



***District Development Management Committee
Wednesday, 28th September, 2016***

You are invited to attend the next meeting of **District Development Management Committee**, which will be held at:

**Council Chamber, Civic Offices, High Street, Epping
on Wednesday, 28th September, 2016
at 7.30 pm .**

**Glen Chipp
Chief Executive**

**Democratic Services
Officer**

Gary Woodhall
Governance Directorate
Tel: 01992 564470
Email: democraticservices@eppingforestdc.gov.uk

Members:

Councillors B Sandler (Chairman), B Rolfe (Vice-Chairman), A Boyce, H Brady, R Butler, R Jennings, G Chambers, S Heap, S Jones, H Kauffman, J Knapman, S Kane, A Mitchell, C C Pond and J M Whitehouse

SUBSTITUTE NOMINATION DEADLINE:

18:30

1. WEBCASTING INTRODUCTION

1. This meeting is to be webcast. Members are reminded of the need to activate their microphones before speaking.

2. The Democratic Services Officer will read the following announcement:

"I would like to remind everyone present that this meeting will be broadcast live to the internet (or filmed) and will be capable of repeated viewing (or another use by third parties).

If you are seated in the lower public seating area then it is likely that the recording cameras will capture your image and this will result in the possibility that your image will become part of the broadcast.

This may infringe your human and data protection rights and if you wish to avoid this

then you should move to the upper public gallery.

Could I please also remind Members to activate their microphones before speaking.”

2. ADVICE TO PUBLIC AND SPEAKERS AT COUNCIL PLANNING SUB-COMMITTEES (Pages 5 - 6)

(Director of Governance) General advice to people attending the meeting is attached.

3. APOLOGIES FOR ABSENCE

(Director of Governance) To be announced at the meeting.

4. SUBSTITUTE MEMBERS

(Director of Governance) To report the appointment of any substitute members for the meeting in accordance with Council Rule S1 in the Constitution (Part 4 “The Rules” refers).

5. DECLARATIONS OF INTEREST

(Director of Governance) To declare interests in any item on the agenda.

6. MINUTES (Pages 7 - 30)

(Director of Governance) To confirm the minutes of the last meeting of the Committee held on 3 August 2016.

7. EPF/0934/16 - ROYDON MARINA, HIGH STREET, ROYDON (Pages 31 - 50)

(Director of Governance) To consider the attached report for the extension of the existing Marina to provide an additional 240 berths, 120 parking spaces and additional associated facilities such as refuse collection points, elsan points and a 28.88 square metre extension to the facilities building.

8. EPF/1227/16 - MOSSFORD GREEN NURSERY, ABRIDGE ROAD, THEYDON BOIS (Pages 51 - 58)

(Director of Governance) To consider the attached report for a Certificate of Lawful Development for the existing use of the site for storage of vehicles, caravans, motorhomes, trailers and machinery (DEV-012-2016/17).

9. EPF/1922/16 - 15 OAKWOOD HILL INDUSTRIAL ESTATE, OAKWOOD HILL, LOUGHTON (Pages 59 - 70)

(Director of Governance) To consider the attached report for the variation of condition 2 ‘plan numbers’ on planning application EPF/2197/16 (Installation of two storey business units (Use Class B1a); part single and part two storey cafe (Use Class A3); forming a business incubator development of 34 units based on reconditioned shipping containers, to allow for a supporting base structure for the approved crates.

10. ANY OTHER BUSINESS

Section 100B(4)(b) of the Local Government Act 1972, together with paragraphs 6 and

24 of the Council Procedure Rules contained in the Constitution requires that the permission of the Chairman be obtained, after prior notice to the Chief Executive, before urgent business not specified in the agenda (including a supplementary agenda of which the statutory period of notice has been given) may be transacted.

11. EXCLUSION OF PUBLIC AND PRESS

Exclusion

To consider whether, under Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the items of business set out below on grounds that they will involve the likely disclosure of exempt information as defined in the following paragraph(s) of Part 1 of Schedule 12A of the Act (as amended) or are confidential under Section 100(A)(2):

<u>Agenda Item</u>	<u>Subject</u>	<u>Paragraph Number</u>
Nil	None	Nil

The Local Government (Access to Information) (Variation) Order 2006, which came into effect on 1 March 2006, requires the Council to consider whether maintaining the exemption listed above outweighs the potential public interest in disclosing the information. Any member who considers that this test should be applied to any currently exempted matter on this agenda should contact the proper officer at least 24 hours prior to the meeting.

Background Papers

Article 17 of the Constitution (Access to Information) define background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) have been relied on to a material extent in preparing the report and does not include published works or those which disclose exempt or confidential information and in respect of executive reports, the advice of any political advisor.

The Council will make available for public inspection one copy of each of the documents on the list of background papers for four years after the date of the meeting. Inspection of background papers can be arranged by contacting either the Responsible Officer or the Democratic Services Officer for the particular item.

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Advice to Public and Speakers at Council Planning Subcommittees

Are the meetings open to the public?

Yes all our meetings are open for you to attend. Only in special circumstances are the public excluded.

When and where is the meeting?

Details of the location, date and time of the meeting are shown at the top of the front page of the agenda along with the details of the contact officer and members of the Subcommittee. A map showing the venue will be attached to the agenda.

Can I speak?

If you wish to speak **you must register with Democratic Services by 4.00 p.m. on the day before the meeting**. Ring the number shown on the top of the front page of the agenda. Speaking to a Planning Officer will not register you to speak, you must register with Democratic Service. Speakers are not permitted on Planning Enforcement or legal issues.

Who can speak?

Three classes of speakers are allowed: One objector (maybe on behalf of a group), the local Parish or Town Council and the Applicant or his/her agent.

What can I say?

You will be allowed to have your say about the application but you must bear in mind that you are limited to three minutes and if you are not present by the time your item is considered, the Subcommittee will determine the application in your absence.

Can I give the Councillors more information about my application or my objection?

Yes you can but it must not be presented at the meeting. If you wish to send further information to Councillors, their contact details can be obtained through Democratic Services or our website www.eppingforesdc.gov.uk. Any information sent to Councillors should be copied to the Planning Officer dealing with your application.

How are the applications considered?

The Subcommittee will consider applications in the agenda order. On each case they will listen to an outline of the application by the Planning Officer. They will then hear any speakers presentations. The order of speaking will be (1) Objector, (2) Parish/Town Council, then (3) Applicant or his/her agent. The Subcommittee will then debate the application and vote on either the recommendations of officers in the agenda or a proposal made by the Subcommittee. Should the Subcommittee propose to follow a course of action different to officer recommendation, they are required to give their reasons for doing so.

The Subcommittee cannot grant any application, which is contrary to Local or Structure Plan Policy. In this case the application would stand referred to the next meeting of the District Development Control Committee.

Further Information?

Can be obtained through Democratic Services or our leaflet 'Your Choice, Your Voice'

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EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: District Development Management Committee **Date:** 3 August 2016

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 9.30 pm

Members Present: B Sandler (Chairman), B Rolfe (Vice-Chairman), A Boyce, R Butler, R Jennings, G Chambers, S Heap, S Jones, H Kauffman, S Kane, C C Pond, J M Whitehouse, K Chana and J Philip

Other Councillors: S Neville and S Watson

Apologies: H Brady, J Knapman and A Mitchell

Officers Present: N Richardson (Assistant Director (Development Management)), G J Woodhall (Senior Democratic Services Officer) and J Leither (Democratic Services Officer)

13. WEBCASTING INTRODUCTION

The Senior Democratic Services Officer reminded everyone present that the meeting would be broadcast live to the Internet, and that the Council had adopted a protocol for the webcasting of its meetings.

14. WELCOME AND INTRODUCTION

The Chairman welcomed members of the public to the meeting and outlined the procedures and arrangements adopted by the Council to enable persons to address the Committee, in relation to the determination of applications for planning permission. The Committee noted the advice provided for the public and speakers in attendance at Council Planning meetings.

15. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23 JULY 2002)

The Committee noted the following substitutions for this meeting:

- (i) Cllr Philip for Cllr Knapman; and
- (ii) Cllr Chana for Cllr Brady.

16. DECLARATIONS OF INTEREST

There were no declarations of interest pursuant to the Council's Member Code of Conduct.

17. MINUTES**Resolved:**

(1) That the minutes of the following meetings be taken as read and signed by the Chairman as a correct record:

(a) 20 April 2016; and

(b) 8 June 2016.

18. PLANNING APPLICATION EPF/0213/16 - LAND AND GARAGES TO THE REAR OF 54-60 HORNBEAM ROAD, BUCKHURST HILL

The Assistant Director of Governance (Development Management) presented a report for the demolition of garages and replacement with two 3-bedroomed, two storey affordable homes with five parking spaces and associated landscaping, to the rear of 54 – 60 Hornbeam Road in Buckhurst Hill. The application was before the Committee as it had been referred by Area Planning Sub-Committee South on 29 June 2016 with a recommendation to refuse permission under the Minority Reference rules (Part 4, “Council Rules”, Rule M2 refers).

The Assistant Director stated that the site was approximately rectangular in shape and accessed by a narrow road adjacent to maisonettes and Bourne House, which led onto Hornbeam Road. To the east of the site was a sports pavilion with open playing fields beyond, to the north was a washing, drying, storage area for Bourne House, and to the south was the rear garden for 62 Hornbeam Road. The site itself was a Council-owned garage site with 25 garages located in two linear facing blocks; one block backing onto the playing fields and the other backing onto the rear gardens of 54 – 60 Hornbeam Road. Of the 25 garages, 18 were currently vacant. The site was not in either the Metropolitan Green Belt or a Conservation Area.

The Assistant Director reported that the proposed development would have rear gardens backing onto the rear garden of 62 Hornbeam Road with parking to the front of the site. The main issues with this application related to the suitability of the site, design, impact on amenity, and the key issue of the loss of the garages and the impact this might have on parking in the area. After careful consideration, Planning Officers had concluded that the proposal was considered acceptable with limited impact on amenity and an acceptable design. Although concerns had been raised regarding the existing parking situation and the methodology used for the Transport Assessment and Parking Survey, it was felt that the surrounding area could accommodate any displaced parking. On balance, therefore Planning Officers had originally recommended planning approval be granted as the proposal would provide affordable housing within the District on a previously developed site.

The Assistant Director highlighted that Area Planning Sub-Committee South had refused the application on the basis that the application was likely to exacerbate parking stress in the locality to the detriment of its character and residential amenities.

The Committee noted the summary of representations, and that objections had been received from Buckhurst Hill Parish Council and a further 25 addresses in the locality, plus Buckhurst Hill Leisure Gardens Association (Allotments) and Buckhurst Hill Residents’ Association. There had been no letters of support received. The Committee heard from the Parish Council and the Applicant before proceeding to debate the application.

A number of Members expressed their grave concerns about this application. Parking was a major issue in the locality as the parking space available was only one third of that actually required. In addition, it was strongly felt that the Parking Survey submitted was undertaken at the wrong time of day; given the location of Buckhurst Hill Underground Station nearby, the Parking Survey should have been undertaken during the day and not at 1.00am in the morning. It was also highlighted that local residents parked their cars on the spaces between the garage blocks.

The Assistant Director reminded the Committee that a further application to convert 24 garages on a fourth site on Hornbeam Road had been withdrawn at Area Planning Sub-Committee South, and that these garages would remain available to residents for the time being. The Parking Survey methodology employed in this case was standard practice for a residential area.

A local (non-Committee) Member for Buckhurst Hill informed the Committee that parking in Hornbeam Road had become worse since parking restrictions were introduced in the streets closer to Buckhurst Hill station. The garage sites in Epping Forest should also be dealt with on an individual basis, and not have the Essex Garage Survey superimposed upon them.

Other Members feared that the site would be sold to a private developer if the application was refused, who would provide less parking spaces for residents; therefore, by granting the application, the Council would retain control of the site. It was also highlighted that as only 7 of the 25 garages were let out, there would only be a net loss of 2 parking spaces for this application; although it was also pointed out that the size of the garages were not big enough for most modern cars. Concerns about overlooking and parking had been raised when this application had been heard at Area Planning Sub-Committee South, but the Assistant Director reminded the Committee that the proposed rear gardens were 11 metres in length and the first floor windows of the new dwellings would be fitted with obscured glazing.

A local Member for Theydon Bois felt that, although there was some evidence of parking stress in the area, very few of the garages were in use and therefore the reason for refusal given at Area Planning Sub-Committee South was unsustainable. Consequently, the Member proposed that the application should be granted planning permission. The Assistant Director listed the planning conditions that were put before Area Planning Sub-Committee South, if the Committee was minded to grant the application.

