

Committee Agenda



Epping Forest District Council

AREA PLANNING SUB-COMMITTEE WEST **Wednesday, 25th January, 2017**

You are invited to attend the next meeting of **Area Planning Sub-Committee West**, which will be held at:

Council Chamber, Civic Offices, High Street, Epping
on **Wednesday, 25th January, 2017**
at **7.30 pm** .

Glen Chipp
Chief Executive

**Democratic Services
Officer**

A. Hendry, Tel: (01992) 564243
Email: democraticservices@eppingforestdc.gov.uk

Members:

Councillors A Mitchell (Chairman), G Shiell (Vice-Chairman), R Bassett, R Butler, D Dorrell, R Gadsby, L Hughes, H Kane, S Kane, Y Knight, J Lea, M Sartin, S Stavrou and E Webster

WEBCASTING/FILMING NOTICE

Please note: this meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed. The meeting may also be otherwise filmed by third parties with the Chairman's permission.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Council's published policy.

Therefore by entering the Chamber and using the lower public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for web casting and/or training purposes. If members of the public do not wish to have their image captured they should sit in the upper council chamber public gallery area or otherwise indicate to the Chairman before the start of the meeting.

If you have any queries regarding this, please contact the Public Relations Manager on 01992 564039.

1. WEBCASTING INTRODUCTION

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

2. The Chairman 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 such third parties).

If you are seated in the lower public seating area 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 you should move to the upper public gallery.”

2. ADVICE TO PUBLIC AND SPEAKERS ATTENDING THE COUNCIL PLANNING SUB-COMMITTEES (Pages 5 - 8)

General advice to people attending the meeting is attached.

3. APOLOGIES FOR ABSENCE

4. MINUTES (Pages 9 - 32)

To confirm the minutes of the last meetings of the Sub-Committee held on 16 November 2016 and 14 December 2016.

5. DECLARATIONS OF INTEREST

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

6. ANY OTHER BUSINESS

Section 100B(4)(b) of the Local Government Act 1972, 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.

7. DEVELOPMENT CONTROL (Pages 33 - 118)

(Director of Governance) To consider the planning applications set out in the attached schedule

Background Papers

(i) Applications for determination – applications listed on the schedule, letters of representation received regarding the applications which are summarised on the schedule.

(ii) Enforcement of Planning Control – the reports of officers inspecting the properties listed on the schedule in respect of which consideration is to be given to the enforcement of planning control.

8. 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):

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	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 - Access to Information, Procedure Rules of the Constitution 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 for four years after the date of the meeting one copy of each of the documents on the list of background papers.

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Advice to Public and Speakers at the Council's District Development Management Committee and Area Plans Sub-Committees

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 Committee.

Meetings of the District Development Management Committee, Area Plans Sub-Committee East and Area Plans Sub-Committee West are held at the Civic Offices in Epping. Meetings of Area Plans Sub-Committee South are held at Roding Valley High School in Loughton.

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**, by ringing 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 generally allowed: One objector (maybe on behalf of a group), the local Parish or Town Council and the applicant or his/her agent. In some cases, a representative of another authority consulted on the application may also be allowed to speak.

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. At the discretion of the Chairman, speakers may clarify matters relating to their presentation and answer questions from Committee members.

If you are not present by the time your item is considered, the Committee will determine the application in your absence.

If you have registered to speak on a planning application to be considered by the District Development Management Committee, Area Plans Sub-Committee East or Area Plans Sub-Committee West, you will address the Committee from within the Council Chamber at the Civic Offices. If you simply wish to attend a meeting of any of these Committees to observe the proceedings, you will be seated in the public gallery of the Council Chamber.

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.eppingforestdc.gov.uk. Any information sent to Councillors should be copied to the Planning Officer dealing with the application.

How are the applications considered?

The Committee 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 Committee will then debate the application and vote on either the recommendations of

officers in the agenda or a proposal made by the Committee. Should the Committee propose to follow a course of action different to officer recommendation, it is required to give its reasons for doing so.

An Area Plans Sub-Committee is required to refer applications to the District Development Management Committee where:

- (a) the Sub-Committee's proposed decision is a substantial departure from:
 - (i) the Council's approved policy framework; or
 - (ii) the development or other approved plan for the area; or
 - (iii) it would be required to be referred to the Secretary of State for approval as required by current government circular or directive;
- (b) the refusal of consent may involve the payment of compensation; or
- (c) the District Development Management Committee have previously considered the application or type of development and has so requested; or
- (d) the Sub-Committee wish, for any reason, to refer the application to the District Development Management Committee for decision by resolution.

Further Information?

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

Area Planning Subcommittee West 2016-17

Members of the Committee and Wards Represented:



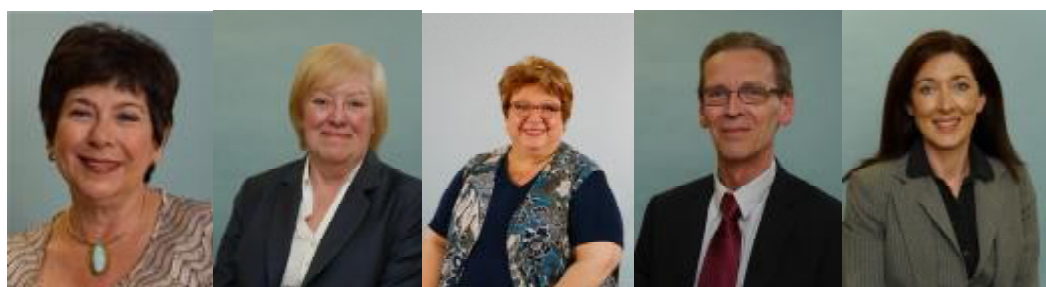
**Chairman
Cllr Mitchell**
Waltham
Abbey North
East

**Vice-Chairman
Cllr Shiell**
Waltham Abbey
Honey Lane

Cllr Bassett
Lower
Nazeing

Cllr Butler
Waltham Abbey
Honey Lane

Cllr Dorrell
Waltham Abbey
Paternoster



Cllr Gadsby
Waltham Abbey
South West

Cllr Hughes
Broadley
Common,
Epping Upland
and Nazeing

Cllr H Kane
Waltham
Abbey
South West

Cllr S Kane
Waltham
Abbey
Honey Lane

Cllr Knight
Lower
Nazeing



Cllr Lea
Waltham
Abbey North
East

Cllr Sartin
Roydon

Cllr Stavrou
Waltham
Abbey High
Beach

Cllr Webster
Waltham
Abbey
Paternoster

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EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Sub-Committee **Date:** 16 November 2016
West

Place: Council Chamber, Civic Offices, **Time:** 7.30 - 9.26 pm
High Street, Epping

Members Present: A Mitchell (Chairman), G Shiell (Vice-Chairman), R Bassett, R Butler, D Dorrell, R Gadsby, L Hughes, H Kane, S Kane, Y Knight, J Lea, M Sartin, S Stavrou and E Webster

Other Councillors:

Apologies:

Officers Present: J Godden (Principal Planning Officer (Heritage, Enforcement & Landscaping)), M Jenkins (Democratic Services Officer) and G J Woodhall (Senior Democratic Services Officer)

31. WEBCASTING INTRODUCTION

The Chairman made a short address to remind all present that the meeting would be broadcast on the Internet, and that the Council had adopted a protocol for the webcasting of its meetings. The Sub-Committee noted the Council's Protocol for Webcasting of Council and Other Meetings.

32. WELCOME AND INTRODUCTION

The Chairman welcomed members of the public to the meeting and outlined the procedures and arrangements agreed by the Council, to enable persons to address the Sub-Committee in relation to the determination of applications for planning permission.

33. MINUTES

RESOLVED:

That the minutes of the meeting of the Sub-Committee held on 19 October 2016 be taken as read and signed by the Chairman as a correct record.

34. DECLARATIONS OF INTEREST

(1) Pursuant to the Council's Code of Member Conduct, Councillor S Stavrou declared a personal and non-pecuniary interest in the following item of the agenda by virtue of being the Housing Portfolio Holder and Chairman of the Council

Housebuilding Committee. The Councillor advised that she would be leaving the Chamber for the duration of the discussion and voting thereon:

- EPF/1829/16 Land and garages adjacent 14A Pound Close, Nazeing EN9 2HR

(2) Pursuant to the Council's Code of Member Conduct, Councillor R Bassett declared a personal and non-pecuniary interest in the following item of the agenda by virtue of knowing the owner of a local garage concerned. The Councillor advised that he would remain in the Chamber for the duration of the discussion and voting thereon:

- EPF/0881/16 Springfield Cottage, Hamlet Hill, Roydon CM19 5LD

35. ANY OTHER BUSINESS

It was reported that there was no urgent business for consideration at the meeting.

36. DEVELOPMENT CONTROL

The Sub-Committee considered a schedule of applications for planning permission.

RESOLVED:

That, Planning applications numbered 1 – 6 be determined as set out in the annex to these minutes.

37. PROBITY IN PLANNING - APRIL 2016 TO SEPTEMBER 2016

The Sub-Committee received a report regarding Probity in Planning – Appeal Decisions 1 April 2016 to 30 September 2016.

The report advised the decision making committees of the results of all successful allowed appeals, particularly those refused by committee to officer recommendation. The purpose was to inform Members of the consequences of their decisions in this respect and, in cases where the refusal was found unsupportable on planning grounds, an award of costs could be made against the Council.

Since 2011/12 there were two local indicators, one measured all planning application type appeals as a result of committee reversals of officer recommendations (GOV08) and the other measured the performance of officer recommendations and delegated decisions (GOV07).

Over the six month period between 1 March 2016 and 30 September 2016, the Council received 49 decisions on appeals (48 of which were planning related appeals, the other 1 was enforcement related).

GOV07 and 08 measured planning application decisions and out of a total of 48, 18 were allowed (37.5%). Broken down further, GOV07 performance was 8 out of 32 allowed (25%) and GOV08 performance was 10 out of 16 (62.5%).

For the Area Plans West Sub-Committee, there were no appeals allowed against decisions made.

RESOLVED:

That the Probity in Planning report covering the period April 2016 to September 2016 be noted.

