan

BE1 Urban intensification

H4 New residential developments.

Local Plan and local Plan Alterations

CP3 New Development

CP4 Urban Form and Quality

H2A Previously Developed Land

DBE1 Design of new buildings

DBE2 Impact on existing, surrounding properties

DBE3 Development in urban areas

DBE8 Private amenity space

DBE9 Impact on amenity

DBE10 Design of residential extensions.

LL11. Provision of Landscaping

ST6 Vehicle Parking

Adopted Supplementary Planning Guidance

Essex Design Guide 1997

Essex Planning Officers Society Vehicle Parking Standards 2001

Issues and Considerations:

The main issues raised by this application are the appearance of the development, impact on the amenities enjoyed by the occupants of the adjoining property and impact on the adjoining Green Belt.

There are no planning policy objections to the extension and formation of the new dwelling. Indicative plans submitted with the application show the design of the dwelling would be traditional and in respect that of nearby houses. Accordingly, it has been demonstrated that the final form of the development could easily fit in with the established local character

The overall siting, size and height of the proposed structure is such that it would not cause any demonstrable harm to the living amenities of number 38 Orchard Gardens. The boundary on its western side has currently marked trees/shrubs and the separation side gap provided clearly shows that there would be no detrimental impact to the amenities of the adjoining property, No 38 Orchard gardens, which has a single storey rear extension.

Views from Green Belt land would be partially obscured by existing vegetation but even if it were not, the extension/new dwelling would not appear materially different to the existing extended house when seen from the Green Belt. Accordingly the development would not have any adverse impact on views to or from the Green Belt and certainly would not affect its openness.

Other planning issues include parking and amenity space provision for the new and existing house. Two parking spaces, one in the front and a detached garage at the rear, for the benefit of the occupant of number 40 Orchard Gardens are proposed. Two parking spaces for the parking needs of the new dwelling are also proposed. Highway officers have raised no objections to this proposal which accords with adopted standards. With regard to amenity space provision, both houses would have garden areas that are usable and accord with adopted amenity space standards.

Conclusion

Although the proposal will result in an additional dwelling slightly wider than the other dwellings in this street but the overall appearance of the proposed property will not be dissimilar in terms of scale/form/bulk and will not be out of keeping to the existing development in this locality. The proposal also due to its design, side gap and tree/hedge screening will not be harmful to the adjacent Green Belt. Furthermore, the proposal would not cause harm to the amenities enjoyed by the occupants of neighbouring properties. The proposal on its planning merit therefore is accepted and recommended for approval.

REPRESENTATIONS RECEIVED

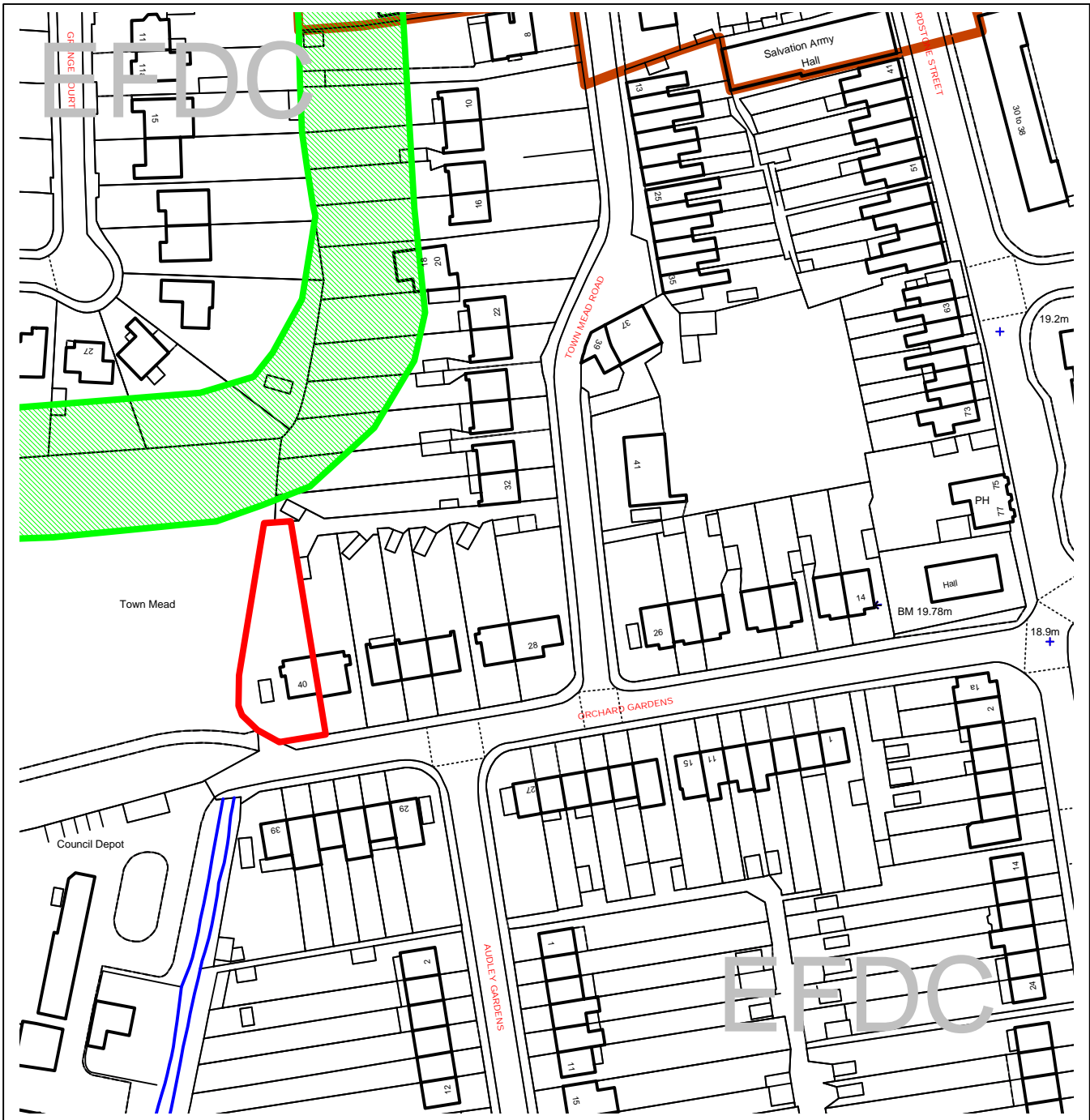
TOWN COUNCIL - The Council has objected to this proposal on the grounds that it would be an over-development of this site.