The Assistant Director confirmed that the five parking spaces to be provided would be unrestricted, and that anyone would be able to park there, but that the suggested planning conditions to move the current garage users to the northern block, and to prevent future development of the northern block of garages would both be unenforceable.

Decision:

(1) That planning application EPF/0213/16 at Land and garages to the rear of 54-60 Hornbeam Road in Buckhurst Hill be granted permission, subject to the following 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: PL01, PL02, PL03 A, PL04 A, PL05 , PL06 and 15-044-072
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. 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.]

5. 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.]

6. 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.]

7. 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.
8. 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.
9. 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 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.
10. No development shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
11. Prior to the first occupation of the development the vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The parking and turning areas shall be retained in perpetuity for their intended purpose.

12. Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council.
13. There shall be no discharge of surface water onto the Highway.
14. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
15. No development shall take place until details of proposed external lighting have been submitted to and approved by the Local Planning Authority showing location of lights and spillage. The development shall be carried out in accordance with those approved details.
16. No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed at the site. The installed cleaning facilities shall be used to clean vehicles' wheels immediately before leaving the site.
17. No development, including site clearance, shall take place until a scheme of soft landscaping and a statement of the methods, including a timetable, for its Implementation (linked to the development schedule), have been submitted to the Local Planning Authority and approved in writing. The landscape scheme shall be carried out in accordance with the approved details and the agreed timetable. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand in writing.
18. No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
19. No development shall take place until details of 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.
20. Prior to first occupation of the development hereby approved, the proposed window openings in the first floor rear elevations (shown as angled and marked as obscured) shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.

19. PLANNING APPLICATION EPF/0215/16 - LAND AND GARAGES TO THE REAR OF 2-12 HORNBEAM ROAD, BUCKHURST HILL

The Assistant Director of Governance (Development Management) presented a report for the demolition of garages and replacement with three 3-bedroomed, two storey affordable homes with seven parking spaces and associated landscaping, to the rear of 2 – 12 Hornbeam Road in Buckhurst Hill. The application was before the Committee as it had been referred by Area Planning Sub-Committee South on 29 June 2016 with a recommendation to refuse permission under the Minority Reference rules (Part 4, “Council Rules”, Rule M2 refers).

The Assistant Director stated that the site was broadly rectangular to the rear of 2 – 10 Hornbeam Road and accessed by a narrow vehicular road. To the south of the site were further properties set back from Hornbeam Road, with allotment gardens to the east which were in the Metropolitan Green Belt (although the site itself was not). The site was Council-owned with 14 garages located in one block backing onto the allotments. Only three of the garages were currently vacant. The site was not in a conservation area.

The Assistant Director reported that the proposed dwellings would have rear gardens backing onto the rear garden of 14 Hornbeam Road, with parking laid out to the front of the site. The main issues for this application related to the suitability of the site, design, impact on amenity, and the key issue of the loss of the garages and the impact this might have on parking in the area. Planning Officers had concluded that the proposal was considered acceptable with limited impact on amenity and was of an acceptable design. Although concerns had been raised regarding the existing parking situation and the methodology of the Transport Assessment and parking survey, the existing parking surrounding the area had been shown to be able to accommodate any displaced parking. Given this, and that the proposal would provide affordable housing within the District on a previously developed site, Planning Officers had originally recommended that approval should be granted for the application.

The Assistant Director highlighted that Area Planning Sub-Committee South had reused the application on the basis that the loss of 11 let garages and the failure of the proposal to make appropriate alternative provision for off-street car parking within the locality, was likely to exacerbate parking stress in the locality to the detriment of its character and residential amenity.

The Committee noted the summary of representations, and that objections had been received from Buckhurst Hill Parish Council and a further 25 addresses in the locality, plus Buckhurst Hill Leisure Gardens Association (Allotments) and Buckhurst Hill Residents' Association. There had been no letters of support received. The Committee heard from an Objector, the Parish Council and the Applicant before proceeding to debate the application.

Some Members of the Committee felt that this was an intensively used garage block with 78% of the available garages currently being let; parking was a very real issue in the area and the loss of these garages would only exacerbate the problem. Again, problems were highlighted with the methodology used for the Transport Survey submitted with the application, and parking facilities were urgently required in this locality. It was also emphasised that the development would spoil neighbour amenity. The reasons for refusal given at Area Planning Sub-Committee South were sound and should be supported by the Committee for this particular application.

In response to questions from Members of the Committee, the Assistant Director clarified that no flood issues had been raised by the Council's Land Drainage team in relation to this application. In addition, the neighbouring gardens were long giving a gap of between 13.5 and 23 metres between the existing and proposed dwellings, and the angled windows with obscured glazing would prevent any overlooking. The allotment gardens to the east of the site presented no planning issues for consideration.

A local (non-Committee) Member for Buckhurst Hill East informed the Committee that these were a well used block of garages, and the proposed off-street parking scheme for the area was currently in abeyance. Therefore, the Committee was urged to refuse the application.

A local Member for Theydon Bois reminded the Committee that the right to a view was not enshrined in planning law. The depth of the neighbouring gardens gave a reasonable separation between the proposed and existing dwellings, although the Member did express some small concern regarding the proposed amenity space per dwelling. The Member accepted the evidence provided by the Parking Survey and proposed that planning permission for the application be granted subject to the planning conditions that were put before Area Planning Sub-Committee South.

Other Members of the Committee highlighted that some of the garages were used for general storage rather than car storage, and that if the Council did not permit development on previously developed sites then permission would have to be granted for development on more sites within the Metropolitan Green Belt.

The Assistant Director added that the proposed amenity space was standard for modern houses, and that the plans did explicitly state details of the boundary screening between the proposed dwellings and the allotment gardens to the east of the site; although this was probably covered by the reference to "...means of enclosure..." in condition 4 of the planning conditions that were put before Area Planning Sub-Committee South.

Decision:

(1) That planning application EPF/0215/16 at land and garages to the rear of 2 – 12 Hornbeam Road in Buckhurst Hill be granted permission, subject to the following 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: PL01, PL02, PL03 C, PL04 A, PL05, PL06 A and 15-044-074
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. 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 and 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 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.]

6. 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.]

7. 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.]

8. 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.
9. 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.
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 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.
11. No development shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The

development shall be carried out in accordance with those approved details.

12. Prior to the first occupation of the development the vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The parking and turning areas shall be retained in perpetuity for their intended purpose.
 13. Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council.
 14. There shall be no discharge of surface water onto the Highway.
 15. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
 16. No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed at the site. The installed cleaning facilities shall be used to clean vehicles' wheels immediately before leaving the site.
 17. No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
 18. No development shall take place until details of 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.
 19. Prior to first occupation of the development hereby approved, the proposed first floor window openings on the flank and rear marked as obscured on plan no: PL04 A shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 20. PLANNING APPLICATION EPF/0234/16 - LAND AND GARAGES TO THE REAR OF 30-34A HORNBEAM ROAD, BUCKHURST HILL**

The Assistant Director of Governance (Development Management) presented a report for the demolition of garages and replacement with two 2-bedroomed, two storey affordable homes with ten parking spaces and associated landscaping, to the rear of 30 – 34A Hornbeam Road in Buckhurst Hill. The application was before the Committee as it had been referred by Area Planning Sub-Committee South with a recommendation to refuse permission under the Minority Reference rules (Part 4, "Council Rules", Rule M2 refers).

The Assistant Director stated that the site was rectangular and accessed by a narrow alleyway adjacent to Hornbeam House and properties to the north. To the north of the site were further residential properties set back from Hornbeam Road, with allotment gardens to the east. The site was a Council-owned garage site with 22 garages located in 4 separate blocks; 14 of the garages were currently vacant. The site was not in either a conservation area or the Metropolitan Green Belt.

The Assistant Director reported that the proposed dwellings would have rear gardens backing on to the rear garden of 24 Hornbeam Road with parking to the front of the site. The main issues for the proposal related to the suitability of the site, design, impact on amenity, and the key issue of the loss of the garages and the impact this might have on parking in the area. Planning Officers had concluded that the proposal would have limited impact on amenity and was of an acceptable design. Although concerns had been raised regarding the existing parking situation and the methodology of the Transport Assessment and Parking Survey, the existing parking surrounding the area had been shown to be able to accommodate any displaced parking. Given this, and that the proposal would provide affordable housing within the District on a previously developed site, Planning Officers had originally recommended permission should be granted for the application.

The Assistant Director highlighted that Area Planning Sub-Committee South had refused the application on the basis of the loss of eight let garages and the failure of the proposal to make appropriate alternative provision for off-street parking within the locality, the proposal was likely to exacerbate parking stress in the locality to the detriment of its character and residential amenities.

The Committee noted the summary of representations, and that objections had been received from Buckhurst Hill Parish Council and a further 25 addresses in the locality, plus Buckhurst Hill Leisure Gardens Association (Allotments) and Buckhurst Hill Residents' Association. There had been no letters of support received. The Committee heard from an Objector, the Parish Council and the Applicant before proceeding to debate the application.

The Assistant Director responded to the comments made by the Parish Council concerning the proposed closure of vehicle gates to the rear of 32 and 34 Hornbeam Road. The submitted plans showed the vehicular access permanently closed and the pedestrian access temporarily closed. However, this was a private civil matter between the landowner and the occupiers of these properties, and not a planning matter. However, the Council's Housing Development Officer had been made aware of this issue, and as number 34 was also in the ownership of the Council then the terms of the lease could be amended accordingly.

Some Members of the Committee felt that as there was already a high density of housing at this location with an associated high demand for parking in the area, the application was based on a discredited Transport Survey, and there was a possible legal issue concerning vehicular access to existing properties, this application should be refused planning permission.

A local Member for Theydon Bois opined that this was probably the easiest of the three applications in Hornbeam Road to determine, as there were eight garages currently in use and ten parking spaces were proposed as part of the application. Consequently, this application would not contribute significantly to the overall parking stress in the area. There was nothing in the application to warrant refusal and the Member proposed that the application be granted planning permission with the conditions put before Area Planning Sub-Committee South.

Decision:

(1) That planning application EPF/0234/16 at land and garages to the rear of 30 – 34A Hornbeam Road in Buckhurst Hill be granted permission, subject to the following 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: PL01, PL02, PL03 B, PL04 B, PL05, PL06 and 15-044-075
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. 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 and 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 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.]

6. 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.]

7. 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.]

8. 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.
9. 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.

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 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.
11. No development shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
12. Prior to the first occupation of the development the vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The parking and turning areas shall be retained in perpetuity for their intended purpose.
13. Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council.
14. There shall be no discharge of surface water onto the Highway.
15. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
16. No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed at the site. The installed cleaning facilities shall be used to clean vehicles' wheels immediately before leaving the site.
17. If any tree, shrub or hedge shown to be retained in accordance with the approved plans and particulars is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.

18. No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
19. No development shall take place until details of 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.
20. Prior to first occupation of the development hereby approved, the proposed first floor window openings in the rear elevation serving bathrooms and marked as obscure shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.

21. PLANNING APPLICATION EPF/1179/16 - HIGHLANDS FARM, OLD RECTORY ROAD, STANFORD RIVERS

The Assistant Director of Governance (Development Management) presented a report for the change of use of an agricultural barn to a 2-bedroomed dwelling at Highlands Farm, Old Rectory Road in Stanford Rivers. The application was before the Committee because, although the planning application itself was agreed by Area Planning Sub-Committee East at its meeting on 13 July 2016, the deed of release from the existing Section 106 Agreement on the site was not. Consequently, the application was referred to this Committee under the Minority Reference rules (Part 4, "Council Rules", Rule M2 refers) within the Constitution.

The Assistant Director stated that the site was a rectangular plot of land with an access road situated on the east side of Old Rectory Road in Stanford Rivers. The site currently contained a two-storey timber framed and boarded barn, with office space on the first floor, in the north east corner of the site and a yard area. To the west of the site poultry was kept in a well treed area, and there were open fields to the south east. The site was well screened by mature trees and was within the Metropolitan Green Belt. The proposal also included a parking area and garden within the existing yard area.

The Assistant Director reported that the main issues for this application were the design, impact on neighbours and the impact on the Green Belt. Planning Officers had concluded that the conversion of the barn would not result in a harmful impact to the openness of the Green Belt or conflict with the purposes of including land within the Green Belt. The design was considered acceptable and the nearest neighbours were over 350 metres from the site and their amenity would not be affected.