CHAIRMAN

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Report Item No: 1

APPLICATION No:	EPF/0881/16
SITE ADDRESS:	Springfield Cottage Hamlet Hill Roydon Harlow Essex CM19 5LD
PARISH:	Roydon
WARD:	Broadley Common, Epping Upland and Nazeing
DESCRIPTION OF PROPOSAL:	Revised application for demolition of existing dwelling and erection of new dwelling.
DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=583675

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 No development shall take place, including works of demolition or site clearance, until an Arboricultural Implication Assessment and Tree Constraint plan, concurrently with the detailed site layout, has been submitted to and approved in writing by the Local Planning Authority. This should be drawn up in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations).
- 3 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.

- 4 No development shall take place until details of tree planting, including positions or density, species and planting size(s) and a timetable for implementation (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. If within a period of five years from the date of planting any tree, or replacement, is removed, uprooted or destroyed or dies or becomes seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place unless the Local Planning Authority gives its written consent to any variation.
- 5 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.
- 6 Photographic details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 7 Prior to commencement of development, photographic details of boundary treatment such as gates and fencing and hard and soft landscaping shall be submitted to and agreed in writing by the Local Planning Authority, and shall be erected and thereafter maintained in the agreed positions before the first occupation of any of the dwellings hereby approved.
- 8 Prior to the demolition of Springfield Cottage a photographic record of all the historic and architectural features of Springfield Cottage is to be produced and submitted to the Local Planning Authority.
- 9 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, B and E of Part II and of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 10 The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site.
Should any discoloured or odorous soils be encountered during development works or should any hazardous materials or significant quantities of non-soil forming materials be found, then all development works should be stopped, the Local Planning Authority contacted and a scheme to investigate the risks and / or the adoption of any required remedial measures be submitted to, agreed and approved in writing by the Local Planning Authority prior to the recommencement of development works.

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

- 11 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.

- 12 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.

Report Item No: 2

APPLICATION No:	EPF/1829/16
SITE ADDRESS:	Land and garages adjacent 14A Pound Close Nazeing Essex EN9 2HR
PARISH:	Nazeing
WARD:	Lower Nazeing
DESCRIPTION OF PROPOSAL:	4 affordable homes with 9 parking spaces
DECISION:	Refuse Permission

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=585753

REASONS FOR REFUSAL

- 1 This is a cramped form of development which will have an adverse impact on the character and appearance of the area, street scene and neighbouring amenity contrary to policies CP2, CP3, CP6, CP7, DBE1 & DBE2 of the adopted Local Plan and alterations
- 2 The proposed scheme would have an unacceptably adverse impact on both highway safety and parking provision in this crowded and congested area, contrary to policies ST4 & St6 of the adopted Local Plan and alterations

Way Forward

Members discussed a way forward and concluded that there should be no built development but a use of the land for allotments would be acceptable

Report Item No: 3

APPLICATION No:	EPF/2271/16
SITE ADDRESS:	Burleigh Nursery Hoe Lane Nazeing Essex EN9 2RJ
PARISH:	Nazeing
WARD:	Lower Nazeing
DESCRIPTION OF PROPOSAL:	Demolition of existing commercial buildings and erection of 6 no. four bedroom detached dwellings
DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=586896

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: 11331- S001, The Location Plan, P002-A, 12164-P003, 12164 - P004, 12164 - P005A, 12164- Design and Access Statement.
- 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 Prior to first occupation of the development hereby approved, the proposed window openings in the first floor side flank elevations of units 2, 5 and 6 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.
- 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 Prior to the commencement of any works dusk and dawn surveys for bats should be undertaken in accordance with guidelines from Natural England (or other relevant body). These should be submitted to EFDC for approval.
Should the surveys reveal the presence of bats, or their breeding sites or resting places then an appropriate and proportionate detailed mitigation and compensation strategy must be written in accordance with any guidelines available from Natural England (or other relevant body) and submitted to EFDC for approval.
Should a Natural England European Protected Species licence (EPS) be required then this should also be submitted to EFDC. The licence will be granted if the activity conforms with the Habitats Regulations Regulation 53 Three Stage Test and Local Authority planning consent has been granted.
All works shall then proceed in accordance with the approved strategy with any amendments agreed in writing.
- 11 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tool. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.
- 12 No development shall take place until details of foul and surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 13 The carriageway of the proposed estate road shall be constructed prior to the commencement of the erection of any dwelling proposed to have access from such a road. The footways commensurate with the frontage of each dwelling shall be completed prior to occupation of the dwellings they are to serve.

The road should be of sufficient dimensions and standard to be able to withstand regular use by refuse collection lorries. (standards detailed within the informatives section of this notice).
- 14 The parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents (staff) and visitors vehicles.
- 15 Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 1995 (or of any equivalent provision in any Statutory Instrument revoking or re-enacting that Order), the garage(s) hereby approved shall be retained so that it is capable of allowing the parking of cars together with any ancillary storage in connection with the residential use of the site, and shall at no time be converted into a room or used for any other purpose.

- 16 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.
- 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 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.
- 19 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.
- 20 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.
- 21 All commercial buildings on the site shall be demolished prior to first occupation of the dwellings hereby approved.

Report Item No: 4

APPLICATION No:	EPF/2302/16
SITE ADDRESS:	North Villa Mott Street Waltham Abbey Essex IG10 4AP
PARISH:	Waltham Abbey
WARD:	Waltham Abbey High Beach
DESCRIPTION OF PROPOSAL:	Minor changes to approved application EPF/0670/16 (The conversion of one existing house into two houses)
DECISION:	Refuse Permission

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=587133

REASONS FOR REFUSAL

- 1 The proposed scheme would provide insufficient parking on the site which would have an unacceptably adverse impact on both highway safety and parking provision in this crowded and congested area, contrary to policies ST4 & St6 of the adopted Local Plan and alterations

Way Forward

Members discussed a way forward and concluded that the proposal should either be built to the original plan or a revised parking scheme should be submitted.

Report Item No: 5

APPLICATION No:	EPF/2303/16
SITE ADDRESS:	North Villa Mott Street Waltham Abbey Essex IG10 4AP
PARISH:	Waltham Abbey
WARD:	Waltham Abbey High Beach
DESCRIPTION OF PROPOSAL:	Single storey extension to existing dwelling.
DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=587134

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 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.
- 3 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.
- 4 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.
- 5 Prior to the first occupation of the extension a landscaping scheme shall be submitted and approved in writing by the Local Planning Authority to allow the planting of a native species hedgerow on the boundary with Cinders Cottage; the scheme, once approved, shall be implemented and then maintained within 6 months of the date of grant of permission.

Report Item No: 6

APPLICATION No:	EPF/2305/16
SITE ADDRESS:	North Villa Mott Street Waltham Abbey Essex IG10 4AP
PARISH:	Waltham Abbey
WARD:	Waltham Abbey High Beach
DESCRIPTION OF PROPOSAL:	Double storey extension to existing dwelling.
DECISION:	Refuse Permission

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=587136

REASONS FOR REFUSAL

- 1 The bulk and scale of the scheme is out of keeping with the street scene and has an adverse impact on the character and appearance of the area, contrary to policies CP2, CP3, CP6, CP7, DBE9 & DBE10 of the adopted Local Plan and alterations.
- 2 The proposed scheme would have an unacceptably adverse impact on the openness and appearance of the Green Belt, contrary to policy GB2A of the adopted Local Plan and alterations

Way Forward

Members concluded that there was no way forward for this proposal.

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EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Sub-Committee **Date:** 14 December 2016
West

Place: Council Chamber, Civic Offices, **Time:** 7.30 - 8.20 pm
High Street, Epping

Members Present: A Mitchell (Chairman), G Shiell (Vice-Chairman), R Bassett, R Butler, D Dorrell, H Kane, S Kane, J Lea, M Sartin and E Webster

Other Councillors:

Apologies: L Hughes, Y Knight and S Stavrou

Officers Present: J Godden (Principal Planning Officer (Heritage, Enforcement & Landscaping)), S Kits (Social Media and Customer Services Officer) and R Perrin (Democratic Services Officer)

38. WEBCASTING INTRODUCTION

The Chairman made a short address to remind all present that the meeting would be broadcast on the Internet, and that the Council had adopted a protocol for the webcasting of its meetings. The Sub-Committee noted the Council's Protocol for Webcasting of Council and Other Meetings.

39. WELCOME AND INTRODUCTION

The Chairman welcomed members of the public to the meeting and outlined the procedures and arrangements agreed by the Council, to enable persons to address the Sub-Committee in relation to the determination of applications for planning permission.

40. DECLARATIONS OF INTEREST

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

41. ANY OTHER BUSINESS

It was reported that there was no urgent business for consideration at the meeting.

42. DEVELOPMENT CONTROL

The Sub-Committee considered a schedule of applications for planning permission.

RESOLVED:

That, Planning applications numbered 1 – 3 be determined as set out in the annex to these minutes.

CHAIRMAN

Report Item No: 1

APPLICATION No:	EPF/2545/16
SITE ADDRESS:	The White House Epping Road Epping Upland Epping Essex CM16 6PU
PARISH:	Epping Upland
WARD:	Broadley Common, Epping Upland and Nazeing
DESCRIPTION OF PROPOSAL:	Removal of outbuilding and erection of single storey annex for occupation by dependant relatives of the applicant.
DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=587978

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 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.
- 3 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.
- 4 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.
- 5 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.

Report Item No: 2

APPLICATION No:	EPF/2619/16
SITE ADDRESS:	The White House Epping Green Essex CM16 6PU
PARISH:	Epping Upland
WARD:	Broadley Common, Epping Upland and Nazeing
DESCRIPTION OF PROPOSAL:	Minor material amendment to rear roof dormers details of planning permission EPF/1640/15 (Erection of two detached dwellings with garages, improved highway access, drives, turning areas and ancillary works)
DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=588235

CONDITIONS

- 1 The development hereby permitted will be completed strictly in accordance with the approved Location Plan and plan numbers: A2, A3, A4, B2 & B3
- 2 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.
- 3 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.
- 4 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local

Planning Authority gives its written consent to any variation.

- 5 No development, including works of demolition or site clearance, shall take place until details of the retained landscaping (trees / hedges) and their methods of protection (in accordance with BS5837:2012 -Trees in relation to design, demolition and construction Recommendations) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details unless the Local Planning Authority gives its written consent to any variation.
- 6 Before any preparatory clearance or construction works commence on site, full ecological surveys and a mitigation strategy for the site shall be submitted to the Local Planning Authority for agreement in writing with a working methodology for site clearance and construction work to minimise impact on any protected species and nesting birds. Development shall be undertaken only in accordance with the agreed strategy and methodology.
- 7 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Planning Authority.
- 8 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tool. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.
- 9 The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site.