NEIGHBOURS - no replies been received.



Epping Forest District Council

Area Planning Sub-Committee



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Agenda Item Number:	3
Application Number:	EPF/1418/06
Site Name:	Land adj.40 Orchard Gardens, Waltham Abbey
Scale of Plot:	1/1250

Report Item No: 4

APPLICATION No:	EPF/1350/06
SITE ADDRESS:	Land adj. to 21 Albion Terrace Sewardstone Road Waltham Abbey Essex
PARISH:	Waltham Abbey
APPLICANT:	Homestyle Properties
DESCRIPTION OF PROPOSAL:	Redevelopment of site to provide 13 x 2 bedroom flats and 5 x 1 bedroom flats with parking at rear.
RECOMMENDED DECISION:	REFUSE

REASONS FOR REFUSAL

- 1 The site is within the Metropolitan Green Belt. The proposal represents inappropriate development and is therefore at odds with Government advice, Policy GB2a of the adopted Local Plan Alterations and Policy C2 of the adopted replacement structure plan for Essex and Southend on Sea. The policies state that within the Green Belt permission will not be given, except in very special circumstances for the construction of new buildings or for the change of use or extension to existing buildings except for the purposes of agriculture, mineral extraction or forestry, small scale facilities for outdoor participatory sport and recreation, cemeteries, or similar uses which are open in character. This application for dwelling houses fails to comply with Policies GB2A and C2, resulting in a considerable harm to the Green Belt. No very special circumstances have been put forward to outweigh the harm to the Green Belt.
- 2 The site is within the Lee Valley Regional Park. The proposed development is at odds with Policy GB10 of the adopted Local Plan Alterations and Policy RST24 of the adopted Local Plan, in that the use of the site for residential would have an adverse affect on the character and appearance of the Regional Park.
- 3 The site is adjacent to the A112, a classified highway. The proposal will intensify vehicular traffic using the highway, which would cause deterioration in the efficiency of the through road and also cause a danger to highway safety. In addition the vision splays would be inadequate causing a highway hazard. Both are contrary to policy ST4 of the adopted Local Plan Alterations, and policies T7 and T8 of the replacement Structure Plan.
- 4 Due to the differences in design of the northern flank of the building as shown on drawing numbers WSEF/06/26/B and WSEF/06/20, the Council is not convinced that the relationship with No. 21 Albion Terrace would not adversely impact on the amenities of that adjacent dwelling. This therefore would be contrary to Policies DBE2 and DBE9 of the adopted Local Plan.
- 5 The site lies within Flood Zone 3, which is a high risk flood zone. A proper assessment of flood risk to the proposed property has not been undertaken as required by PPG25. Furthermore, the proposed development could potentially harm

the great crested newt, which is a protected species as no survey has been carried out to show that the site is not frequented by these species. This would be contrary to policies U2A, U2B and NC4 of the adopted Local Plan and Local Plan Alterations.