The Assistant Director highlighted that, in respect of the existing Section 106 Legal Agreement, when permission was granted for the retention of the barn in 2007 (EPF/1721/07 refers) there was a concern the building could be used for residential purposes; hence the legal agreement to prevent this. The National Planning Policy Framework now permitted the re-use of buildings provided they were of a permanent and substantial construction. The current barn building clearly was, and for the application to be implemented, a deed of release would need to be authorised by the

Committee as the grant of planning permission alone would not override the legal agreement.

The Committee noted the summary of representations, and that the only objection received was from Stanford Rivers Parish Council. There had been no letters of support received for the application. There were no public speakers registered and the Committee proceeded to debate the application.

The Committee felt that the barn was a sizeable building capable of conversion, and would not impact on the openness of the Green Belt as it was very well screened by mature trees. The Committee felt that the legal agreement had served its purpose for 10 years and was in favour of its release.

Decision:

(1) That planning application EPF/1179/16 at Highlands Farm, Old Rectory Road in Stanford Rivers be granted permission, subject to the following 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: 9881-01, 9881-02, 9881-03, 9881-04, 9881-06 and 9881-07.
3. Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
4. 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.
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Class A-E inclusive of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
6. No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved 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.]

7. Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows.]

8. Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows.]

9. Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.

10. In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.

11. Gates shall not be erected on the vehicular access to the site without the prior written approval of the Local Planning Authority.

(2) That authority be given to authorise a deed of release from the requirements of the Section 106 agreement attached to EPF/1721/07 concerning the site at Highlands Farm, Old Rectory Road in Stanford Rivers.

22. ANY OTHER BUSINESS

Resolved:

(1) That, as agreed by the Chairman and in accordance with Section 100B(4)(b) of the Local Government Act 1972, the following item of urgent business be considered following the publication of the agenda:

(a) Planning Application EPF/1269/15 – Golden Lion PH, Borders Lane, Loughton.

23. PLANNING APPLICATION EPF/1269/15 - GOLDEN LION PH, BORDERS LANE, LOUGHTON

The Assistant Director of Governance (Development Management) presented a report for the demolition of the existing Public House as well as 10 and 12 Newmans Lane, and construction of 8 x 1-bedroom flats and 22 x 2-bedroom flats in two blocks with undercroft parking and landscaping. The application was before the Committee as it was classified as a major application for development on Council-owned land.

The Assistant Director stated that the application site was roughly rectangular and situated on the north side of Borders Lane at the junction with Newmans Lane. The site was well screened at the junction by existing vegetation with the southern part of the site grassed over. Several trees were preserved, including a veteran Oak tree. The southern part of the site contained the Public House building, with a car parking area to the north. Beyond the car park was 10 and 12 Newmans Lane, a pair of semi-detached two storey dwellings; no. 10 was unoccupied and was currently boarded up due to subsidence issues. The land to the east of the site was a relatively recently developed housing estate and was previously the 'upper' site to Epping Forest College.

The Assistant Director reported that the larger of the two blocks would form an 'L' shape to the southern side of the site and would contain 23 flats. Parking for 17 cars would be located behind the block in an undercroft, with a first floor communal terrace area above. This block would be set back from Borders Lane by a minimum of 8 metres and from Newmans Lane by a minimum of 5 metres. To the north of this block would be a larger parking area for 28 cars and a landscaping area around the preserved Oak tree. The smaller block would be situated to the north of the site and

would consist of 7 flats. This block would be set back 2.2 metres from the boundary with 14 Newmans Lane.

The Assistant Director informed the Committee that the main issues with this application were the principle of the proposed development, the provision of affordable housing, the design and appearance of the proposed development, the impact on neighbouring amenity, highways matters, car parking, and trees and landscaping issues. In respect of affordable housing provision, the Council's viability consultants had initially concluded that there was a surplus profit of £165,000 for off-site affordable housing contribution, but it had later transpired that they had wrongly added capitalised ground rents to the Gross Development Value for the larger block, when in fact the interest was being sold by the Council on a long leasehold and therefore the Council would receive the income from the ground rents throughout the life of the lease. The effect of this would be to reduce the surplus close to zero. The Council's Senior Housing Development Officer had therefore concluded that the affordable housing contribution was no longer justified, and consequently a Section 106 Legal Agreement was no longer required. Planning Officers had concluded that the proposal was an acceptable scheme and it was therefore recommended for approval.

The Committee noted the summary of representations, and that six letters of objection and one letter of support had been received. Loughton Town Council had no objection to the proposal. There were no public speakers registered and the Committee proceeded to debate the application.

Some Members were concerned that there was no affordable housing resulting directly or indirectly from this development. It was highlighted that the Council's policy was for affordable housing to be provided for applications of this size, either on or off site, and there was nothing before the Committee to explain why this policy was not being complied with. There was also a concern that the Council was making itself exempt from its own agreed Local Plan policy for affordable housing.

The Assistant Director reassured the Committee that this issue had only arisen earlier during the day of the meeting. The development through the significant extension of the leasehold of the public house site, and the selling of 10 Newmans Lane to the Applicant, was generating a substantial capital receipt to the Council in the region of £2.5million, which in this instance was considered a better return than the provision of further affordable housing. The local area was already benefiting from 100% on-site affordable housing developments on Council owned-sites, which would provide a further 51 units; to provide affordable housing on this site as well would make the development unviable.

A local Member for Theydon Bois reminded the Committee that 10 Newmans Lane was in the ownership of the Housing Revenue Account (HRA), and consequently any capital receipt for that property would go to the HRA. In addition, permission had been granted in the past for developments where the provision of affordable housing would make the application unviable. The Member felt that the development would fit in very well with the area and supported the application. It was also emphasised that the development could be reviewed by the Governance Select Committee in the future.

A local Member for Loughton Broadway did not like the design and felt that there should have been an affordable housing element. The Member felt that condition 12 should have also referred to the north-bound bus stop adjacent to the site as well, as this would encourage residents of the development not to own cars. The Assistant Director was cautious about amending the condition without advice from Essex

Highways, so the Member proposed that the condition be amended for the facilities to be improved and the bus stop shelter to be reinstated at the north-bound bus stop following advice from Essex Highways.

Decision:

(1) That planning application EPF/1269/15 at the Golden Lion Public House, Borders Lane in Loughton be granted permission, subject to the following 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: PL10A, PL12.1F, PL12.2E, PL12.3E, PL12.4E, PL12.7A, PL12.8A and PL12.9A, PL14, PL15J, PL16C, PL20.1E, PL20.2E and PL22.
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. Prior to first occupation of the development hereby approved, the proposed first and second floor window openings in the north east facing (secondary windows for bedrooms) and rear/side facing windows (serving hall/landing areas on Block B of the plans) shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
5. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - (i) the parking of vehicles of site operatives and visitors;
 - (ii) loading and unloading of plant and materials;
 - (iii) storage of plant and materials used in constructing the development;
 - (iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - (v) measures to control the emission of dust and dirt during construction, including wheel washing; and
 - (vi) a scheme for recycling/disposing of waste resulting from demolition and construction works.
6. No development shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to

development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.

7. 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 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.
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) and implementation programme (linked to the development schedule) have been submitted to and 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, shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective then 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. No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
10. Prior to the first occupation of the development the access, vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The access, parking and turning areas shall be retained in perpetuity for their intended purpose.
11. Prior to the first occupation of the development, the existing vehicular access shall be permanently closed off incorporating the reinstatement of the footway and full height kerbing.
12. Prior to first occupation of the development the developer shall be responsible for the implementation of Real Time Passenger Information, to Essex County Council specification, to the south-bound

bus stop adjacent to the site, and the implementation of Real Time Passenger Information and the reinstatement of the bus shelter to the north-bound bus stop adjacent to the site following advice from Essex Highways.

13. Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation per dwelling - of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator.
14. There shall be no discharge of surface water onto the Highway.
15. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
16. Before each phase of development approved by this planning permission, a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, should be submitted to and approved in writing by the local planning authority. The scheme should be based on the surface water drainage statement referenced
A3433/NSW/SurfaceWaterDrainageStatement/TheGoldenLionPC,
issued on 18 November 2015.

The scheme shall include:

- (i) a survey of existing drainage on site. Once the survey has been conducted the applicant should demonstrate permission from the relevant water body for any proposed connection to a surface water sewer;
- (ii) infiltration testing in line with BRE 365 and a ground survey to confirm underlying soils and groundwater levels. If infiltration testing is found to be viable, this method should be utilized where feasible with run-off rates from the site restricted to a maximum of 4.8l/s for the 1 in 1, 8.3l/s for the 1 in 30 and 9.7l/s for the 1 in 100 inclusive of climate change event. If infiltration is found to be unviable run-off rates from the site should be restricted to a maximum of 5l/s for the 1 in 1, 8.5l/s for the 1 in 30 and 10l/s for the 1 in 100 inclusive of climate change event;
- (iii) storage for the 1 in 100 year event inclusive of climate change storm event;
- (iv) an appropriate level of treatment for all run-off leaving the site in line with CIRIA Guidance; and
- (v) details of final exceedance and conveyance routes.

The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

17. The development hereby permitted shall not be commenced until such time as a scheme to minimise the risk of offsite flooding caused by

surface water run-off and groundwater during construction works has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented as approved.

18. Prior to commencement of the development the applicant must submit a Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies.
19. The adopting body responsible for maintenance of the surface water drainage system shall record yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.
20. No development shall take place until details of 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.
21. The development shall be carried out only in accordance with the Daytime Bat Assessment Report by Betts Ecology unless the Local Planning Authority gives its written consent to any variation. If any bats are found during this demolition then all works must stop immediately and advice sort from a fully licenced ecologist.
22. Prior to first occupation of the development hereby approved, the proposed screen around the communal terrace shall be fitted with a brick wall to a height of 1.1m with a 0.7m obscured glass screen on top as shown on drawing No. PL22 and shall be permanently retained in that condition.

24. EXCLUSION OF PUBLIC AND PRESS

The Committee noted that there was no business to be considered that necessitated the exclusion of the public and press from the meeting.

CHAIRMAN

Report to District Development Management Committee

Report Reference: DEV-011-2016/17
Date of meeting: 28 September 2016



Subject: Planning Application EPF/0934/16 - Roydon Marina, High Street, Roydon, Essex CM195EJ – Extension of existing marina so as to provide an additional 240 berths, 120 parking spaces and additional associated facilities - refuse collection points, elsan points and 28.88 sqm extension to facilities building.

Responsible Officer: Jill Shingler (01992 564106)

Democratic Services: Gary Woodhall (01992 564470)

Recommendation(s):

(1) That planning permission is granted for the above development subject to the following 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: 2359/001D, 2359/002H, 2359/003C, 2359/004H and unnumbered elevations and floor plans of the facilities building**
- 3. The marina extension hereby approved shall be used only for recreational purposes and a maximum of 240 boats shall be moored at the red-lined site at any one time. None of the boats shall be residentially occupied. Full details of the management of the site including restrictions on length of stay of users of the site (not to exceed 28 days) shall be submitted to and agreed in writing by the Local Planning Authority prior to the first use of the site for mooring boats. The agreed restrictions on occupation of the boats at the site shall thereafter be maintained unless otherwise agreed in writing by the Local Planning Authority.**
- 4. Prior to the first use of any of the berths hereby approved the developer shall refresh the existing "keep Clear" markings and shall maintain them as such for so long as the marina extension remains in use.**
- 5. No development shall take place, including site clearance or**

other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

6. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 1. the parking of vehicles of site operatives and visitors;
 2. loading and unloading of plant and materials;
 3. storage of plant and materials used in constructing the development;
 4. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 5. measures to control the emission of dust and dirt during construction, including wheel washing; and
 6. a scheme for recycling/disposing of waste resulting from demolition and construction works.
7. 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 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.
8. No development shall take place until a scheme for the

provision and management of compensatory habitat creation has been submitted to and agreed in writing by the local planning authority. Thereafter the development shall be implemented in accordance with the approved scheme.

9. No development shall take place until a plan for the protection and/or mitigation of damage to water voles, otters and their associated habitats within and adjacent to the development site, both during construction works and once the development is complete, has been submitted to and approved in writing by the local planning authority. The protection plan shall be carried out in accordance with a timetable for implementation and shall include the following elements:
- details of how water voles present on the River Stort to the south of the site will be protected during and after development; and
 - details of how otters, otter habitat and migratory pathways will be left undisturbed during and after development management responsibilities.

10. No development shall take place until a detailed method statement for the removal and long-term management of Himalayan balsam, American signal crayfish and zebra mussels on the site has been submitted to and approved in writing by the local planning authority.