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

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

- 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 Prior to first occupation of proposed development, the proposed private drive shall be constructed to a width of 5.5 metres for at least the first 6 metres from the back of the carriageway and provided with an appropriate dropped kerb crossing of the verge.
- 12 There shall be no discharge of surface water onto the Highway.
- 13 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 14 Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the carriageway.
- 15 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, B,C and E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.

Report Item No: 3

APPLICATION No:	EPF/2620/16
SITE ADDRESS:	Land and Garages Adjacent 44 Palmers Grove Nazeing Essex EN9 2HR
PARISH:	Nazeing
WARD:	Lower Nazeing
DESCRIPTION OF PROPOSAL:	Demolition of existing garages and erection of 4 affordable homes with 10 parking spaces
DECISION:	Refuse Permission

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=588253

REASONS FOR REFUSAL

- 1 The application would have an unacceptable adverse impact on the amenity and character of the area by the removal of the parking and garage area which was specifically designed as an integrated aspect of the estate, contrary to polices CP2, CP3 & DBE2 of the adopted Local Plan and alterations.
- 2 The application would result in an unsafe impact on traffic using the single track access to the site as vehicles would be forced to reverse onto Palmers Grove as there are no passing spaces, contrary to policy ST4 of the adopted Local Plan and alterations.
- 3 The application would result in an unacceptable loss of vehicle parking, contrary to policy ST6 of the adopted Local Plan and alterations.

Way Forward

Members felt that there was no way forward on this planning application.

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AREA PLANS SUB-COMMITTEE 'WEST'

25 January 2017

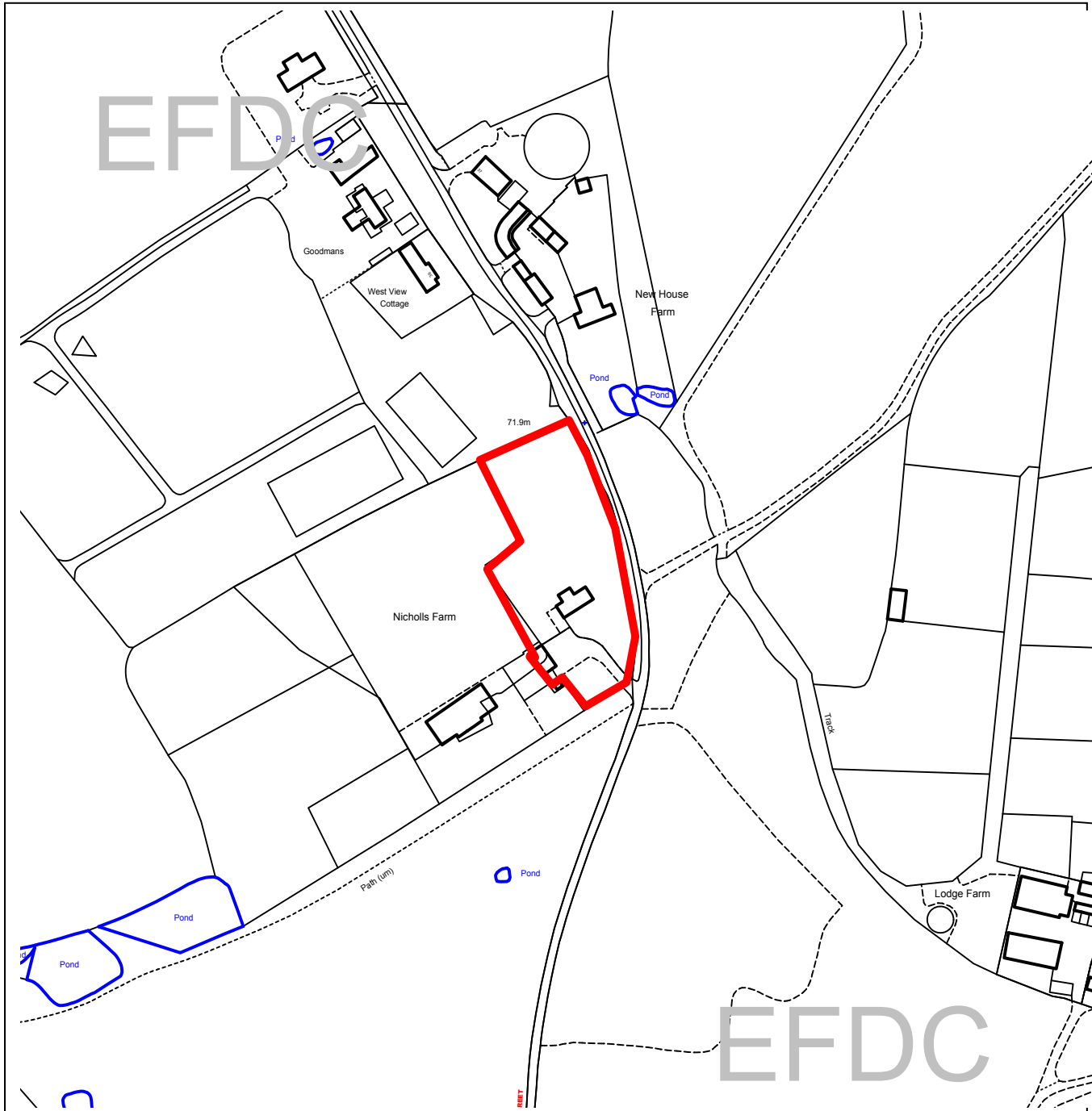
INDEX OF PLANNING APPLICATIONS

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
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4.	EPF/2862/16	The Old School House Betts Lane Nazeing Essex EN9 2DB	Refuse Permission (Householder)	64
5.	EPF/2871/16	Land and Garages Denny Avenue Waltham Abbey Essex EN9 1NS	Grant Permission (With Conditions)	70
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Epping Forest District Council

Agenda Item Number 1



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Application Number:	EPF/2568/16
Site Name:	Nicholls Farm, Long Street, Waltham Abbey, EN9 3TQ
Scale of Plot:	1/2500

Report Item No: 1

APPLICATION No:	EPF/2568/16
SITE ADDRESS:	Nicholls Farm Long Street Waltham Abbey Essex EN9 3TQ
PARISH:	Waltham Abbey
WARD:	Waltham Abbey High Beach
APPLICANT:	Ms Jo Crosby
DESCRIPTION OF PROPOSAL:	Demolition of existing conservatory and erection of new single/two storey rear extensions
RECOMMENDED DECISION:	Refuse Permission (Householder)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=588093

REASON FOR REFUSAL

- 1 The proposed single storey rear extension due to its flat roof with two large roof lanterns would be a dominant and incongruous feature which will undermine the appearance of the pitched roofed application building and will fail to preserve or enhance the wider Upshire Conservation Area. Furthermore there is insufficient public benefit resulting of this development which would outweigh this harm. The proposal is therefore contrary to S72 (1) of the Planning and Listed Building and Conservation Areas Act 1990, chapter 12 of the NPPF and policy HC10 of the Adopted Local Plan and Alterations.

This application is before this Committee since it has been 'called in' by Councillor Stavrou (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)

Description of Site:

The application site relates to a large roughly rectangular shaped parcel of land It is divided into residential curtilage in the east which covers an area of approximately 4800 sq. m. and a grassed over area, hardstanding and a block of 'stables' in accordance with the Extract of the Block Plan to show residential curtilage March 2011 approved under reference EPF/0141/11. The residential section of the site includes a large detached house served by a triple bay garage.

The character of the surrounding area is defined by its predominately open and verdant fields and forestry with sporadic residential development nestled in amongst them.

The site falls within land designated as being within the Green Belt and the Upshire Conservation Area.

Description of Proposal:

Demolition of existing conservatory and erection of a new single and two storey rear extension.

The proposed two storey extension measures a maximum of 6.92m deep by 8.96 wide by 7.4m high to the ridge of the double gable roof.

The single storey rear extension measures 6.5m deep by 9.83m wide and 3.15m high to the top of the flat roof, the roof lanterns add a further 0.9m to its height.

Materials are proposed to match those on the application property.

Relevant History:

WHX/0072/74 Alterations and additions refused (However from site visit it was clear that they had been constructed anyway.)

EPF/673/74 – Alterations and extensions approved.

EPF/0419/06 – Single storey rear extension

EPF/1228/06 - Demolition of existing stables and erection of new stable block. Grant Permission (With Conditions) – 15/08/06.

EPF/0575/06 - Detached garage. Grant Permission (with conditions) - 15/05/2006.

EPF/0542/08 - Demolition of existing building and construction of an amenity building comprising pool, gym and steam room. (Revised application). Grant Permission (With Conditions) - 03/06/2008.

EPF/0141/11 - Change of use of part of land to residential curtilage and relocation of amenity building approved under EPF/0542/08. Grant Permission (With Conditions) subject to legal agreement (e.g. s.106, unilateral undertaking) - 01/04/2011.

EPF/1341/14 - Retention of building for ancillary domestic purposes. Refuse Permission - 19/08/2014.

EPF/2135/14 – Retention of stable building. Refuse permission – 03/11/15.

EPF/2136/14 - Retention of stable building. Refuse permission – 03/11/15.

EPF/0156/15- to retain the building, with modifications, for use as a stable Grant Permission 19-3-15.

EPF/2181/16 - Non-Material Amendment to planning application EPF/0156/15 (Retention of stable building with alterations to its design, materials and appearance including lowering of roof) - 8/9/16

Policies Applied:

National Planning Policy Framework
National Planning Policy Guidance

Epping Forest District Local Plan (1998) and Alterations (2006).

CP2 – Protecting the Quality of the Rural and Built Environment

DBE1 – Design of Residential outbuildings

DBE9 – Impact on amenity

GB2A- Development in the Green Belt

GB7A – Conspicuous development

Consultation Carried out and Representations Received

WALTHAM ABBEY TOWN COUNCIL: NO OBJECTION

3 neighbours were consulted and no responses were received. (However, 3 letters of support in the same type set were submitted as part of the application submission from WEST VIEW COTTAGE, NEW HOUSE FARM AND GOODMANS).