Councillor Knapman has called this application to committee.

Description of Proposal:

Erection of 13 two bedroom flats and 5 one bedroom flats accommodated within a three storey building dropping down to two storey at the sides with 2 units in the roof. The main bulk of the building would be 12.5m high, with the wings at a height of 9.6m. This lower height would reflect the existing ridge heights of the properties to the north along Albion Terrace. The building would be 35.6m wide by 13.6m deep. 18 car parking spaces would be provided to rear, accessed from the south side of the site. Amenity space is provided directly to the rear of the site, with another large area of open space adjacent to the car parking spaces.

Description of Site:

An 'L' shaped area of land to the south and rear of a residential terrace at Albion Terrace. The King George Reservoir is to the immediate west. The land is flat and has been partially hard surfaced at some time in the last few years. The site is within the Metropolitan Green Belt, Lee Valley Regional Park, and adjacent to the boundary with the London Borough of Waltham Forest.

Relevant History:

WHX/140/57 Residential development - refused
EPF/1799/03 Use of land for car washing - refused and dismissed on appeal
EPF/805/05 – Erection of six 3 bedroom terraced houses – refused
EPF/1801/05 – Erection of six 3 bed terraced houses, all affordable housing – Approved subject to S106 agreement.

Policies Applied:

Structure Plan

C2 Green Belt
H5 Affordable Housing
T7 Road Hierarchy
T8 Safety

Local Plan and Local Plan Alterations

GB2A Green Belt
GB10 Lee Valley Regional Park
GB16 – Affordable housing in the Green Belt
H5A Affordable Housing
H6A Securing affordable housing
RST24 Development within or adjacent to the Lee Valley Regional Park
DBE 1 Design of new buildings
DBE 2 Amenity of new buildings
DBE 4 Design in Green belt
DBE 8 Amenity Space

DBE 9 Amenity
ST4 – Traffic Criteria
U2A Flooding
U2B – Flood Risk Assessment
NC4 – Protection of established habitats

National Planning Policy Guidance
PPS1 – Delivering Sustainable Development
PPG2 – Green Belts
PPG3 – Housing

Adopted Supplementary Planning Guidance
Essex Design Guide 1997
Essex Planning Officers Society Vehicle Parking Standards 2001

Issues and Considerations:

The main issue in this application is whether this proposal is appropriate development within the Green Belt, and if not, whether there are any very special circumstances that would outweigh the harm to the Green Belt. Any impact on the Lee Valley Regional Park, traffic implications, amenity, design and flooding are also relevant.

Green Belt

Structure Plan Policy C2 states that within the Green Belt permission will not be given, except in very special circumstances, for the construction of new buildings for purposes other than agriculture, mineral extraction or forestry or other specified purposes. Local Plan Policy GB2 states that planning permission will not be granted for the use of land or the construction of new buildings unless it is appropriate to the laid down criteria, which are similar to those identified in the structure plan.

The site is wholly within the Green Belt, and the proposed units are not intended to serve the purposes of agriculture or forestry. Therefore this proposal would represent inappropriate development in the Green Belt, which is by definition harmful, and that it is considered that the loss of this plot to a new ribbon development would be detrimental to the amenity of the Green Belt, reducing the openness of the area, which is its fundamental characteristic.

The issue here is whether any very special circumstances exist in this case that are of sufficient weight to justify allowing inappropriate development that would, by definition, be harmful to this Green Belt site.

Members may recall that a previous application was submitted for a terrace of six 3 bedroom dwelling houses. Originally three of the six were to be affordable housing, however this was still not considered to constitute very special circumstances. The scheme was then altered to ensure that all six properties were to be affordable. The application was approved at Area Plans sub-committee D and subsequently at District Development Control Committee subject to a Section 106 agreement stating that all of the houses would be sold to a Housing Association for rent. Given that the scheme was a departure from the development plan and that Lee Valley Regional Park were unwilling to withdraw their objection to the scheme, the application was sent to the Government Office for the East Of England. They decided it was a local matter and the approval was upheld subject to the section 106 agreement. However, the applicants were unwilling to sign the agreement given that the scheme could not be financially viable if all the houses were to be for rent by the Housing Association.

At that time, this current application was submitted for consideration. In the meantime the applicants considered that if the units could be sold under shared ownership that would make the scheme viable and they would be willing to sign the agreement. Currently, the matter is being dealt with by the Council's lawyers and it is expected that that permission will be issued in the very near future.