The method statement shall include measures that will be used to prevent the spread of Himalayan balsam, American signal crayfish and zebra mussels and any other invasive species during any operations such as mowing, strimming, boat movement or soil movement. It shall also contain measures to ensure that any soils and equipment (including boats) brought to the site are free of the seeds / root / stem of any invasive plant listed under the Wildlife and Countryside Act 1981, as amended. Development shall proceed in accordance with the approved method statement.

11. No development shall take place until a scheme for the provision and management of an 8 metre (m) wide buffer zone alongside the watercourse 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 schemes shall include:
- plans showing the extent and layout of the buffer zone;
 - details of the native species planting scheme;
 - details demonstrating how the buffer zone will be

- protected during development and managed/maintained over the longer term;
- details of any footpaths, fencing, etc.; and
 - details of any lighting.
12. The development hereby permitted shall not be commenced until such time as a scheme to dispose of foul and surface water drainage has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.
13. The works hereby approved shall be carried out in accordance with the submitted flood risk assessment (Enzygo- Roydon Marina Lodge, Ref SHF.202.004.HY.R.001.A- April 2016) and drainage strategy, unless otherwise agreed in writing by the Local Planning Authority.
14. The parking areas shown on the approved plan shall be provided prior to the first new mooring being brought into use and shall be retained free of obstruction for the parking of visitors vehicles.
15. Should the use of the lake for mooring of boats cease, all moorings, pontoons, stages etc within the lake shall be removed from the site within 6 months.
16. The development shall be implemented in full accordance with the recommendations of the Phase 1 Ecological Survey and Associated Bat Survey, water Vole and Otter Survey, Breeding Bird Survey, Winter Bird Survey Report and also any recommendations regarding reptiles, invasive species and site clearance.
17. Prior to the first use of the marina extension hereby approved, the elsan and refuse collection areas indicated on the approved plan shall be implemented and details with regard to the management of these areas shall be submitted to and agreed in writing by the Local planning Authority. The facilities shall thereafter be maintained and operated in accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority.

Report Detail

This application is before the District Development Management Committee since it is an application for major commercial and other developments, (e.g. developments of significant scale and/or wide concern) (Pursuant to The Constitution, PartTwo, Article 10(b))

Description of Site:

The site is part of the existing Roydon Mill Leisure Park and the lake that has been used for many years for recreational purposes. The lake lies to the west of the caravan area and is bounded to the north by the railway line and to the south by the River Stort Navigation. There are residential mobile homes to the east and much of the leisure park has been redeveloped with new log cabin style mobile homes. Most of the lake is already in use as a marina, which was granted consent in 2009. The red lined application site encompasses much of the remaining western part of the lake and the adjacent bank areas. (about 6.25 hectares in total) There are substantial trees and hedgerows around much of the lake. Access to the site is via the existing access track which is along the tow path from its junction with Roydon High Street.

Description of Proposal:

This application is for the extension of the existing established 315 boat marina for the mooring of up to 240 additional boats on the existing lake at Roydon Mill. (raising the number of berths to 555 in total) The proposals include the provision of an additional 120 car parking spaces, mainly along the northern side of the lake to add to the 77 originally provided for marina visitors and an additional ELSAN disposal unit and bin storage areas. In addition the application includes a small extension (28 sq m) to the existing facilities building to increase the shower and toilet facilities available. Vehicular access to the site is to be as at present, taken from the existing access to the leisure park, i.e. along the tow path road from Roydon High Street. Some additional works are proposed to the access road to further deter speeding. The jetties to which boats will be moored will be floating and the floating walkways to the finger jetties will be accessed from the bank at the northern side of the lake.

Relevant History:

The leisure park has an extensive planning history with, most recently:

EPF2113/08 Creation of a marina with moorings for up to 315 boats and associated facilities, including new lock with the River Stort Navigation, facilities building, workshop, fuel storage tank and 77 parking spaces. – Approved 2009

EPF/0935/11- Variation of cond.13 (Re: Access road improvements) of EPF/2113/08 – Approved 2011.

This application put forward alternative changes to the access way, the majority of which have were done at the behest of British Waterways who own the access road.

The changes included;

- upgrading the existing lighting columns rather than installing low level bollard lighting along the length of the canal.
- Replacing the proposed low level lighting bollards adjacent to the canal with timber reflective bollards
- Upgrading the informal western passing bay to a formal passing bay, rather than introducing a replacement formal bay 15m further west.

The proposals included the provision of new signage relating to the passing places, 15mph speed limit, warning of pedestrians and to beware of oncoming traffic in the middle of the road.

EPF/1313/11 - Change of use of facilities building approved under EPF/2113/08, to a mixed use building comprising a cafe, together with small chandlery area and associated facilities (shower, changing areas, laundry and marina office.) – Approved 2011

Policies Applied:

Local Plan – saved policies:-

CP1 Sustainable development

CP2 Protecting the quality of the environment

GB2A Green Belt

GB5 Residential moorings and non-permanent dwellings

GB7A Conspicuous development

GB10 Development in the LVRP

NC4 Protection of Established Habitat

NC5 Promotion of nature conservation schemes

RP3 Water quality

RP5A Adverse environmental impacts

RST7 Recreational function of the Lee and Stort navigations

RST23 Outdoor leisure uses in the LVRP

RST24 Design and layout of development in the LVRP

RST25 Glen Faba and Roydon Mill Leisure Park

DBE1 design of new buildings

DBE4 Design in the Green Belt

LL1 Rural landscape

LL2 Inappropriate rural development

LL7 Planting protection and care of trees

LL10 Adequacy of provision for landscape protection

LL11 Landscaping schemes

ST1 Location of development

ST2 Accessibility of Development

ST3 Transport Assessments

ST4 Road safety

ST6 Vehicle parking

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 the relevant policies in existing plans according to the 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:

As well as the Statutory consultees 94 neighbouring properties were written to and a site notice was erected, the following responses were received:

PARISH COUNCIL - The Parish Council agreed at its last meeting to OBJECT to the above application for the following reasons:

Access

The sub-standard access to the site is via a towpath which is single track with only one passing place (apart from the initial pull-in). The towpath runs alongside the River Stort Navigation which is very deep in places. The additional traffic that will be generated by this proposal will make

using this towpath much more difficult than it already is. Local residents have concerns about access for emergency vehicles, the speed of vehicles and the lack of separation between motorised traffic and pedestrians/cyclists using the towpath. Despite comments made in the applicant's submission there have been several accidents at this location and we would like to point out that lighting and signage improvements to the towpath which should have been carried out under planning application EPF/2113/08 have not been actioned. Attached to this email (see attachment 'Marina') are Trip Advisor reviews from holidaymakers which have used the Roydon Mill site and have highlighted concerns about the towpath access and its maintenance.

Traffic

The Parish Council commissioned a detailed traffic survey by QTS which was undertaken over a 7 day period for 14 hours each day in March this year. This looked at traffic movements in all directions where the towpath meets Roydon High Street and it should be remembered that the site is adjacent to Roydon Station and vehicles are sometimes found on the level crossing whilst traffic waits to turn right (from Stansted Abbots) into the Marina - this is a serious safety issue. There were an average of just over 840 traffic movements in and out of the Marina each day - this is nearly 25% of all traffic movements at this junction and the Parish Council would argue that the information provided by the applicant, which is not as detailed as our own survey, is lacking in factual evidence and that, as a result, the projections given, in support of this application, are flawed.

Any further increase in traffic using such a sub-standard access cannot be safe and the Parish Council disagrees strongly with the applicant's view that this new application will not impact significantly on traffic figures.

Parking

Each boat currently has a contract allowing parking for up to two vehicles but the increase in boats will result in parking for an additional 120 vehicles. At present there is insufficient parking not only the boats currently berthed at the Marina but for the residential part of the site, the lodges, hotel and visitors.

Conditions

Many of the 29 conditions applicable to planning application EPF/2113/08 (the original marina development) are either not being complied with or have only been partially discharged. These include on-going site management relating to ecology, trees, landscaping and flooding.

Residential Boats - Condition 14 of EPF/2113/08 is not being complied with as the Parish Council is aware that there are an estimated 100 full time occupied boats. The procedures that were put in place to stop this happening do not achieve the stated aim of all boats being non-residential and is open to abuse. The Parish Council estimates that Epping Forest District Council is losing approximately £100,000 p.a. in council tax revenue as a result. If an additional 100 houses had been sited in the village an environmental impact assessment would have been carried out to look at traffic (lived on boats are not being adequately considered for traffic projection purposes), safety and amenity issues but this has not taken place. Wide berth boats are usually used for residential accommodation and these feature prominently in the new application. The Parish Council has serious concerns about the ability of EFDC to ensure that none of the boats (either existing or in the future) have any permanent residents and it is very disappointing that a survey of boat movements has not been carried out.

Health and Safety

As we believe that Marina safety is the local authority's responsibility, the Parish Council would like to understand what information has been provided to and investigated by EFDC in this respect (see attachment 'Safety').

Green Belt

There are no special circumstances which should allow further development.

Ecology

It is recommended that a Habitats Regulations Assessment is carried out and this should take place before the application is decided. Natural England has asked for measures to increase the bio-diversity of the site. Bats and other protected species are present on site so surveys should be required as should a water bird survey. The Parish Council has concerns about the loss of natural habitats that would come about from approval of this application but if approval is given then works should be carried out outside the bird nesting season.

Facilities

Village facilities are stated as being as per the previous application of 2008 ' a range of local shops and restaurants' - in fact the village only has a newsagents, chemist and a hairdresser although it does have a few pubs..

For the above reasons the Parish Council very much hopes that this application is refused.

THE ROYDON SOCIETY - Strongly OPPOSES this application for the following reasons:

Insufficient width of access on the 'tow path', adjacent to the Stort Navigation, leading to the Marina site, to cope with the increase in vehicles numbers. The creation of 'lay by's' and other suggested initiatives will not assist in dealing with traffic issues. If there was an accident, emergency vehicles could not gain access. Tow path is a public footpath so serious concerns raised re walkers using this tow path to access footpaths further ahead and additionally boat owners who use this towpath for official short term mooring.

Junction with Roydon High Street and B181, plus the level crossing gates being down for a considerable length of time, adds to the frustration of vehicle users when dealing with drivers exiting from Roydon Mill/tow path entrance/exit. When drivers are unable to enter the tow path from Hertfordshire, this leads to a build up of traffic which frequently leads to traffic straddling the level crossing which is unsafe – there is no way for these drivers to go if the gates need to drop.

Information in documents supplied with application inconsistent. Residents who made enquiries on the 'open day' have yet to be responded to, as they were promised.

Road user survey, provided with the application, relies on previous years' data; differs from survey taken in March 2016 by Roydon Parish Council which indicates that prior to this application, numbers of tow path motorised transport has increased dramatically.

Site will become too excessive for users to enjoy the surroundings/facilities currently available to them. Residents feel that the Marina currently is operating at full capacity.

Wildlife – a condition of a previous application to set aside a wildlife area has not been actioned. Issues with drainage which is currently operating at full capacity; problems envisaged should this application be allowed. Being so near to the Stort Navigation, contamination of waterway could occur.

Application indicates that spaces have been allocated for 'wide beam' boats – these boats are normally static and lived in permanently, they are rarely holiday homes.

Issues with number of parking spaces allowed. Agreement with boat owners states 2 parking spaces per boat. Numbers of spaces proposed insufficient even allowing for those boat owners not using their boat permanently.

NPPF states that priority should be given to pedestrians and cyclists; safe and secure layout to reduce conflicts. If this was an application for 240 properties, a tow path as an access road would not be permitted.

No consideration has been given to the local community as regards increased traffic, use of local facilities etc.

ROYDON BOATERS ASSOCIATION – OBJECT. Boat owners were originally assured that the western part of the lake would be kept free of boats as a wildlife area and that islands would be created for wildlife. The islands have not been created, additional moorings were added. Concerned about design, environmental and capacity issues. Boaters who complain have been pushed out by Darinian. The services are not sufficient for the existing boats. There is inadequate parking, there are no limits to who can visit and no permit parking. There are inadequate bins and rubbish collection, the sewage system is regularly closed as it is full, the car parks are full of potholes and non porous, so become mud field in winter. These are design and capacity issues not management issues. The same will apply to the extension. This is a deliberate business strategy to maximise berths and resource facilities to the minimum allowed, to reduce costs and outlays whilst maximising revenues. This will destroy a beauty spot and impact negatively on people who have boats at the Marina and the people of Roydon. I question the objectivity of the consultants reports as they are paid to blur the lines enough for this application to be supported.

Also concerned about disruption and impacts on wildlife and residents and visitors during the development work. Traffic and noise from piling will cause problems.