CITY OF LONDON: Disproportionate extension given previous approvals on the site. The cumulative visual impact of this and the additional outbuildings would appear overly prominent and visually intrusive when viewed from the surrounding land. The proposal is therefore inappropriate development and no very special circumstances have been demonstrated to justify such a development.

Main Issues and Considerations:

The key considerations for the determination of this application are:

Impact on the aims and purposes of the Green Belt

Impact on the character and appearance of the Upshire Conservation Area

Impact on neighbouring residential amenity.

Impact on the aims and purposes of the Green Belt

The National Planning Policy Framework (NPPF) states that the fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and permanence. There is a presumption against inappropriate development in the Green Belt and development should not be allowed in except in very special circumstances.

Government guidance dictates that new development within the Green Belt is inappropriate unless it falls within the list of exceptions set out in paragraphs 89 and 90 of the NPPF, and provided it does not harm the openness of the Green Belt or conflict with any of the five purposes of including land within it.

Local Plan policy GB2A is broadly in compliance with the aims and objectives of national Green Belt policy. The NPPF states that one of the exceptions of inappropriate development within the Green Belt is the extension or alteration to a building provided that it does not result in disproportionate additions over and above the size of the original building. The Framework provides no guidance on how the "proportionality" of the proposal should be assessed. However previous Planning Inspectorate decisions indicate that number of factors should be taken into account when determining whether an extension is disproportionate, these include height, volume, floor space and design.

A number of extensions have already been carried out which are at least double the volume of the existing house under references EPF/0673/74 and EPF/0419/06 The proposal if approved would exacerbate this disproportionality further. The proposal is therefore inappropriate by definition and will have a serious impact on the openness of the green belt as result of its additional presence. The proposal therefore conflicts with paragraph 79 and 89 of the NPPF and GB2A of the Local Plan.

Impact on the character and appearance of the Upshire Conservation Area.

S72(1) of the Planning and Listed Building and Conservation Areas Act 1990 states that special attention should be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

Paragraph 134 of the NPPF requires that "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use."

*"The proposal was reviewed by the Conservation Officer who made the following comments:-
The development stands within the Upshire Conservation Area.*

The proposal appears to go against the general building form and appearance historically seen in this area. Although changes within this part of the conservation area were important in the second half of the 20th century, until then Long Street consisted of only a handful of farms and cottages. The strong rural character of the area has been greatly altered and diminished by successive and unsympathetic developments (often suburban in appearance) made to the vernacular buildings.

Nicholls Farm is a good example of this. Originally comprising a modest farmhouse and associated outbuilding, the site has been significantly developed over the last decades with substantial extensions/additions to the house, facade remodelling, removal of the barn and construction of a double garage, erection of a large "barn looking" building to the south and creation of a porch. These developments have, one after the other, eroded the original agricultural character of the site giving a strong suburban appearance to the all site and therefore causing harm to the rural character of the conservation area.

The present application is for further extensions to the house. Although I do not have any objections to the two storey rear extension, as it features a traditional double piled roof form, I believe the large single storey extension with flat roof would appear uncomfortable in conjunction with the rest of the building. As expressed previously, at pre-application stage and more recently, buildings should be composed of a "family" of forms, with roofs of similar pitch and without discordant flat-topped elements. The proposed associated lanterns, uncharacteristic elements of traditional buildings would, on the other hand, appear incongruous and emphasise the inappropriate roof form.

For these reasons, I believe the proposal would cause further harm to the character and appearance of the site and the wider area. I, therefore, recommend refusal of this application.

This is supported by policies DBE10, HC6 and HC7 of our Local Plan and Alterations (1998/2006)."

As a way forward the Conservation Officer did suggest the removal of the roof lanterns in order to make the scheme acceptable. These could instead be replaced by roof lights. However this was not supported by the applicant.

No public benefits have been identified by the applicant nor is the Council aware of any public benefit which would be of sufficient weight to justify the less than substantial harm as a result of the incongruous design of the extension which fails to either preserve or enhance the conservation area. The proposal is therefore contrary to the requirements of paragraph 134 of the NPPF.

Impact on neighbouring residential amenity

Neighbouring properties are sufficiently distant from the application site as to not be materially affected. The proposal therefore accords with policy DBE9 of the Local Plan

Green Belt Balance/ Conclusion

Paragraph 87 of the NPPF requires that inappropriate development is by definition harmful to the Green Belt. It is for this reason that it would need to be demonstrated that very special circumstances exist in this application which would clearly outweigh the harm to the Green Belt as a result of inappropriateness of the development.

In order to secure planning permission the applicant is willing to not continue with the works to construct the approved amenity building to provide a pool, gym and steam room approved under reference EPF/0542/08 and then given an extension of time under reference EPF/0141/11 which the agent argues remains implementable due to foundation works having been undertaken. Subject to the granting of planning permission for the development the applicant is willing to enter into a legal agreement to ensure that swimming pool structure is not built.

The agent argues that swimming building enclosure has a volume of 940m³ giving a reduction of 550m³. This building was proposed to be L shaped with a maximum width of 18.5m and a maximum depth of 14.8m along with a ridge height of 7.5m. It was also separated from the house by a distance of 10m. It is therefore considered to have significantly worse impact on the aims and purposes of the Green Belt due to its mass, bulk position and bulk in comparison to the proposed extensions which are less than half the volume and would appear as an adjunct to the existing main house. Given that the applicant is willing to enter into a legal agreement to ensure that the swimming pool will not be built. It is clear that the proposal would have significantly less detrimental impact on the character and openness of the Green Belt then the amenity building approved under EPF/0141/11.

The fall-back position of this application goes a significant way to alleviate the resultant harm of the proposal to the aims and purposes of the Green Belt and is therefore a material consideration in the application's determination. However this issue does not outweigh the considerable harm as a result of the incongruous design of the solid lead covered roof lanterns set within an expansive flat roof which together will harmfully dominate the appearance of this traditional house and as a result conflicts with conservation policies contained within the NPPF and as a result the NPPF requires that development should be restricted. Paragraph 64 of the NPPF specifically requires that "Permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area and the way it functions; and this requirement is further amplified by legislation relating to the conservation of the historic environment,

The harm given is given substantial weight because the Conservation Officer has made suggestions which would overcome this harm and which would not significantly undermine the quality of the living conditions that the extension would provide, yet the applicant is unwilling to amend drawings to reflect these comments. It is for these reasons that the fall back position is in this case is insufficient to clearly outweigh the harm to the character and appearance of the application property and wider conservation area and as such fails to clearly outweigh all harms as a result of the application. It therefore does not meet the requirements of paragraph 87 of the NPPF and as such is not sustainable development. This application therefore has an officer recommendation for refusal.

Suggested Way forward

The applicant should remove the roof lanterns from the proposal in order to address conservation concerns and to receive a favourable recommendation.

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: Sukhi Dhadwar
Direct Line Telephone Number: 01992 564597**

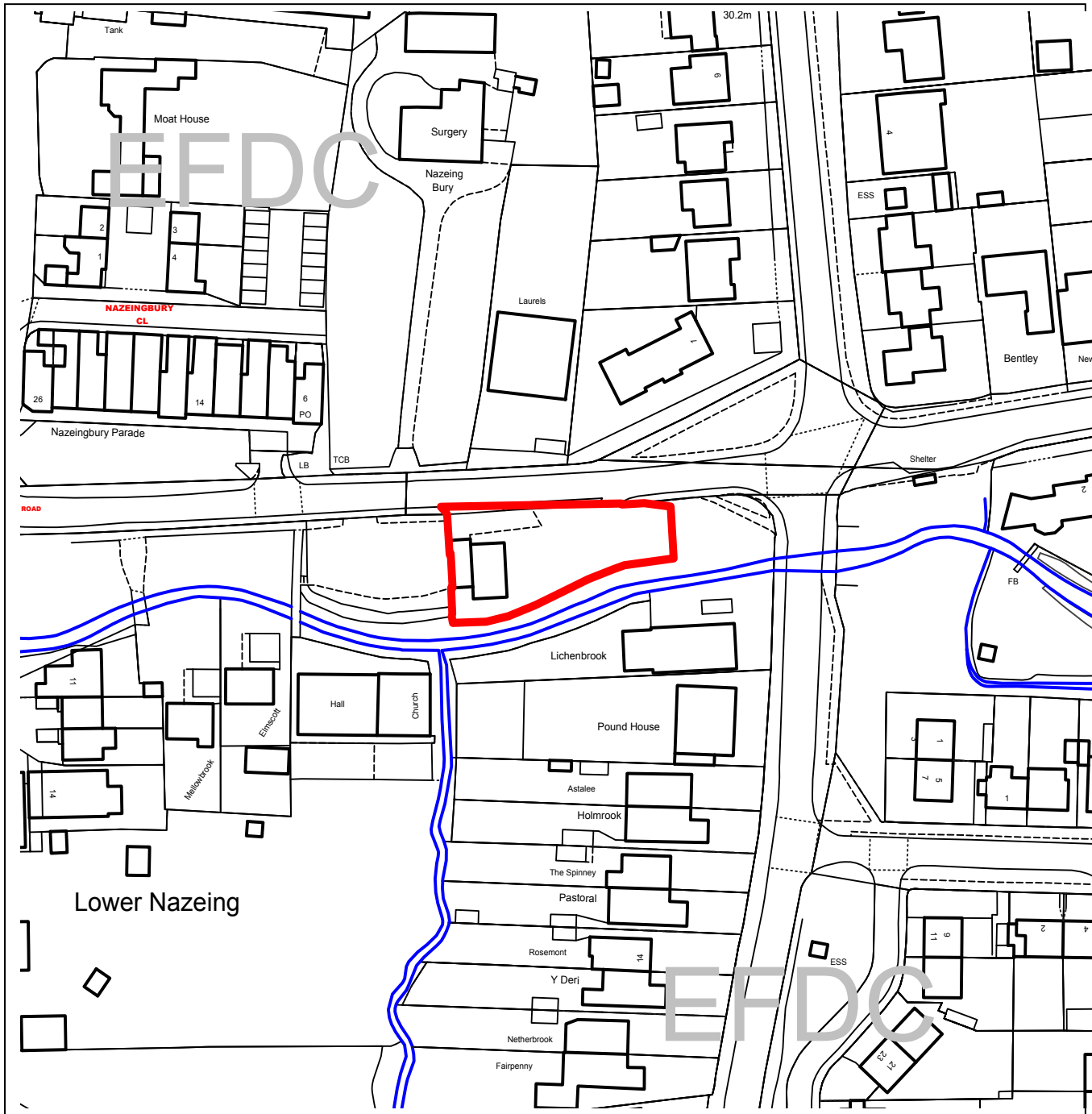
or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

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Epping Forest District Council

Agenda Item Number 2



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Application Number:	EPF/2698/16
Site Name:	Former Total Service Station, Nazeing Road, Nazeing, EN9 2JL
Scale of Plot:	1/2500

Report Item No: 2

APPLICATION No:	EPF/2698/16
SITE ADDRESS:	Former Total Service Station Nazeing Road Nazeing Essex EN9 2JL
PARISH:	Nazeing
WARD:	Lower Nazeing
APPLICANT:	Nazeing Parish Council
DESCRIPTION OF PROPOSAL:	Demolition of existing service station and construction of 6 x 2 bedroom houses with amenity space, off-street parking and landscaping. Alternative design to approved scheme EPF/0303/13 with higher roof heights.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=588433

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:ELA/1, ELA/2,, ELA/3A, ELA5, ELA6, ELA8, ELA/21A, ELA/51
- 3 No development shall have taken place until samples of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority in writing prior to the commencement of the development. The development shall be implemented in accordance with such approved details. For the purposes of this condition, the samples shall only be made available for inspection by the Local Planning Authority at the planning application site itself.
- 4 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 Classes A, B, C, D, or E] of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.