However, before the option of shared ownership arose, the applicants submitted a scheme for this larger number of properties.

The Council's Head of Housing is of the view that, from an affordable housing perspective only, this scheme provides greater flexibility in the mix between rented, shared ownership and market housing. It has been established that 80% of the total 18 flats could be provided as affordable housing with the remaining 20% provided as market housing.

Regardless of the figures involved, it is still considered that given the site's green belt status the provision of only 80% affordable housing does not overcome the harm that would result to the green belt at this location, especially given the vast increase in size and bulk of the proposal, which would adversely affect the open character and appearance of the green belt which would be contrary to Government and Local policy.

Design & Building in Context

The main bulk of the building would be 12.5m high, with the wings at a height of 9.6m. This lower height would reflect the existing ridge heights of the properties to the north along Albion Terrace. It is considered that whilst the main bulk of the building would be approximately 3m higher than the neighbouring properties, the design of the flats is symmetrical and would not look out of place in this location, notwithstanding its green belt status. However, the existing access to the rear of the properties would be closed off, with development stretching across this road, adjacent to the flank wall of No. 21 Albion Terrace. The relationship between the flank wall of the proposed flats and No. 21 Albion Terrace appears relatively tight. There are slight differences between the design of the flank wall of the development as shown on the block plan (drawing no. WSEF/06/26/B) and that shown on the detailed drawing showing the ground floor layout, (drawing no. WSEF/06/20/A). However when seen from within the streetscene, the development would not appear so cramped as to warrant a refusal here.

Amenity

The property that would be most affected by the scheme is No. 21 Albion Terrace to the north of the site. As mentioned above, the submitted plans differ slightly which makes it difficult to be clear about the impact of the proposal on the amenities enjoyed by the occupants of 21 Albion Terrace. Consequently, officers are not wholly convinced that the impact on this property is acceptable. A 45 degree line to show the impact on this property on the drawings is nearer to 60 degrees and the design differs between two drawings. Measurements were taken on site, but given the differences in the drawings, officers are not able to make an accurate assessment of this impact. One way in which this could be overcome should Members wish to grant planning permission is through the imposition of a condition on the consent requiring that the rear building line of the proposed development at this point does not project rear of the rear wall of No. 21 Albion Terrace.

Lee Valley Regional Park

The site is within the boundaries of the Park, and the Park authority has requested that this application be refused, as they object to the loss of any further land in this area from the park and green belt to residential uses and object that the detailed design on the grounds that it constitutes overdevelopment and therefore would overpower and be incongruous next to Albion Terrace and the adjoining open land along this side of Sewardstone Road.

Flooding

The site lies within a flood plain. Although a flood risk assessment was submitted with the previous scheme and was considered acceptable, the Environment Agency object this time round as a proper assessment of flood risk to the proposed property has not been undertaken as required by PPG25 and that the proposal could potentially harm the great crested newt that may frequent this site. The applicants were notified of this representation made by the Environment Agency on the 22nd August, although no FRA has been submitted nor has a survey been submitted regarding the newts to overcome their concerns.

Highways

Although a number of revisions to the design of the proposed vehicular access have been made to the original submission to deal with 5 objections by the Highway Authority, the revisions have not gone far enough for the Authority to withdraw all of their objections. Therefore, there are still highways objections on the grounds that the proposal would intensify the use of an access onto a classified highway, which would be detrimental to road safety and that the applicant does not appear to control sufficient land to the northern side of the access to provide sufficient visibility splays, which again would result in an unacceptable degree of hazard to all road users.

Conclusion

This application is contrary to Green Belt policy, Regional Park policy, and would have an adverse effect on highway safety. Special circumstances of sufficient weight have not been demonstrated to override the harm this proposal would cause, particularly bearing in mind that some affordable housing is likely to be provided on this site anyway.

The application is recommended for refusal.

REPRESENTATIONS RECEIVED

WALTHAM ABBEY TOWN COUNCIL – object on the grounds of overdevelopment.

LONDON BOROUGH OF WALTHAM FOREST - object on the grounds that the proposed development would have a negative visual impact on the adjacent Green Belt and therefore be contrary to guidance as set out in PPG2. In addition the application is contrary to proposals set out in the Park Plan 2000.

LEE VALLEY REGIONAL PARK – object to the loss of any further land in this area from the park and green belt to residential uses and object that the detailed design on the grounds that it constitutes overdevelopment and therefore would overpower and be incongruous next to Albion Terrace and the adjoining open land along this side of Sewardstone Road.