LEE VALLEY REGIONAL PARK AUTHORITY – Whilst the addition of new berths will improve the appeal of this part of the Regional Park for visitors, this should not be achieved by the coverage of 90% of the water space. The number of berths should be reduced by 50% to preserve the extent of open water and maintain the sites contribution to maintaining the permanence and openness of the Green Belt.

A series of mitigation measures identified in the surveys included with the application should be included in a mitigation and landscape enhancement plan to be required by conditions. Further details of lighting are required to limit adverse impacts on bats and other wildlife using the area for foraging.

The western section of the lake which includes the island should be treated as out of bounds for boaters with a restriction secured either by condition or planning obligation to prevent further development. The area should be the subject of a full ecological management plan to include measures to improve habitat in line with the LVRP Biodiversity Action Plan. This should be subject to tri annual review and monitoring.

In the event of permission being granted a condition should require that berths are used as visitor accommodation only to prevent them becoming permanently occupied in residential use. Without a condition to this effect the site's role in the Regional Park as a visitor attraction would be undermined.

Neighbour Objections have also been received from the following addresses:

1, 2, 4, 5, 6, 7, 12, 15, 15A, 16, 17, 21, 23, 24, 25, 26, 28, 30, 32, 35, 39, 40, 41 and 43 HOLY ACRE.

11, 15, 18 THE GRANARY, 57 HIGH STREET, THE MILL HOUSE, No 9 ROYDON MILL

In addition several objections without full addresses have been received.

The objections and concerns raised are similar to those expressed by the Parish Council and the Roydon Society and relate to the following issues:

Access Road

The inadequacy of the access road to take existing traffic levels safely makes any further increase in number of berths unacceptable. The road is of inadequate width, with poor surfacing, inadequate passing places, speeding, unsafe for pedestrians, children and cyclists. Path inadequately lit

Traffic

The traffic generated is excessive and causes issues at the junction with the High Street, with traffic queueing, conflict with the level crossing adjacent. Concern that the reports submitted understate the traffic movements and problems that arise. Bridges may not be able to take the additional traffic

Parking

The existing parking provision is inadequate, and not controlled or restricted to boat owners, far more spaces are needed and the car parks areas are poorly maintained.

Boats are being lived on

Despite conditions boats on the marina (and indeed the holiday chalets) are being lived in which increases the problem of inadequate parking, number of traffic movements, inadequate facilities etc.

Inadequate facilities

The existing marina has inadequate facilities for the number of boats, which results in problems of rubbish, sewage disposal etc.

Impact on environment

All boats have log burners impacting on air quality. The quality of the environment and the visual amenity of the area will be adversely impacted by the increased usage and the loss of the open area of the lake.

Impact on wildlife

Loss of the natural area of the lake, reduces habitat. Otters, water voles and other wildlife will be affected.

Concern over drainage issues

Issues and Considerations:

The application site is within the Metropolitan Green Belt and the Lee Valley Regional Park and is a County Wildlife Site. The main issues in the determination of the application are:

Impact on the Green Belt

The landscape and visual amenity of the area

Impact on wildlife, conservation and ecology

Impact on highways and highway safety

Effect on residential amenity

Hydrology

Loss of Open Water

Residential Use

Adequacy of Facilities

Flood Risk

Other issues

The Green Belt

The Government attaches great importance to Green Belts. The fundamental aim of which is to prevent urban sprawl by keeping land permanently open. The NPPF sets out those forms of development which are not inappropriate in the Green Belt. This includes “The provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it” and the extension or alteration of a building provided it does not result in disproportionate additions over and above the size of the original building.

When the original marina was approved in 2009 it was argued that that although the development could be described as small scale facilities for outdoor recreation, as the works to provide moorings on the lake are relatively small scale and the buildings and structures are essentially required to enable people to fully utilise the waterways of the area for recreational purposes, the mooring of so many boats would clearly have an impact on the openness of the area and therefore very special circumstances were required. It was accepted at that time that there was a need in London and the South east for the provision of moorings to meet the needs of the expanding number of recreational boaters and the application was welcomed by British Waterways, who were then responsible for assessing such things. It was argued that the site was well located and could be developed with minimal need for excavation. It was considered likely that any marina to serve the needs of London would need to be within the Green Belt. These factors were considered to amount to very special circumstances sufficient to outweigh the harm to the Green belt from the development.

Basic Green Belt restrictions have changed little since that decision and the same principles apply to this proposal for an extension to the Marina. The built works proposed are all relatively minor with minimal impact on openness. The small extension to the facilities building is clearly not disproportionate over and above the size of the original building and is therefore not inappropriate and the pontoons into the lake and the parking areas proposed are all appropriate in connection with outdoor recreation and have only very limited impact on openness. Once again it is the presence of boats and cars on the site that will impact on openness. The

applicants have once again argued that there is a need for the facilities to meet the demand. Since the original application in 2009, the responsibility for waterways has moved from British Waterways, to "The Canal and Rivers Trust". This body were consulted on the application and have been unable to corroborate the applicants' assertion of need. However they go on to say that *they "do not carry out studies into matters of need or demand for marinas and it is for the developer/applicant to deal with these matters as they consider appropriate"*

The applicant was asked for a response and provided the following:

"On the 7th July I forwarded a copy of the Marinas up to date enquiry list, having deleted names and contact details (data protection act). As you will have noted there were 225 enquiries for moorings in 2015 and 83 enquiries to date this year. You will also be aware the marina has a waiting list for 38 boats at present.

You will also no doubt be aware that Hallingbury and Stansted Abbots marinas are both full. Neither has the ability to expand and both send people to Roydon on a weekly basis. Likewise you will be aware that it is the Canal & River Trust's policy to remove boats from mooring online and into marina's, and has a continuous cruiser monitoring process. As is clear from the 'Boaters without a home mooring review' (Mar 2016) that there are a significant number of boaters without a home mooring, which means they have to keep moving on. It's also clear that the area with the greatest demand for permanent moorings is the area around London, including the Lea Valley.

Whilst we know that the Canal & River Trust does not carry out studies into matters of need or demand for marinas, the Trust does, recognise that boating in London has become more challenging as boat numbers on London's waterways continue to grow. This has led to pressure on moorings, facilities and infrastructure. Whilst the Trust has commissioned a London Mooring Strategy to investigate how to manage these issues, and will we understand, look at ways to improve the provision of a range of mooring types including offline marina, the strategy itself will not be completed until sometime in 2017.

*A copy of the relevant press release is however attached. This makes it clear that:- 'Boating in London is becoming more challenging as boat numbers on London's waterways continue to grow. This has led to pressure on moorings, facilities and infrastructure. It can be hard to find space at towpath moorings in the most popular areas while **the supply of long-term moorings isn't enough to meet demand**. Over the past few years the Trust has been working with boaters and other stakeholders on solving the problem. While a number of trials have been carried out and there have been some positive changes, for example the creation of new long-term moorings and bookable moorings, it is clear that a plan of action that covers all aspects of London moorings, developed with waterway users, is necessary to make a significant difference.' My emphasis. "*

On the basis of the information provided it is considered that there is still a significant and unmet demand for moorings in the south east and that as before, this and the fact that only minimal works are required at the site to enable the use amounts to very special circumstances sufficient to outweigh the relatively limited harm to openness from the development.

Para 12.54 of the Adopted Local Plan states "appropriate facilities (e.g. a marina) may be acceptable provided that the buildings are limited to those incidental to open air recreational use"

Landscape and visual amenity

The planning application was submitted with a full landscape assessment including mitigation and a landscape strategy. The site is well screened by existing trees and additional landscaping and planting are proposed. Whilst the car park areas and indeed the boats themselves will have a visual impact within the site, it is not considered that there will be excessive impact from view points outside the site. Given the low lying nature of the site it is not considered that the scheme will have a significantly adverse impact on the landscape or visual amenity of the locality.

Impact on Wildlife, Conservation and Ecology.

European Sites

The application site is within or in close proximity to a European designated site (also commonly referred to as Natura 2000 sites), and therefore has the potential to affect its interest features. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2010, as amended (the 'Habitats Regulations'). The application site is in close proximity to the Lee Valley Special Protection Area (SPA) which is a European site. The site is also listed as the Lee Valley Ramsar site¹ and also notified at a national level as the Rye Meads Site of Special Scientific Interest (SSSI). Another component of the Lee Valley SPA and Ramsar site, the Turnford and Cheshunt Pits SSSI, is further away; but is hydrologically linked to the application site via the Lee and Stort Navigation. The proposal site is also in relatively close proximity to the Hunsdon Mead SSSI.

With regard to the European Site the Council as a Competent Authority has to assess the likelihood of significant impacts of the development as part of the a Habitats Assessment Screening. This aspect was also considered as part of an EIA Screening Opinion that was carried out prior to the submission of the application.

It is not considered the development will have any significant impacts on any European Site and as such no further assessment is required.

National Sites

This application is in close proximity to the Rye Meads Site of Special Scientific Interest (SSSI). It is also in relatively close proximity to the Hunsdon Mead SSSI. Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which these sites have been notified.

Other Wildlife issues

In addition to the above there are other non-statutory wildlife sites that are connected to the site via the watercourse. Given the sensitive nature of the site the application included an extended Phase 1 Habitat Survey, bat survey, breeding bird report, otter and water vole survey, overwintering bird report. These conclude that the impacts of the development on habitats and wildlife will be limited and suggest appropriate mitigation and enhancement strategies.

Natural England and The Environment Agency have not raised objection to the proposals subject to conditions to secure the protection of wildlife during development and the implementation of mitigation to improve and maintain habitats post construction and it is considered that the proposed development accords with adopted policies that seek to maintain and enhance the natural environment. Suitable conditions are proposed.

Highway Issues

The proposal clearly involves a significant intensification of the use of the Roydon Mill Lake and considerable concern has been raised by neighbours with regard to the vehicular access to the site and the amount of parking proposed. Vehicular access to the site is, as for the adjacent caravan park, from the High Street just south of the level crossing and along the tow path road. This road is narrow with limited passing places and includes a humped back bridge with no view of the road ahead; as such there is legitimate concern about any development that may increase vehicular traffic along this track.

The original supporting documents when the marina was first proposed argued that as the caravan park was changing to fewer caravans and the camping site that had operated was no longer in use the introduction of the 315 berths, for which the parking requirement set by British Waterways, was only 77, would not result in a significant increase over the historic use of the road, and was therefore considered acceptable. In addition, the access road, which was then owned by British Waterways (now the canal and Rivers Trust) was improved by the provision of signage, improvement to lighting and the provision of passing places.

With this current application the applicants have submitted transport assessments which indicate not surprisingly, that with the increase in berths there will be an increase in traffic movements on the access road. The question therefore is whether the increase is such that there will be an adverse impact on safety for all road users.

The statement concludes that at peak hour (12.00 -13.00) on a Saturday, the number of inbound trips will increase from 46 to 54 (8 additional) and outbound from 41 to 52 (11 additional). On a weekday at peak times the prediction is that morning two way traffic movements would increase from 51 to 67 (an increase of 16) and afternoon two way movements would increase from 55 to 69, (an increase of 17)

A detailed assessment has been made with regard to the existing and potential turning movements into and out of the site on to the High street, bearing in mind the proximity of the level crossing to the north and the traffic congestion that can result when the crossing is closed.

An Essex County Council Highways officer has assessed the Transport Assessment (TA) submitted and considers it to be robust. He has visited the site and thoroughly assessed the submitted transport information and has concluded that the proposal is not contrary to National/Local Policy or current safety criteria. The TA demonstrates to the satisfaction of the Highway Authority, in terms of safety and capacity, that the impact of the proposed development will be minimal on the highway in the vicinity of the site and on the wider highway network. Accident data has been investigated and there are no recorded highway incidents within the vicinity of the site for the last 5 years. The Highway Officer has also confirmed that the proposed number of parking spaces conforms with the maximum standard and that overspill if it occurred would not cause any highway safety issue as the site is well removed from the highway.

The NPPF states *that “development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe.”* On the basis of the above it is not considered that there are highway or transport grounds to refuse the application.

The access road itself is a private track within the ownership of the Canal and Rivers Trust, and the Highway Authority is not responsible for its upkeep, signage, speed limit or safety. Given the concerns of neighbours with regard to the access road itself the applicants in the course of

the application have looked into whether any additional work could be carried out to improve this track. Given the limited space available, the only feasible suggestion is the inclusion of additional speed humps to encourage people to drive at the suggested speed limit of 15 MPH. The applicants have stated a willingness to carry out such works and they may help reduce speeds along the access track, however it is not in officer's view necessary to make the application acceptable and in addition the access track is not within the ownership of the applicant and as such the works can not be the subject of a condition. It would be for the applicant to negotiate with the Canal and Rivers Trust if they wished to carry out such works.