- 5 The roofspace of the dwellings hereby approved shall not at any time be converted to living space.
- 6 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.
- 7 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.
- 8 No development shall take place, 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.
- 9 The 5 metre wide access and the parking area shall be completed in accordance with drawing number ELA21/A prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents and visitors vehicles.
- 10 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]

- 11 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]
- 12 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]
- 13 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.
- 14 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.

- 15 No development shall take place until details of a satisfactory ground gas investigation and risk assessment has been carried out and submitted to the Local Planning Authority for approval in order to determine what if any ground gas remediation measures may be required or shall specify appropriate ground gas mitigation measures to be installed in the building(s) in lieu of any ground gas investigation.

The investigations, risk assessment and remediation methods, including remedial mitigation measures to be installed in lieu of investigation, shall be carried out or assessed in accordance with the guidance contained in BS 9485:2007 "Code of practice for the Characterisation and Remediation from Ground Gas in Affected Developments." Should the ground gas mitigation measures be installed, it is the responsibility of the developer to ensure that any mitigation measures are suitably maintained or to pass on this responsibility should ownership or responsibility for the buildings be transferred.

- 16 The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site.

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

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

- 17 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.

- 18 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tool. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.

This application is before this Committee since it is for residential development consisting of 5 dwellings or more (unless approval of reserved matters only) and is recommended for approval (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(d)) and as it is contrary to the provisions of an approved draft Development Plan or Development Plan, and is recommended for approval (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(a))

Description of Site:

The application site is located on the southern side of Nazeing Road approximately 25 metres west of St Leonards Road within Lower Nazeing. The site itself is relatively level, slightly irregular in shape and is approximately 840 square metres in size.

The site was once used as a petrol filling station however it has been redundant for a number of years. The whole of the site is completely hard paved with no soft landscaping. Two existing vehicle crossovers along Nazeing Road provide access into the site.

The site is surrounded by residential properties to the north, south and east, with the village hall located to the west. A small parade of shops is located to the north-east of the site on the opposite side of Nazeing Road. The site backs onto a small Nazeing Brook. It is not located within the green belt or a conservation area however the majority of it is located within Flood Zone 2 with a small part along the southern boundary located within a Flood Zone 3.

Description of Proposal:

The application is for the demolition of the existing service station and construction of six, 2 bedroom houses. - a terrace of four and a pair of two semi-detached dwellings, angled at 90o to the road. A hard paved area containing six off street parking spaces would be centrally located between the buildings. A new vehicle crossover is proposed to provide vehicle access to the off street parking area. The existing two vehicle crossovers would be closed up. Each dwelling would be provided with its own amenity space and landscaping.

The application is an alternative scheme to that approved at committee, (contrary to officer recommendation) under planning reference EPF/0303/13.

Whilst the footprint of the buildings and the layout of the site remain virtually unchanged, the design of the proposed buildings has been changed to incorporate an alternative roof design including raising by approximately 1.25m and minor changes to elevational detailing.

Whilst additional roof volume is proposed, the plans do not indicate any living space within the roofspace, no windows or rooflights are proposed and no 2nd floor, floorplan has been submitted. The proposed dwellings are two storey units with 2 bedrooms only. The floor plan referred to by objectors to the scheme, was submitted in error and a corrected plan which does not include stairs up from the first floor has been submitted.

Relevant History:

EPF/0924/07 - Conversion of former petrol station to a Community Centre (permission granted)

EPF/0303/13 - Demolition of the existing service station and construction of six, 2 bedroom houses. Approved.

EPF/1495/16 - Demolition of the existing service station building and replacing it with the construction of 6 x 3 bed dwellings. Refused by committee for the following reasons:-

1. The development fails to provide an access opening wide enough to enable a vehicle to enter the site safely and efficiently whilst another vehicle is waiting to exit the site. This would result in a site where other vehicles may encounter movements that would lead to danger and hazards to users of the highway contrary to policy ST4 of the Adopted Local Plan and Alterations and the NPPF

2. The proposals do not accord with the adopted minimum parking standards, in terms of internal layout, manoeuvring space, bay sizes and the number of spaces. This will likely lead to inappropriate kerbside parking, poor manoeuvring within the site and unusable on site spaces contrary to policies ST4, ST6 and DBE6 of the Adopted Local Plan and Alterations. Approval would set a precedent which if repeated could seriously undermine the principle of seeking to minimise on street parking and highway danger in the locality.

3. The proposed dwellings fail to provide adequate usable private amenity space for three bed family dwellings and this together with the lack of adequate off street parking, inadequate size of bays and vehicle access, and inadequate space for manoeuvring, illustrates that the proposal is overdevelopment of this restricted site which fails to improve the environmental quality of the area and the way it functions, contrary to policies CP7, H3A, DBE3(i) and DBE8 of the Adopted Local Plan and Alterations and the NPPF

Policies Applied:

CP1 Achieving sustainable development objectives
CP2 Protecting the quality of the rural and built environment
CP3 New development
CP5 Sustainable buildings
CP6 Achieving sustainable urban development patterns
CP7 Urban form and quality
DBE1 Design of new buildings
DBE2 Detrimental effect on existing surrounding properties
DBE3 Design in urban areas
DBE6 Car parking in new development
DBE8 Private amenity space
DBE9 Loss of Amenity
LL10 Protecting existing landscaping features
LL11 Landscaping scheme
ST1 Location of development
ST2 Accessibility of development
ST4 Highway safety
ST6 Vehicle parking
H1A Housing Provision
H2A Previously developed land

H3A Housing density
U2A Development in flood risk areas
U2B Flood risk assessment zones
U3A Catchment effects
NC4 Protection of established habitat

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

The Draft Local Plan

The policies of the Draft Local which are in accordance with the LPPF are a material consideration, however at this early stage in the development of the plan are to be afforded only limited weight.

The following draft policies are relevant:

H1 -Housing Mix and Accommodation Types
T1 Sustainable Transport Choices
DM1 Habitat protection and improving biodiversity
DM9 High quality Design
DM10 Housing Design and Quality
DM11 Waste recycling facilities on new development
DM15 managing and reducing flood risk
DM16 Sustainable Drainage Systems
DM17 protecting and enhancing watercourses and flood defences
DM21 Local Environmental impacts, pollution and land contamination

Summary of Consultation Responses

32 neighbours were written to and the following responses were received:

NAZEING PAROCHIAL CHURCH COUNCIL - we note the higher roof heights and wish to reiterate our concern about the lack of parking spaces for the scheme.

3 TATSFIELD AVENUE - I strongly OBJECT. The floor plans (ELA/3 - 523333.pdf) show stairs from the 1st floor to the loft area which adversely impact the size and consequential use of one of the bedrooms, these stairs are not shown on the original application (EPF/0303/13) but are on the failed application (EPF/1495/16) to change from 2 bedroom to 3 bedroom properties which was recently refused.

The only conceivable reason for an increase in the roof height, together with the stairs, is to facilitate a permitted development (contrary to the conditions of EPF/0303/16 as in the Planning Decision Notice (417499.pdf) para. 4 to Hertford Planning Services) or to enable subsequent illegal development and use of the loft space.

This is a blatant attempt to circumvent the reasons for refusal of the previous application EPF/1495/16 which are valid for this application.

I also believe that an increase in roof height would be out of character and detrimental to the street scene.

UNSPECIFIED ADDRESS HOE LANE- The design /access statement gives no reason as to the reason for making the roof space higher / larger. Whilst this is not a requirement of planning regulations, it does contribute to the impression that the application is a further attempt to make it possible to increase the number of bedrooms to three, under permitted development rights. Whilst keen to see the site developed, this application would allow the potential for the houses to become

3 bed, and that has already been refused as harmful to highway safety. It would also be helpful for the agent to clarify the 'status' of the completed houses i.e. I understand from Parish Council sources that the homes are to be prioritised for residents of Nazeing / the EFDC area as those whose names appear on the EFDC electoral register. However, the design and access statement states ' it is intended to offer the completed houses to local residents (within a 5mile radius of the site) ' This measurement would include residents of Broxbourne and the borders of East Herts District. The application should be refused or permitted development rights should be restricted to prevent 3 bed houses.

PARISH COUNCIL – Whilst the (Parish) Council is the owner of the land the application was submitted by the developers and the Council therefore makes no comment. If however the application is granted then all permitted development rights should be removed.

Issues and Considerations:

The main planning issues are considered to be:

- Principle of development
- Design and appearance
- Amenity space and living conditions
- Neighbouring amenities
- Highway safety, traffic Impact, parking and access
- Landscape and trees
- Flood Risk and Drainage
- Contaminated land

Principle of Development

The site lies outside the Metropolitan Green Belt, Employment Area and Commercial Areas and is, therefore appropriate for residential development. The principle of residential development is therefore considered acceptable in land use terms and the provision of additional housing is consistent with Policy H1A and HC2A as the application site is within an established urban area and would result in the re-use of previously developed land. This is a logical location for residential development within the centre of Nazeing and is below the threshold for affordable housing provision.