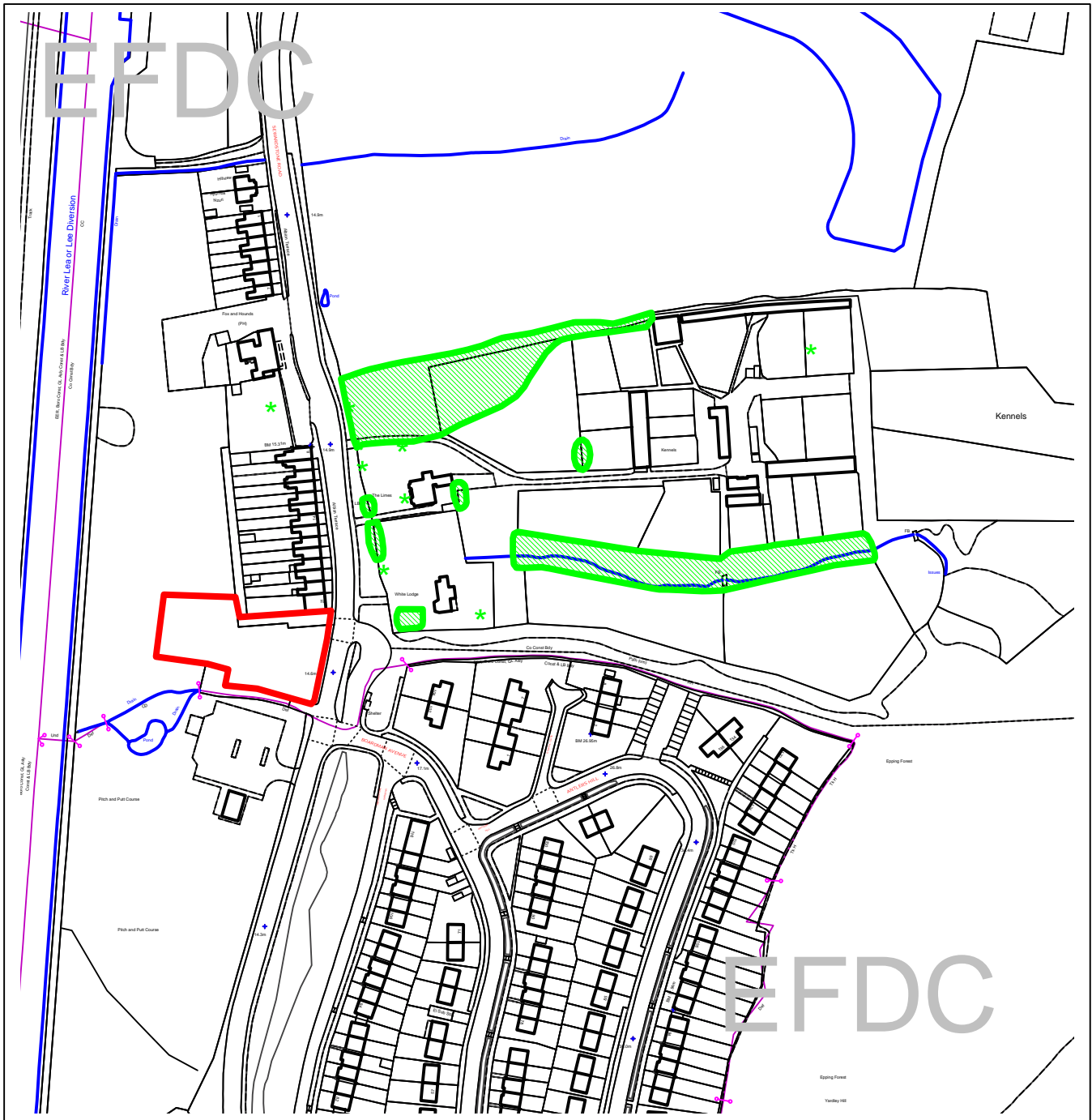
CAMPAIGN TO PROTECT RURAL ESSEX – object because the site is within the Green Belt and backs onto the Regional Park. In addition it will obscure the attractive view from the existing houses on the other side of the road.

SIGNED PETITION FROM NOS. 9,10,11,12,13,14,15,16,17,18 – object on the grounds that the proposal would drastically alter the cottage atmosphere; influx of 60 people would ruin environment and create car parking problems, and noise; any threat to access to the rear would be strongly opposed; increase in traffic would present hazard; 6 houses reasonable this is not.



Epping Forest District Council

Area Planning Sub-Committee



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Agenda Item Number:	4
Application Number:	EPF/1350/06
Site Name:	Land adj.21, Albion Terrace, Sewardstone Road, Waltham Abbey
Scale of Plot:	1/2500