The concern of the Parish Council and others with regard to this access and responsibility for safety has been raised with the Councils emergency planner, as well as with the Highway Authority. It is not considered that the increased use of the tow path necessarily leads to additional risk. Where surfaces are shared in this way with many users including cyclists and pedestrians and there is a clear hazard such as the canal, the result is usually that people take additional care and reduce speeds accordingly.

Residential Amenity.

Whilst the development will result in some increased traffic movements it is not considered that an increase in the number of boats on the lake will result in harm to the residential amenity of residents in the vicinity. None of the proposed works are adjacent to any residential property. Whilst there may well be disruption and noise during construction these are not grounds for refusal of the application.

Hydrology

Consent for the marina extension is required from the Canal and Rivers Trust (CRT) separately from planning permission and at the moment the developer has only reached the initial stage in gaining such consent. Initially the CRT submitted a holding objection to the planning application stating:

The Trust has a process for considering the acceptability of new marina proposals. This is separate to any application for planning permission. The proposal for the marina extension has entered our process and our Hydrology team undertook an initial water resources assessment earlier in the year. This triggered the requirement for a more detailed assessment. The promoter has decided to proceed in our process and as such we are currently carrying out the more detailed assessment. The detailed assessment is required because Roydon Marina is connected, via a lock, to a river navigation, and therefore water availability is restricted by the river's flow regime. The Trust has an Operating Agreement with the Environment Agency with regard to the levels in the River Stort, and the use of the navigation during periods of low flow or drought. There has also been anecdotal evidence of problems with water levels in the navigation pound (the stretch of water between locks) immediately adjacent to this marina.

Our initial marina assessment indicated that increasing the number of berths in the marina is likely to increase (boat) traffic and therefore demand for water from the river, by opening and closing locks. Therefore, further hydraulic analysis is required in the form of a detailed assessment to determine the impacts of the marina extension on the base-flows of the River Stort Navigation (and the River Lee Navigation), as well as the impacts on the operational level of the navigation at peak demand. Following the detailed assessment, expected in August 2016, we will be able to make an informed comment about the hydrology of the navigations around Roydon Marina and if they will be impacted by the marina extension.

*The impact on the hydrology of the navigations is also a planning matter. This is reflected Policy RST 7 of the Epping Forest Local Plan (1998) which states that “The Council will grant planning permission for developments associated with the recreational function of the Lee and Stort navigations provided that :- (i), (ii) there is no adverse impact upon river water levels”. In light of the identified requirement for a detailed water resources assessment we therefore consider that at present there is insufficient information to consider the acceptability of the planning application in relation to its impact upon the hydrology of the navigations around Roydon Marina. We must therefore **object** to the proposal. We would be happy to provide further advice once the outcome of the detailed assessment is known.”*

Accordingly it was agreed with the applicant to put the determination of the planning application on hold until this was resolved.

The CRT has now confirmed that the more detailed water resources assessment has been completed and that the assessment showed that the proposal is acceptable in principle at this location and that, at the time of the assessment, there was sufficient water resource available to accommodate the increase in boat traffic generated by the scheme. They however emphasise that there are further stages in the Trust’s process that the applicant will need to go through before they are able to reach agreement with them.

The CRT also reiterates that the hydrology of the navigation is a planning matter that must be taken into consideration in determining the planning application.

In the absence of any objection from the canal and Rivers Trust and no evidence that the development will have any adverse impact on the waterway it is considered that the development accords with Policy RST7 of the adopted Local Plan.

Loss of the Open Water

There is some concern that this proposal will result in 90% of the water area of the lake being utilised for mooring, leaving only a very small area of open water, which perhaps diminishes the attractiveness of the marina and the surrounding area. However, this lake is only one in a number of similar expanses of water that are within the vicinity and that are accessible within the LVRP and it is not considered that the reduction in open water at this location will reduce the attractiveness of the Park for visitors. The Park Authority comments have been set out in full at the beginning of the report and they consider that a smaller extension would be more acceptable, whilst agreeing that the use is compatible with the aims of the Park.

On balance it is not considered that the reduction in open water is sufficient grounds to refuse the application. The concentration of boats within this one location which is well screened and self contained means that the remainder of the water bodies in the locality can remain largely undeveloped and free of moorings which could be viewed as a benefit to the park as whole

Residential Use

The proposal is for the boats at the marina to be occupied only for recreational purposes. Use of the marina for residential mooring (houseboats) would have significantly more impact on the locality, as residents would be dependant on road access and local facilities and there would be significant highway implications. Additionally, use for permanent residential accommodation would be clearly contrary to Green Belt Policy and sustainability policies. There are existing

conditions on the marina which restrict occupation to ensure that the marina is only used for recreational purposes. Several objectors have argued that existing conditions are being flouted and that the boats are lived on. A recent Enforcement investigation found that Housing Benefit claims had been made to the Council for 2 boats at the site, indicating that they are being used residentially. As a result the marina operators have terminated the mooring lease for the 2 boats in question. In addition the marina has provided (as required by the conditions) evidence relating to the permanent addresses of the boat owners and further investigations are ongoing to check the validity of these. Should any other breaches of the occupancy conditions are found, then appropriate action will be sought. None of those raising concerns over permanent residential use have been able to state which boats their concerns relate to, and from site visits, there is no clear evidence of widespread breaches.

Adequacy of facilities

Concerns have been raised with regard to the adequacy of the sanitation facilities and waste storage and collection within the site. It is considered that the level of provision proposed is acceptable but as with all such provision its effectiveness is dependent on the management of the site. It is in the marina operator's interests to ensure that their facilities are maintained and emptied and waste is collected, in order to keep the marina attractive to customers. However conditions can be attached to ensure that further details of foul water disposal and of the refuse collection regime are submitted for agreement prior to the first use of the marina extension and thereafter maintained.

Drainage and Flood Risk.

The Council's Land Drainage team were consulted on the application and raise no objection based on the Flood Risk Assessment that was submitted and the Environment Agency have also raised no objection to the proposal subject to conditions regarding foul and surface water drainage.

Conclusion:

In conclusion the development due to the impact on openness of the boats moored and cars that may be parked, (rather than the physical works proposed) will not preserve the openness of the Green Belt and is therefore inappropriate development. However the need for moorings to serve the recreational needs of London and the South East, and the suitability of this site to provide for that need with minimal works, is considered sufficient to amount to very special circumstances that outweigh the relatively limited harm to the Green Belt and any other harm from the development.

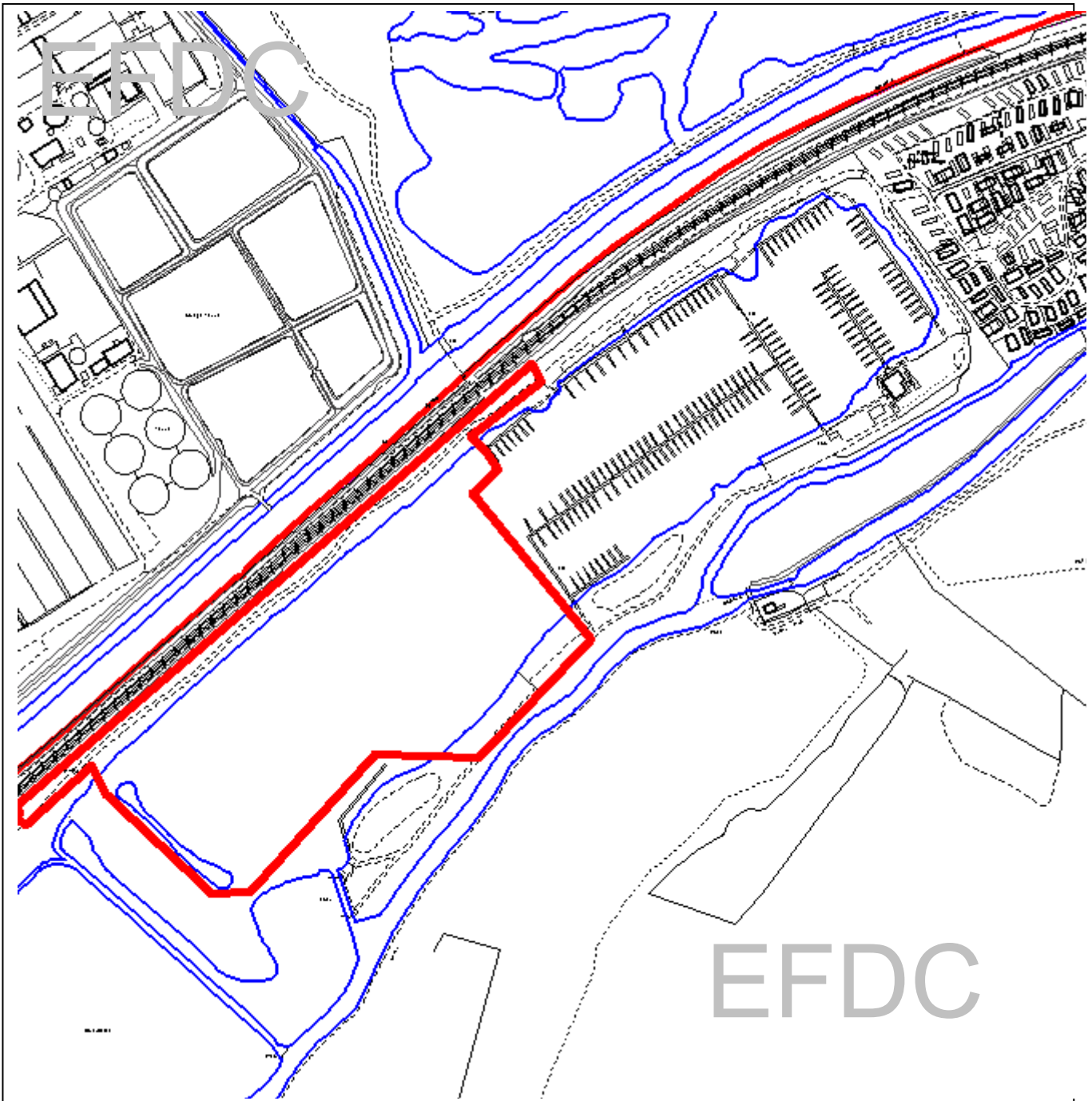
This is a development that supports open air, rural tourism and leisure, in a logical and appropriate location within the Lee Valley Regional Park, and it is recommended for approval subject to conditions.

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Epping Forest District Council

Agenda Item Number 7



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Application Number:	EPF/0934/16
Site Name:	Roydon Marina, High Street Roydon Essex CM19 5EJ
Scale of Plot:	1:4500

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Report to District Development Management Committee

Report Reference: DEV-012-2016/17
Date of meeting: 28 September 2016



Subject: EPF/1227/16 - Mossford Green Nursery, Abridge Road, Theydon Bois - Certificate of Lawful Development for existing use of site for storage of vehicles, caravans, motorhomes, trailers and machinery.

Responsible Officer: Ian Ansell (01992 564481)

Democratic Services: Gary Woodhall (01992 564470)

Recommendation(s):

(1) That the Development is Lawful.

Reason:

- 1. Having regard to the evidence submitted the Council is satisfied that the existing use of the land for parking and storage of vehicles, caravans, motor homes trailers and machinery has been extant for a period in excess of 10 years. The unit therefore benefits from existing use rights and is immune from any potential enforcement action.**

Report:

1. This application was considered at the meeting of the Area Planning East Sub-Committee on 7 September 2016. The Sub-Committee raised concerns as to whether sufficient evidence had been provided to show that the use was lawful and a vote resulted in 5 Members voting for the recommendation to grant the Certificate and 5 against. The Chairman used her casting vote against the application and four Members exercised their right to require the application to be considered by District Development Management Committee. It was also requested, that a Council Legal representative should also attend.

2. In considering the application, Members should have regard that such applications must be determined on a balance of probabilities. Furthermore, where an applicant submits evidence of fact, the local planning authority is expected to give this significant weight, particularly if it is made in the form of a statutory declaration or affidavit (which it is), unless there is clear evidence to the contrary.

3. The application relates to storage of vehicles on specific areas on the site. Evidence of aerial photographs (both those supplied by the applicant and the Councils own independent database) support the contention that these areas have been hard surfaced and used for parking and storage at various times during the relevant period. In such circumstances, it is not necessary for the applicant to prove that all of the land has been used all of the time as there

will inevitably be periods where vehicles, particularly caravans, trailers and camper vans would be in use and away from the site. Officers are satisfied that in this context, there is sufficient evidence to grant the Certificate.