Five year housing supply

The site is situated within a sustainable urban location close to local services, facilities and public transport and would make more efficient use of this large site. Given that 92.4% of the District is designated Green Belt the principle of further development within existing sustainable settlements outside of the Green Belt is generally considered to be appropriate, provided all other policies are complied with. In addition, paragraph 49 of the NPPF states that "*housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites*".

The Council is currently in the process of preparing a new Local Plan where sites will be identified for residential development however the latest figures reveal that the Council can currently only demonstrate a 1.35 year supply of land for housing purposes. Due to this it has been shown in several recent appeal decisions, both within and outside of the district that such a lack of a demonstrable five year supply of housing weighs in favour of granting planning permission. However, this still has to be weighed against other material planning considerations.

Design and Appearance

The site is prominently located close to the junction of St Leonards Road and Nazeing Road in the heart of the village and has remained un used and undeveloped for several years.

As with the previously approved scheme the proposed houses are, traditional two-storey dwellings that are appropriate within this village location where there is a mix of styles and types of development. Although the properties present side elevations to the main road, these have been designed to include suitable fenestration such that they are appropriate to the streetscene and overall there is a significant improvement in the visual amenity of the site compared to the existing situation which is to be welcomed.

The change in design which increases the roof volume over the previous approval is not necessarily a visual improvement, but is relatively minor and would still appear appropriate to this location and would not be harmful to the street scene.

Amenity Space and Living Conditions

The Council's policy seeks to ensure an adequate amount of conveniently located amenity space is provided in new residential developments which is usable in terms of its shape and siting. Four of the dwellings have a private garden area ranging between 30 and 35 square metres with only dwellings 4 and 6 having a slightly larger area.

This minimal amount and is about half the required amenity space that would be expected to meet the recreational needs for residents occupying a 2 bedroom dwelling. Members accepted this low level of provision, on the original application, and this is a material consideration in the determination of the current application. The later application for a revised scheme that enabled the provision of a third bedroom within the roofspace was considered unacceptable.

Should planning permission be given, then as before, permitted development rights for extensions to the dwellings should be removed by condition, as any future extensions and outbuildings would likely unacceptably reduce the amenity area. In addition, given that the revised roof design would appear to provide adequate headroom for living accommodation, even though the plans do not indicate such use, a specific condition is suggested to prevent the future use of this space as additional living accommodation. It has already been determined by members on officer advice that the site is too small and parking provision too limited for 3 bed properties to be appropriate.

Neighbouring amenities:

Due consideration has been given regarding the potential impact the proposal would have on the amenities enjoyed by adjoining occupiers in relation to loss of privacy, loss of light and visual blight.

The proposed development has been sited and orientated in a way that it will not cause harm to the amenities of adjoining property occupiers given the extensive vegetation along the Nazeing Brook which will screen the gardens of the nearest properties to the rear. The increase in height of the dwellings over the previous approval will not significantly change this assessment.

Highway safety, traffic impact & vehicle parking

The Adopted Council parking standards recommends that for a two or more bedroom dwelling, a minimum of 2 vehicle spaces are required and 1 secure cycle covered space per dwelling. In

addition a minimum of 0.25 of a visitor space is required for each dwelling. This would mean that the parking requirements for 6 dwellings on the site would be:

- 12 parking spaces for residents
- 2 parking spaces for visitors
- 6 secure cycle parking spaces

A total of 6 parking spaces are proposed for the use of residents and visitors, with vehicular access being taken from the new access off Nazeing Road. The level of parking may be reduced if a site enjoys a good location in terms of a range of services and public transport. Members previously considered (contrary to officer advice and comments from the Highway Authority) that the location within the heart of Nazeing, close to shops was a sustainable location where 6 spaces would be sufficient.

Whilst the Highway Authority also objected to the application due to the narrowness of the access and the inadequate size of parking spaces, amended plans have been submitted that show the layout of the site to match that which was approved in 2013 such that the access width and depth and parking bay sizes now meet standards.

Flood risk and drainage:

The site falls predominantly within Flood Zones 1 and 2 with a small element of the southern boundary falling within Flood Zone 3.

As such, a Sequential Test and a Flood Risk Assessment was produced by the applicant with regard to the original application. Officers at that time deemed that the Sequential Test was appropriate in that it clearly showed that there were no other reasonably available sites within and surrounding Nazeing area with lower probability of flooding that would be appropriate for this type of development. Whilst the normal requirement would be for the sequential test to cover the whole of the District rather than just Nazeing, in this instance it was accepted that the site was important to Nazeing due to its prominent position, in the centre of the settlement and that there were advantages specific to Nazeing from the redevelopment of the site. Given that this view was taken with regard to the previous application and that the existing consent is a material consideration it is not considered appropriate to come to a different conclusion at this time.

The Council's engineering and drainage officer had no objections to the proposed development subject to requiring further details regarding foul and surface water runoffs. In addition given that the development is to be set within 20 metres of a water course it was advised that the application should also be referred to the Environment Agency. The Environment Agency have raised no objection on flooding grounds (subject to satisfactory sequential test) but have raised concerns over contamination, which can be addressed by condition.

Again the proposed changes to the development do not raise any new flood risk or drainage issues that were not considered at the time of the original application.

Contaminated Land

Due to its previous use as a petrol station and repair garage there are significant potential contamination issues with regard to the redevelopment of this site, however as with the previous application it is considered that these can be adequately mitigated by the imposition of the standard Land Contamination conditions.

Landscape and Trees

There are no trees of note on the site and therefore there is no objection to the redevelopment of the site from the Tree and Landscape officer subject to a condition requiring details of hard and soft landscaping to be submitted in order to soften the development.

Refuse Storage

A communal refuse area is located towards the rear of the site and is of an appropriate size and location to serve the proposed dwellings.

Other issues.

Whilst the applicant's supporting statement suggests that the houses will be offered to local residents at a discount, and this is welcomed, there is no planning requirement for such a restriction and it can not be required by legal agreement.

Conclusion

Whilst there is concern that this revised scheme may encourage people to try to utilise the enlarged roofspace as living accommodation, the plans do not include any additional floorspace over the scheme approved by Members in 2013 and conditions can be added to prevent any enlargement of the dwellings, or loft conversions without planning permission. The originally indicated internal stairs leading up from the first floor have been removed. The design is acceptable and although the development fails to meet adopted standards for parking or for amenity space, this shortfall has been previously accepted by the Council on this site and on this basis the application is recommended for approval subject to conditions.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

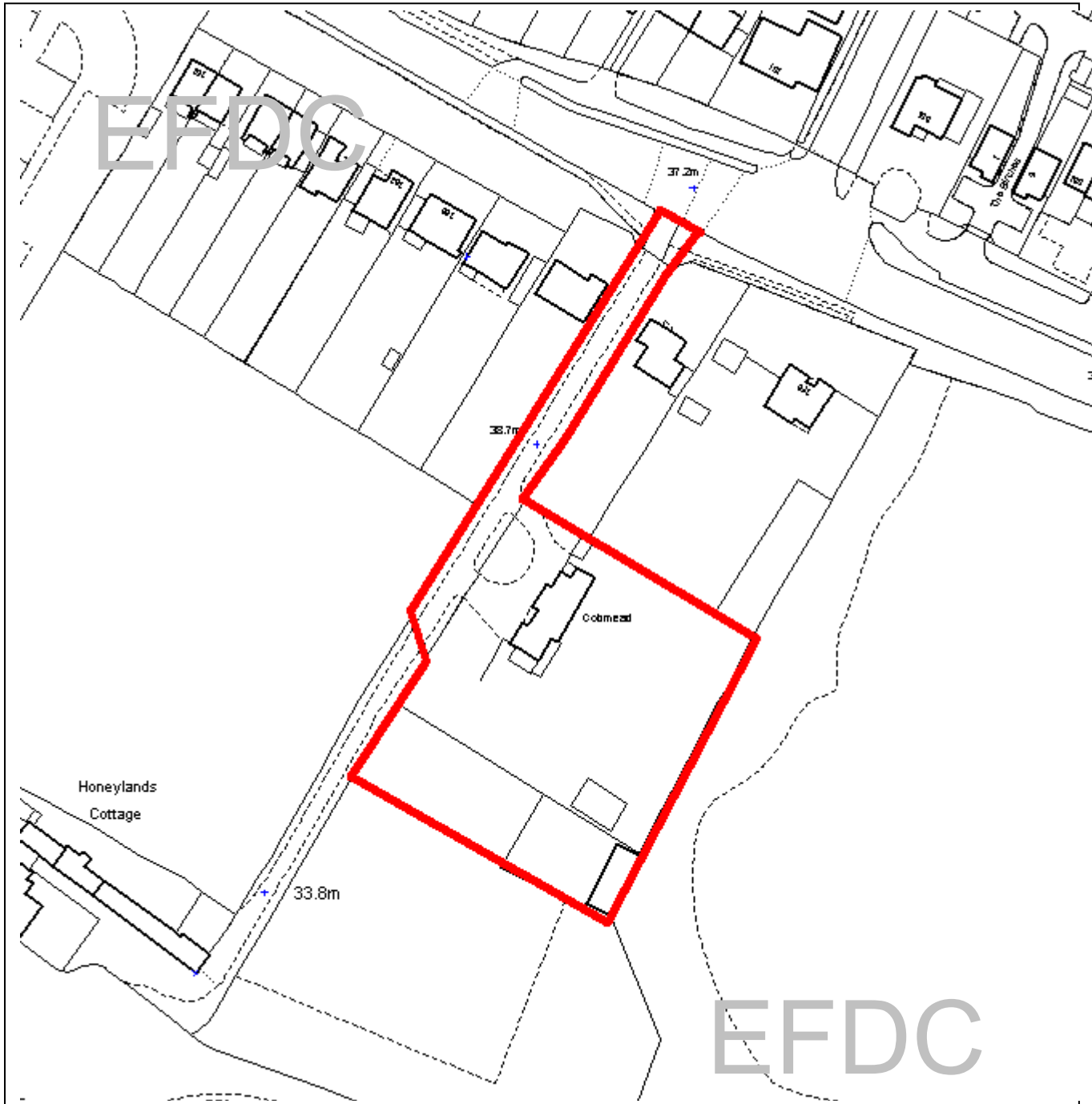
***Planning Application Case Officer: Jill Shingler
Direct Line Telephone Number: 01992 564106***

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



Epping Forest District Council

Agenda Item Number 3



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Application Number:	EPF/2739/16
Site Name:	Cobmead, Honey Lane, Waltham Abbey, EN9 3BA
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/2739/16
SITE ADDRESS:	Cobmead Honey Lane Waltham Abbey Essex EN9 3BA
PARISH:	Waltham Abbey
WARD:	Waltham Abbey Honey Lane
APPLICANT:	Mr Oliver Hookway
DESCRIPTION OF PROPOSAL:	Residential development of 8 no. detached dwellings and associated infrastructure.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=588574

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: 2014-454-: 001, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 022, 023, 024, 025, 026, 027

- 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 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.

- 5 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be

submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.

- 6 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 of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.

- 7 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.

- 8 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.

- 9 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]

- 10 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]
- 11 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.
- 12 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.

- 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 No preliminary groundwork's of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority
- 15 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.
- 16 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tool. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.

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

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

Description of site

The application site is located to the south of Honey Lane which is located within the built up area of Waltham Abbey. The existing building is a two storey detached dwelling which is situated within a large plot and is located to the rear of two dwellings to the north east which front onto Honey Lane. The application site is not located within the boundaries of the Metropolitan Green Belt, although it does boarder the site and it is not in a conservation area. There is a row of protected trees to the west of the site close to its entrance.

Description of proposal

The proposed development is to erect eight new dwellings within the curtilage of the existing dwelling.

Relevant History

EPF/0526/85 - First floor side extension. - Approved

EPF/0476/98 - Detached garage and workshop. – Approved

EPF/0888/16 - Residential development of 5 no. detached dwellings and associated infrastructure.
– Approved by Area Plans West Committee

Relevant Policies

The following saved policies within the Council's adopted Local Plan (2004) and Alterations (2008) are relevant:

CP1 – Achieving Sustainable Development Objectives
CP2 – Protecting the Quality of the Rural and Built Environment
DBE4 – Design in the Green Belt
DBE9 – Loss of Amenity
ST4 – Road Safety
LL1 – Rural Landscape
LL9 – Felling of Preserved Trees
LL10 – Adequacy of Provision for Landscape Retention
LL11 – Landscaping Schemes
DBE1 Design of new buildings
RP4 Contaminated land
U3B sustainable drainage
DBE8 private amenity Space
ST6 vehicle parking standards
ST1 Location of development
ST2 Accessibility of development
H1A Housing Provision

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

Draft Local Plan Consultation document (2016):

SP1 – Presumption in favour of sustainable development
H1 – Housing mix and accommodation types
H2 – Affordable housing
T1 – Sustainable transport choices
DM9 – High quality design
DM10 – Housing design and quality
DM 11 – Waste recycling facilities on new developments
DM16 – Sustainable drainage systems
DM18 – On site management of waste water and water supply
DM21 – Local environmental impacts, pollution and land contamination

At the current time only limited material weight can be applied to the Draft Local Plan, however the Draft Plan and evidence base should be considered as a material consideration in planning decisions.

Consultation carried out and summary of representations received

15 Neighbours consulted, 2 replies received –

152 HONEY LANE – OBJECTION – The site is within District Open Land as defined in the new Epping Forest Draft Plan. The site is within ancient woodland and has high quality habitats, the loss of the attractive main dwelling would cause harm to the area.

160 HONEY LANE – OBJECTION – The development would spoil the rural appearance of the area, there would be significant issues with the access and there would be significantly more traffic, the loss of the main house would cause harm to the area and would cause harm to the Green Belt.

WALTHAM ABBEY TOWN COUNCIL – OBJECTION - The committee recommends refusal of this application as it is located in an area of District Open Space identified in the emerging Local Plan. The area is home to ancient woodlands, a range of biodiversity, including proximity to Epping Forest. There are considerable concerns regarding road safety, the entry and egress to and from the site in particular. Councillors were also disappointed to see the potential loss of a property of architectural interest.

Issues and considerations

The main issues to consider when assessing this application are issues of housing supply, the potential impacts on the living conditions of the neighbours, the character and appearance of the locality, parking and access issues, landscaping, land drainage and contamination. It should be noted that the application site is not within the boundaries of the Metropolitan Green Belt.

Five year housing supply

The site is situated within a sustainable urban location close to local services, facilities and public transport and would make more efficient use of this large site. Given that 92.4% of the District is designated Green Belt the principle of further development within existing sustainable settlements outside of the Green Belt is generally considered to be appropriate, provided all other policies are complied with. In addition, paragraph 49 of the NPPF states that “*housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites*”.

The Council is currently in the process of preparing a new Local Plan where sites will be identified for residential development however the latest figures reveal that the Council can currently only demonstrate a 1.35 year supply of land for housing purposes. Due to this it has been shown in several recent appeal decisions, both within and outside of the district that such a lack of a demonstrable five year supply of housing weighs in favour of granting planning permission. However, this still has to be weighed against other material planning considerations.

Living conditions of neighbours

The rear gardens of plots 6 and 7 back onto the side elevation of the main house on plot 8, around 10m from its side elevation, however will still have a usable amount of garden area and will create a suitable standard of living accommodation.

Plot 6 will back onto Plot 8 and as such there is some potential for overlooking, however due to the position of plot 6, mainly fronting onto the side elevation of the dwelling of plot 8 rather than more private areas of the garden, it is not considered that there will be any significant harm to the living conditions of future occupiers.

Turning to the existing dwellings which front Honey Lane, the closest of the new dwellings will be approximately 58m from the existing rear elevation of these neighbours and clearly this will not cause any overlooking or appear overbearing. Concern has been raised that the increased traffic movements to and from the site will cause significant disturbance and pollution to the neighbours on Honey Lane. However given the relatively small scale of the development, the increased traffic movements will not be significant and therefore disturbance of these residences will be minimal.

Character and appearance

Firstly it is important to highlight that the Council recently granted planning permission on this site for the erection of five dwellings. As such the principle of the development has been well established. Nonetheless the site has no relationship with the main public carriageway of Honey Lane and it could be argued that it is somewhat of a back land development. However Cobmead is already located to the rear of Honey Lane and there are other examples of such a relationship in the surrounding area, most notably at Honey Mews located less than 250m from the site. Consequently officers do not consider that this is a back land development but rather an effective use of urban land.

In terms of detailed design the proposed dwellings have a bulk, mass and scale which is appropriate to the existing site and to the wider context of Honey Lane. The dwellings have a varied design in relation to one another which prevents a uniform and somewhat recycled feel to the new development. Their eaves and ridge heights are uniform which prevents them from appearing overly prominent from public viewpoints surrounding the site.

Concern has been raised from various neighbours, including from Waltham Abbey Town Council that the loss of the main dwelling would cause harm to the character and appearance of the street scene due to the loss of a building with historic and architectural interest. As a result of this objection, advice was sought from the Council's Senior Conservation Officer who has confirmed that the building is not listed, nor locally listed and has no specific historic or architectural significance and could not reasonably be considered to be a non-designated heritage asset. As such it is not considered that the loss of the dwelling will cause any harm.

Parking and access issues

Each of the new dwellings offers a suitable level of off street parking provision which complies with the standards prescribed in the Essex Parking document.

In terms of access, the new dwellings will utilise the existing private road which is located off Honey Lane and there have been concerns from neighbours and indeed the Parish Council that the increased volume of traffic will have a deleterious impact on the current access.

The highway officer from Essex County Council has been consulted as part of this application and after visiting the site and assessing the current situation concludes that the access provides suitable visibility and geometry for an additional 8 dwellings and therefore will not be detrimental to highway safety. Suitable conditions controlling provision of parking and turning areas are required, but it is not considered that there will be potential access issues to justify a refusal.

Landscaping

A tree report accompanied the application and the tree and landscape team have been consulted on the application and have stated no objection, subject to conditions requiring tree protection measures be agreed as well details required of hard and soft landscaping.

Archaeology issues

The Historic Environment Team of Place Services, Essex County Council has identified that the application has the potential to impact on historic environment assets. The proposed development is located adjacent to the medieval farmstead of Honeylands and flanking a medieval lane. Honey Lane itself is of possible Roman origin. It is possible therefore that the proposed development could impact on medieval or Roman remains. Archaeological deposits are both fragile and finite, in view of this the following recommendation is made in line with the National Planning Policy Framework

Contaminated Land

Due to the presence of Stables and made ground from the former associated Stable Yard, the presence of part of the former Honeylands Farmyard on site, and the infilling of the swimming pool, there is the potential for contaminants to be present over parts of the site. Domestic dwelling gardens are classified as a particularly sensitive proposed use.

Contamination reports can be secured through the use of planning conditions.

Land Drainage issues

The Council's land drainage team have been consulted and state that the development is of a size where it is necessary to avoid generating additional runoff and the opportunity of new development should be taken to improve existing surface water runoff. A condition for a Flood Risk Assessment (FRA) is required.

The applicant is proposing to dispose of surface water by sustainable drainage system. This can be secured through the use of a planning condition.

Comments on representations made

Assertion has been made by nearby residents and the Town Council that the application site is the subject of District Open Land as part of the emerging Local Plan. This however is inaccurate as the proposed area of Open Land proposed through the Local Plan skirts around the site rather than includes it. In any event the emerging Local Plan cannot be given substantial weight at this stage of the process.

The site is a current residential property and curtilage and it is not an area of ancient woodland containing any significant biodiversity

Conclusion

The proposal will create eight additional dwellings whilst complying with all relevant policies of the Development Plan. It is therefore recommended that planning permission is granted.