4. The report on the application presented to the Area Plans East Sub-Committee is set out below.

REPORT TO AREA PLANS EAST SUB-COMMITTEE ON 7 SEPTEMBER 2016

This application is before this Committee since it is for a Certificate of Lawfulness in respect of existing use where the recommendation is that the development is lawful contrary to an objection from a local council (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)

Description of Site:

The application site lies to the east side of Abridge Road, the site has a single access to the road and limited road frontage. It is located between the northern and eastern boundaries of the adjacent dwelling, Highview and the western and southern boundaries of Hillcroft Nursery. The site houses a mix of uses and buildings, there is a chalet bungalow located centrally within the site. The land closest to the road frontage is used for recreational parking of motor homes, caravans etc. At the southern end of the site lie two buildings, the larger used for storage and the smaller for general vehicle repairs.

The surrounding area comprises open fields, other than the immediate neighbours above. The site and surrounding areas lies within the Green Belt..

Description of Proposal:

The application seeks a lawful development certificate for use of open areas of the site for vehicle storage, including caravans, motor homes trailers and similar. The application plan is specific in defining the areas so used, comprising a single large hard surface area at the south-eastern end of the site, two smaller areas between buildings along the southern edge of the site and along either side of the access road abutting the boundary with Highview.

The initial application was accompanied by a series of aerial photographs purportedly taken from Google Earth covering the period 2003- 2011 showing vehicles parked in various locations around the site. These also indicated a new largest area of storage was laid around 2005 – 06.

The application is further accompanied by the applicants bookings diaries from 2007 – 2012 showing records of bookings over different periods, the case officer has also seen a five year diary for the more recent period which remains actively in use for current bookings. A bank paying in book showing consistent payments of similar amounts (which the applicant advises are standard storage charges) has also been submitted. The applicant has also submitted 8 letters purported to be signed by customers who have stored vehicles at the site (including 5 from business occupiers) who state that they have stored vehicles and caravans at the site over a range of periods from the mid-1990's to the present day.

Following a request for more information, an additional statement was submitted by the applicant. The statement, in the form of a Statutory Declaration states that he has owned the site since 1995 and has stored vehicles in various locations since. In late 2005 (when the adjacent storage building was built), an existing hard surface to the east of the buildings at the southern end was cleared and redressed to allow further storage and the use has continued to evolve since that time. Throughout the subsequent period, areas of hard standing have continued to be maintained and renewed as required. Vehicles are parked for differing periods, agreements are usually for 6 month periods although owners may remove their vehicles for varying periods depending on the time of year. Demand and maintenance requirements mean that vehicles may have been moved around the site but the area of hardstanding has remained the same throughout the period.

Relevant History:

The site has an extensive planning history including applications for dwellings (all refused) and agricultural buildings (generally approved). The current applicant's name first appears on application submitted in 1995.

- EPF/0948/95 Workshop building approved – this is the building at the southern end of the site (see EPF/2267/14)
- EPF/0950/95 Use of dwelling for agricultural use approved.
- EPF/0119/96 Retention of entrance gates approved.
- EPF/2050/01 Dwelling in south east corner of site refused
- EPF/0842/05 Replacement agricultural building for breeding insects refused on the bulk of the building
- EPF/1355/05 Revised application as above approved. It should be noted that this is the building referred to in the applicant's declaration as being built in late 2005.
- EPF/1431/13 Change of use to allow 25 holiday let mobile homes / caravans refused on Green Belt grounds – this relates to the land at the northern end of the site
- EPF/0744/14 Revised application for 15 pitches approved
- EPF/2267/14 Lawful Development certificate issued for use of workshop building for vehicle repairs.

Policies Applied:

Not relevant to LDC applications.

Consultation Carried Out and Summary of Representations Received

- | | |
|---------------------------------|---|
| Date of site visit: | 9 June 2016 |
| Number of neighbours consulted: | Four |
| Site notice posted: | No, not required |
| Responses received: | No response received from neighbours consulted. |

Comments have however been received from the Theydon Bois & District Rural Preservation Society and Theydon Bois Action Group. Comments from the former refer to the applications in 2013 and 2014 for holiday pitches and argue that the application would breach to conditions in those applications. Their view is that the permitted scheme sets the limits for caravans on the site. However, officers are satisfied that the site boundaries to which the permitted scheme relates are clearly identified in that application and do not include the land subject of the current application.

Comments from the later question the evidence submitted arguing that the aerial photographs are unclear as to the level of storage and the areas concerned. They note that the main hard surface area is not surfaces in the 2005 photo and only appears in November 2006 (less than 10 years ago). They also query whether the use was evident when the LDC application was considered in 2014.

Parish Council: Theydon Bois Parish Council object to the application as under:

'It is the Parish Council's view that the evidence supplied is not conclusive. In particular the aerial photos represent a snapshot in time rather than proof of any continuous use of the site. Who has validated the accuracy of the dates on the photographs? Two of the photographs appear to be identical although they have different dates on them.

There does not seem to be any significant intensification of the use of the site until 2010. Any vehicles on site prior to this date could be ancillary to the use of the site rather than being stored for any continuous period of time.

There is no lawful planning consent for anything other than that provided under applications EPF/0744/14 and EPF/2267/14. In conjunction with these applications, we assume that visits from the planning department were made and would have registered any activity going on at the site.

In conclusion the evidence does not appear to be sufficiently precise and unambiguous to justify the grant of a Certificate on the balance of probability'.

Main Issues and Considerations:

Council records are largely silent in relation to the parking of vehicles on the areas of land the subject of the application, photographs retained in the database tend to be specific to the proposals they relate to and general shots of the main hardstanding area are taken only in the last two years showing caravans parked thereon. A number of complaints have been investigated by the Enforcement Team in relation to caravans on the site, but these investigations have specifically been focussed on the land now benefitting from planning permission.

Thus, the primary evidence for consideration remains that submitted by the applicant. Officers have noted there is a consistency between the statement and the history of planning application submitted for the site.

The Council has undertaken a review of aerial photographs within its own database and have confirmed that these are consistent with the applicant's submission. These show vehicles parked on various parts of the application site throughout the ten year period, the number of vehicles increasing in more recent years. They also show the area which the applicant states was cleared on overgrowth and redressed with a new top surface, although it is impossible to verify this solely from the photographs which would equally support the objectors contention that this was a new hard surface. While noting the aerial photograph showing the hard surface is dated November 2006, less than 10 years ago, this of itself does not dispute the applicants claim that the work was carried out at the same time as the adjacent building (EPF/1355/05) some time between the granting of the permission for that building in September 2005 and the end of that year.

Officers have examined further the supporting evidence submitted in the form of diaries purporting to record bookings. A detailed analysis has been carried out of the 2007 entries which record the following:

- 46 identifiable separate entries
- 22 repeat entries for named entries later in the year
- 18 references to storing caravans, 2 to camper vans, 8 cars, 1 trailer, 1 container and 3 references to general storage.
- 7 entries, referring to inside storage and 4 to outside storage

Other diaries show a consistent approach to the monitoring of bookings.

Officers have therefore had regard to the tests in National Planning Guidance in respect of the determination of lawful development applications whereby if a local planning authority has no evidence itself, nor any from others, to contradict or otherwise make the applicant's version of events less than probable, there is no good reason to refuse the application, provided the applicant's evidence alone is sufficiently precise and unambiguous to justify the grant of a certificate on the balance of probability. While noting the evidence does contain some gaps, there is a clear pattern that emerges from the applicants statement and supporting information..

It is evident that the overall level of storage has increased in recent years, the aerial photographs clearly demonstrate this incremental increase. Relevant case law on intensification (*in particular Herts CC vs SSCLG / M & W Recycling Ltd 2012*) suggests however that the evolution of a use will rarely result in a material change of use. For such a change to have occurred, it is necessary to establish that the use results in a definable change in the character of the land and operations. In this regard, it is apparent that the character of the land has not substantially altered. The areas used for housing vehicles have existed throughout the period, notwithstanding the point made by the objector in relation to the November 2006 photograph not meeting the 10 year period (the works to this area evidently took place between 2005 and 2006 and vehicles are shown in the photograph suggesting the surfacing work had been completed some time before) . No other evident alterations have been made to the land to accommodate additional vehicles. The pattern of activity also remains unchanged – vehicles are stored for differing periods and may be removed from time to time during that period on a random basis. As such, a change of use through intensification could not be argued.

Conclusion:

The evidence submitted by the applicant has been reviewed and found to be generally consistent with Council records both from the evolution of planning applications and aerial photographs. Officers attach considerable weight to the evidence of the diaries which show a clear pattern of storage of caravans and other vehicles and trailers over an extended period. It is also noted that there is little evidence that actually contradicts what has been submitted, including no comments or complaints from immediate neighbours.

The use has clearly increased but for the reasons above this has not resulted in a material change in the character of the overall use.

Thus, the evidence is sufficient to show on a balance of probability that the use is lawful.

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:

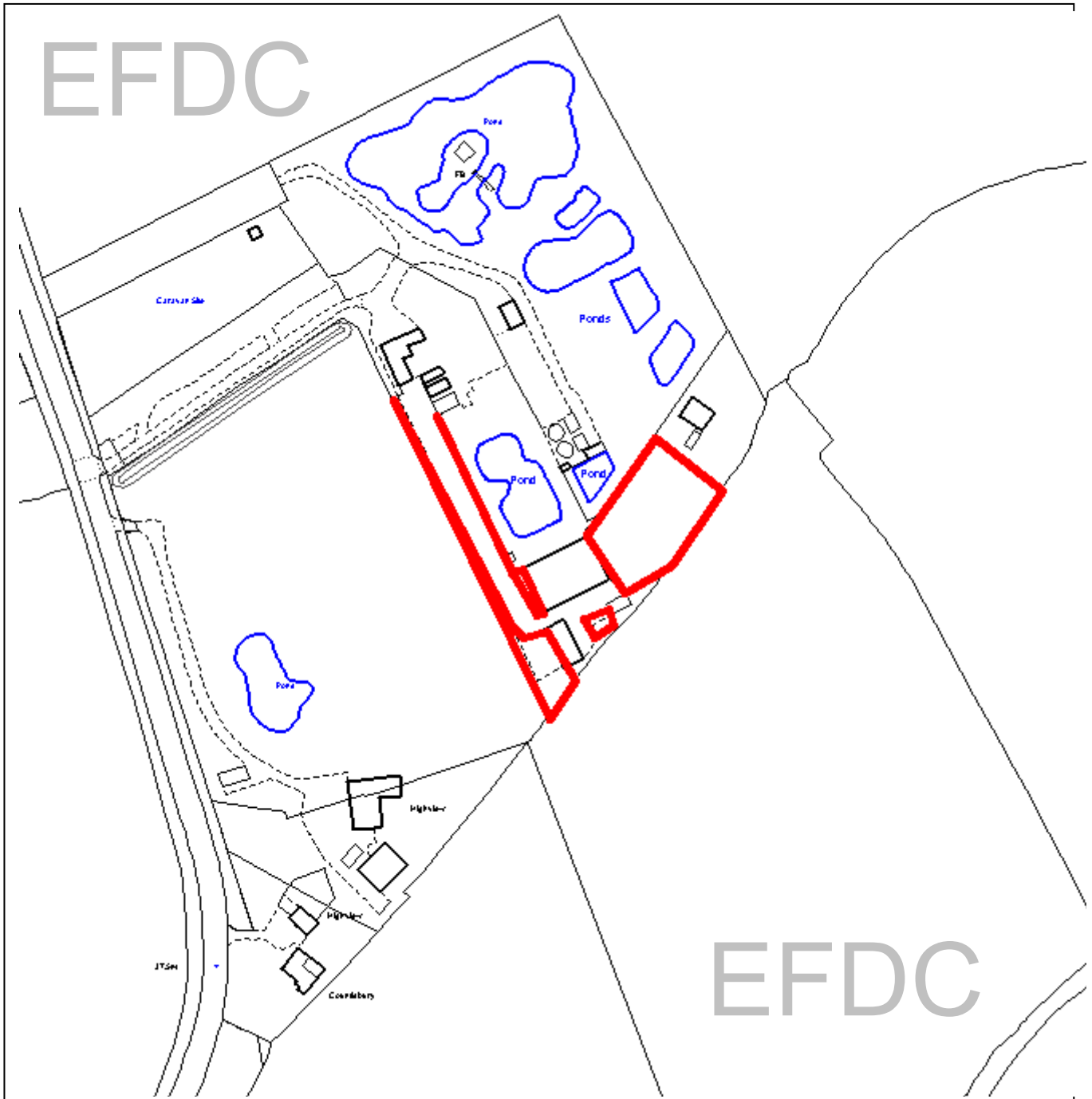
**Planning Application Case Officer: Ian Ansell
Direct Line Telephone Number: 01992 564481**

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



Epping Forest District Council

Agenda Item Number 8



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Application Number:	EPF/1227/16
Site Name:	Mossford Green Nursery, Abridge Road Theydon Bois Essex CM16 7NR
Scale of Plot:	1:2500

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Report to District Development Management Committee



**Epping Forest
District Council**

Report Reference: DEV-013-2016/17
Date of meeting: 28 September 2016

Subject: EPF/1922/16 – 15 Oakwood Hill Industrial Estate, Oakwood Hill, Loughton, Essex, IG10 3TZ – Application for variation of condition 2 ‘plan numbers’ on planning application EPF/2197/16 (Installation of two storey business units (Use Class B1a); part single and part two storey cafe (Use Class A3); forming a business incubator development of 34 units based on reconditioned shipping containers). Variation is to allow for a supporting base structure for the approved crates.

Responsible Officer: Nigel Richardson (01992 564110)

Democratic Services: Gary Woodhall (01992 564470)

Recommendation:

(1) That planning permission be granted subject to the following 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: 1.01, 1.02, 1.03, 1.04, 1.05, 1.11, 1.12, 1.13, 1.14, and 1.22 all dated 11/12/2015 and e16041-001-A and e16041-002-A both dated 16/03/16**
- 3. The development shall be implemented in accordance with the approved details submitted under EPF/1915/16 showing a photograph of the proposed crate.**
- 4. The development shall be implemented in accordance with the Surface Water Drainage Design document and drainage plan 5202/501-A submitted under EPF/1915/16. These approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.**
- 5. 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.]

6. 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.]

7. 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.]

- 8. 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.**
- 9. 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.**
- 10. The development shall be implemented in accordance with the design and method statements (submitted plans and email communication with London Underground) submitted under reference EPF/1915/16.**
- 11. Prior to the first occupation of the development the vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The parking and turning areas shall be retained in perpetuity for their intended purpose.**
- 12. The development shall be implemented in accordance with the submitted Construction Management Plan (dated March 2016) submitted under reference EPF/1915/16. This approved Statement shall be adhered to throughout the construction period.**
- 13. 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 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.**
- 14. There shall be no open storage.**

Report Detail

In accordance with the Terms of reference in Article 10 of the Constitution, this

application is put straight to the District Development Management Committee since it is a Major category planning application (commercial floor space over 1000m²) for development on the Council's own land. In this case the Council owns the freehold of the site.

Description of Site:

The application site is located within the Oakwood Hill Industrial Estate and the Estate is designated as an employment area. The site comprises an open yard formally used for storage for a removal company, flanked by two, two storey business units with a vehicle access between. The application site also includes the ground floor of unit 15A, one of the two storey units which fronts the application site. The site backs on to the London Underground line, and slopes up to the rear of the site. It is in a prominent location within the estate, directly opposite the entrance road to the estate and therefore visible from Oakwood Hill. The site is not within the Green Belt or a Conservation Area. Since the previous approval a sample 'crate' has been positioned on the site.

Description of Proposal:

This proposal seeks a minor material amendment to the approved plans (by way of a variation of condition to alter the plan numbers) which was granted by this committee on 24 February 2016. Previously planning permission was granted for the installation of two storey business units (use class B1a); part single and part two storey café (use class A3); together with associated welfare facilities and parking. The two storey business units will be formed from shipping containers creating 34 individual business incubator units, each container will form a different unit. The first floor units will be accessed externally by an external stairway and walkway. The containers will be located to the rear of the site backing onto the London Underground line. The café will also be housed within shipping containers with one of the containers creating a new undercroft vehicle entrance as it will link (externally) existing units 15A and 15B at first floor level. The total new floor space including the café is 1062m².

The existing ground floor of unit 15A will serve as a communal area providing toilets, kitchen facilities, board room, waste area and a cycle store. 14 car parking spaces are located within the site.

This application seeks permission for a supporting base structure to ensure that the crates sit flat on the site. This is needed due to the slope of the site to the rear. The base structure will lift the front of the crates up by a maximum of 0.8m to ensure that the business units (crates) are level. No other changes are proposed.

Relevant History:

EPF/2197/15 - Installation of two storey business units (Use Class B1a); part single and part two storey cafe (Use Class A3); forming a business incubator development of 34 units based on reconditioned shipping containers – Approved at DDMC.

Policies Applied:

Epping Forest District Local Plan and Alterations

CP2 – Protecting the Quality of the Rural and Built Environment

DBE1 – Design of New Buildings

DBE2 – Effect on Neighbouring properties

ST6 – Vehicle Parking

LL10 – Adequacy of provision of landscape retention

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:

LOUGHTON TOWN COUNCIL – The Committee had NO OBJECTION to this application

34 neighbours consulted and a Site Notice posted: No neighbour comments received

Issues and Considerations:

The main issues with this proposal are considered to be impact on the overall design and amenity. (For reference the previous report has been copied in full below).

Design

The base structure will not alter the overall design, which will still appear as a contemporary container development. The base structure will not be an obvious addition given its location at ground level and is not considered to alter the design or appearance which was previously considered acceptable.

The previously approved elevations were shown as level – this proposed alteration ensures that the containers can be level without any other alteration. The front of the containers will increase in height by a maximum of 0.8m to 6m, but this will not disrupt the relationship with the existing buildings on the site. Those either side are at a similar height.

Amenity

No amenity issues were raised with the previous approval, as there are no nearby residents. This proposed alteration does not raise any further amenity issues.

Conclusion:

The amendment is relatively small – ensuring that the proposal can be built in accordance with the approved plans on this sloping site. The addition of the base structure is considered acceptable and therefore approval with conditions is therefore recommended.

Previous report for EPF/ 2197/15

Description of Site:

The application site is located within the Oakwood Hill Industrial Estate and the Estate is designated as an employment area. The site comprises an open yard formally used for storage for a removal company, flanked by two, two storey business units with a vehicle access between. The application site also includes the ground floor of unit 15A, one of the two storey units which fronts the application site. The site backs on to the London Underground line and is in a prominent location within the estate. It is directly opposite the entrance road to the estate and therefore visible from Oakwood Hill. The site is not within the Green Belt or a Conservation Area.

Description of Proposal:

The proposal seeks permission for the installation of two storey business units (use class B1a); part single and part two storey café (use class A3); together with associated welfare facilities and parking. The two storey business units will be formed from shipping containers creating 34 individual business incubator units, each container will be a different unit. The first floor units will be accessed externally by an external stairway and walkway. These containers will be located to the rear of the site backing onto the London Underground line. The café will also be housed within shipping containers with one of the containers creating a new undercroft vehicle entrance as it will link (externally) existing units 15A and 15B at first floor level. The total new floor space including the café is 1062m².

The existing ground floor of unit 15A will serve as a communal area providing toilets, kitchen facilities, board room, waste area and a cycle store.

The plans have been revised since first submission. Neighbours and other consultee were re-consulted on the revised plans. The site layout has been altered to allow for an increase in parking from 8 spaces to the proposal now providing 14 car parking spaces within the site.

Relevant History:

None relevant to this particular site.

Policies Applied:

Epping Forest District Local Plan and Alterations
CP2 – Protecting the Quality of the Rural and Built Environment
DBE1 – Design of New Buildings
DBE2 – Effect on Neighbouring properties
ST6 – Vehicle Parking
LL10 – Adequacy of provision of landscape retention

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:

LOUGHTON TOWN COUNCIL: The Committee had no objection to this revised application.

In response to the original consultation the Town Council returned the following comments:

The Committee had NO OBJECTION to this application, and supported the concept of a business incubator development and the proposed use of recycled shipping containers.

31 Neighbours consulted and a site notice erected:

LOUGHTON RESIDENTS ASSOCIATION PLANS GROUP – Initially objected due to the fact the parking survey was undertaken in the school holidays but following revised information and an additional parking survey withdrew their objection.

UNIT 9, OAKWOOD HILL INDUSTRIAL ESTATE – Concern with regards to impact on parking.

PLOT 1, OAKWOOD HILL INDUSTRIAL ESTATE – Object still insufficient parking, concern with regards to more problems with highway improvements on Chigwell/Borders Lane, difficulties manoeuvring for HGV's, business interruptions and dangerous accesses.

EFDC ESTATES - not satisfied that there is enough parking facilities on site and this would have a detrimental impact on the estate.

Issues and Considerations:

The main issues with this proposal relate to design, impact on amenity, employment issues and highway/parking issues.

Design

This proposal is a very contemporary method of providing low cost accommodation and will appear as a prominent addition to the Oakwood Hill Industrial Estate, particularly with the first floor container at the entrance to the site. It is however, not considered out of keeping with the surrounding industrial character and is not far removed in terms of character from its previous use providing storage in containers.

The proposal is considered to add interest to the industrial estate as a whole and will be visible from the main streetscene of Oakwood Hill adding a positive contribution to the wider streetscene.

Although unusual, 'container buildings' are becoming more widespread with examples outside the district at Boxpark in Shoreditch, which contains 'pop-up' shops and restaurants and Containerville, in Hackney which is similar to the proposed scheme with start-ups and small businesses using the units. The container appearance of this proposal in this location generally does complement the surrounding business unit character.

Amenity

The proposal does not raise any amenity concerns as there are no nearby residential

properties.

Employment

The NPPF promotes a strong, responsive and competitive economy that supports growth and innovation and this proposal is considered to fully comply with this ethos. The NPPF states that '*significant weight should be placed on the need to support economic growth through the planning system*'. This proposal is located in an area designated within the Local Plan as an employment site and although the employment policies are not compliant with the NPPF (as it discourages the long term protection of sites) it clearly is a suitable and sustainable location to promote and encourage further business.

Clearly incubator business units will add to employment numbers and will provide the opportunity for low cost and therefore presumably low risk business accommodation for small businesses or those just starting out.

The Council's Economic Development Officer is generally supportive of the scheme as there is a general need to renew older employment stock and intensify sites where appropriate to meet job growth forecasts. Additionally the Officer considered the prominent position of the scheme provides a first good impression for the estate as a whole, and the location within an existing estate provides the option for the start up businesses to expand perhaps into other units within the estate.

Highway and Parking Issues

The application was originally accompanied by a parking survey which was completed during the summer holidays which faced criticism for its timing. The application was then revised providing additional parking spaces from 8 spaces to 14, revised parking surveys completed in November and further details on existing parking in the area.

Oakwood Hill Industrial Estate is heavily parked and on two visits by the Case Officer parking in and around the estate was difficult but not impossible. There are no parking restrictions in place on the estate or on Oakwood Hill. There are two free public car parks within the estate which are used but do seem to lack maintenance. It appears that the estate parking issues are exacerbated by the proximity to Debden Station as it appears that commuters park along Oakwood Hill outside of the estate and perhaps also within the estate roads as well.

The Essex County Council Highways Officer objected to the original application but has withdrawn this objection following the revised submissions and has concluded that despite a maximum requirement of 32 for a development of this scale and nature, 14 spaces would be an acceptable level of provision given the accessible location and good access to more sustainable modes of transport - this location is within 500m of Debden Underground station and there are a number of bus routes operating locally.

Although it is acknowledged that parking can be an issue within the estate and surrounding roads and that the number of cars parked may result in difficulties for large lorry movements this is an ongoing and existing issue and one that can not be resolved through a planning application.

It is therefore considered that in this case, given the sustainable location of the site, the evidence submitted by the applicant and the increase in the proposed onsite parking numbers coupled with the large amount of surrounding unrestricted parking

(albeit heavily used) that this proposal will not have a significant negative impact on the existing surrounding parking situation or that of highway safety to justify a refusal.

Conclusion:

The proposal is unusual, but is considered that it would add to the viability and promotion of this designated employment area and the wider District and no amenity issues are raised. There is an existing parking problem in the surrounding area but this application is on balance considered acceptable given the number of parking spaces proposed and the sustainable location of the site. Therefore given the above assessment the application is considered acceptable and approval is recommended.

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Epping Forest District Council

Agenda Item Number 9



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Application Number:	EPF/1922/16
Site Name:	Unit 15, Oakwood Hill Industrial Estate, Oakwood Hill, Loughton Essex IG10 3TZ
Scale of Plot:	1:1250

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