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:

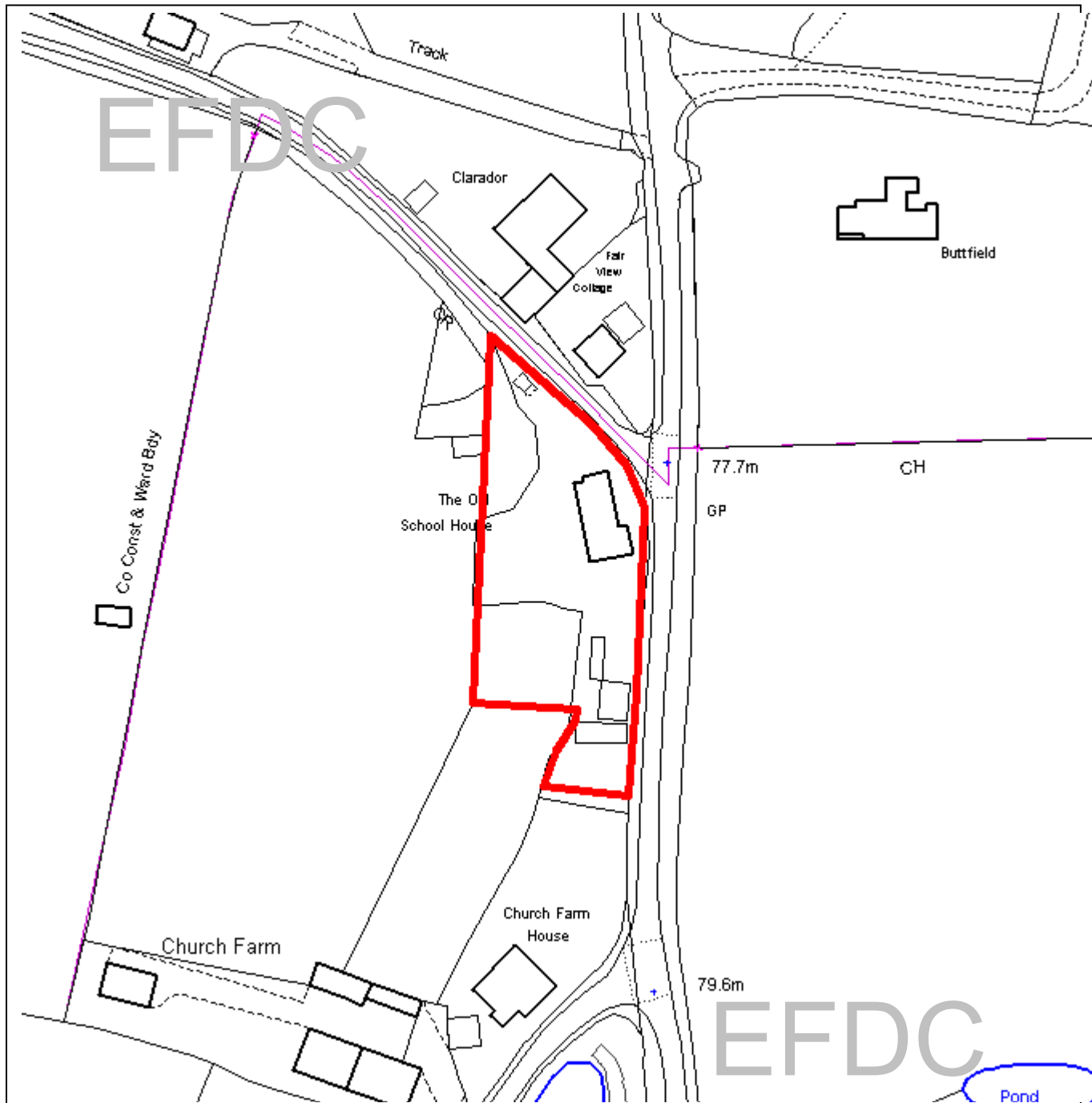
**Planning Application Case Officer: James Rogers
Direct Line Telephone Number: 01992 564 371**

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



Epping Forest District Council

Agenda Item Number 4



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Application Number:	EPF/2862/16
Site Name:	The Old School House, Betts Lane, Nazeing, EN9 2DB
Scale of Plot:	Page 64

Report Item No: 4

APPLICATION No:	EPF/2862/16
SITE ADDRESS:	The Old School House Betts Lane Nazeing Essex EN9 2DB
PARISH:	Nazeing
WARD:	Broadley Common, Epping Upland and Nazeing
APPLICANT:	Mr Gerald Gooch
DESCRIPTION OF PROPOSAL:	Erection of a two storey rear extension incorporating three dormer windows and a ground floor conservatory to side.
RECOMMENDED DECISION:	Refuse Permission (Householder)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=588897

REASON FOR REFUSAL

- 1 The proposed two storey rear extension by reason of its untraditional and unsympathetic crown roof fails to relate to the original building and roof form of The Old School House which would diminish the character and appearance of the building. Along with the conservatory which is considered to appear at odds with the design of the host dwelling, the proposal would detract from the overall character and appearance of the host dwelling and the Nazeing and South Roydon Conservation Area contrary to policies CP2, DBE10, HC6 and HC7 of the Epping Forest District Local Plan (1998) and alterations (2006).

This application is before this Committee since it has been 'called in' by Councillor Bassett (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(h)) and since it would otherwise have been refused under delegated powers by the Director of Governance, but there is support from the relevant local Parish/Town Council and no other overriding planning consideration necessitates refusal (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(l))

Description of Site:

Detached dwelling located on the west side of Betts Lane. The 19th century building formerly used as a school was converted into a dwelling in the 1960's then mixed use continued for a number of years until it was finally converted again to a dwelling in 1994.

Traditionally built in L plan, the building has been extended at the back with successive unsympathetic additions including a single storey flat roof extension and a single storey box dormer window. The ground floor additions replaced previously constructed slightly smaller single storey additions.

The site is located within the Green Belt and within the Nazeing and South Roydon Conservation Area.

Description of Proposal:

Erection of a two storey rear extension incorporating three dormer windows and a ground floor conservatory to side. The extensions would include gabled end extensions to both ends with an extension to the roof and three small dormer windows inserted into the rear roofslope. One gable would incorporate a small enclosed balcony area. A conservatory is proposed to the northern end of the house.

Planning History:

EPO/0447/64 - CONVERSION TO DWELLING – Approved

EPO/0270/67 - USE FOR NURSERY PLAY GROUP – Approved

EPO/0489/72 - DOUBLE GARAGE – Approved

EPF/1195/97 - Change of use of agricultural land to residential garden (0.08ha. approx) – Approved

EPF/1510/00 - Erection of replacement detached garage – Approved

EPF/1814/16 - Erection of a two storey rear extension incorporating three dormer windows and a ground floor conservatory to side – Withdrawn

Summary of Representations

NAZEING PARISH COUNCIL – NO OBJECTION and FULLY SUPPORT the application as it is in keeping with the other properties in the conservation area, no impact on neighbours and will only improve the property

8 letters sent to neighbouring occupiers and a site notice erected.

CHURCH FARM HOUSE – SUPPORT - As neighbours of the applicants, the erection of this extension will have an impact on our view and on the look of the rear aspects of this locality.

However, I believe this remodelling of the house can only have a positive impact, as in our opinion it is in keeping with the vernacular and in the context of the landscape will create a more interesting and integrated scheme than currently exists. To this end we support the application completely.

Policies Applied:

CP2 – Protecting the Quality of the Rural and Built Environment

DBE9 – Loss of amenity.

DBE10 – Residential extensions

GB2A – Development in the Green Belt

GB7A – Conspicuous development

HC6 – Character, Appearance and setting of Conservation Areas

HC7 - Development within Conservation Areas

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

National Planning Policy Framework 2012

Principle of development/main issues:

The main issues of consideration in this instance are the impact upon the Green Belt; the design and the impact of the proposed development upon the host dwelling and the conservation area and potential impact on the living conditions of neighbouring occupiers.

Impact on the Green Belt

The building has been extended previously in the form of small ground floor additions to the rear with flat roof dormer above. However the original dwelling as of 1948 benefitted from two small ground floor rear extensions that have now slightly enlarged and joined.

The proposal here would extend the ground floor extensions out by an additional 1m and extend upwards in the form of two gable ends to form additional accommodation at first floor level. The flat roof dormers would be replaced by these gables and three small dormer windows.

In terms of floorspace the original building was approximately 199m² measured internally with the proposal increasing the size of the dwelling to approximately 283m² internally. This would represent an increase of approximately 42% over and above the original building. Although the gable ends would increase the bulk of the dwelling at first floor, given that they would be largely seen against the existing building and the footprint of the house would not be increasing to a great extent, it is not considered that in this green belt location with development either side the proposal would materially harm the openness of the green belt. Given that the proposal would remove the existing extensions, the proposal it is not considered that the works would result in disproportionate additions over and above the existing dwelling.

Therefore, it is not considered that the proposal would not result in disproportionate additions over and above the size of the original dwelling and the proposal here is therefore considered to comply with Local Plan policies GB2A and GB7A and paragraph 89 of the National Planning Policy Framework 2012.

Character and Appearance

Any development within a conservation area should preserve or/and enhance the character and appearance of the area in line with policies HC6 and HC7 of the adopted Local Plan.

The dwelling has been extended at the rear by a number of unsympathetic 20th century additions as mentioned above so this proposal provides the opportunity to remove these additions.

The Council's Conservation Officer has been consulted on the application and the view is that despite the 20th century alterations, the original form of the cottage is still readable under a traditionally pitched roof which is an important part of its character.

In order to increase the first floor accommodation, a crown roof or flat-topped element is proposed which would extend the southern flank ridge of the dwelling by an additional 7m from 5m to 12m.

It is considered that the introduction of an untraditional and unsympathetic crown roof /flat-topped element would irreversibly alter and diminish the character and appearance of the building, materially affecting both its original building and roof form. In addition a conservatory has been proposed to the northern end of the dwelling which would appear at odds with the design of the building and thereby impacts on the character and appearance of the conservation area. Although there is some screening along the front boundary adjacent to the lane it would still be visible. A simpler lean to design would be more appropriate in this case

Given that the dwelling is located within the Nazeing and South Roydon Conservation Area it is considered that the proposal would appear at odds with the character and appearance of the host

dwelling and surrounding conservation area and would fail to comply with Local Plan policies CP2, DBE10, HC6 and HC7.

It is noted that one rear dormer is slightly smaller than the other two proposed but this is not considered to be wholly unacceptable and does not form a reason to refuse.

Neighbours Living Conditions

There are no neighbouring occupiers whose living conditions would be excessively harmed by the proposal given the size and siting of the extensions and the distance between the application dwelling and the nearest neighbours to the north at Fair View and the south at Church Farm House.

The proposed balcony at first floor rear would be enclosed by the eaves of the proposed extension it would sit within and therefore not result in material overlooking of neighbouring occupiers.

Although a neighbour has mentioned that the extension would result in a loss of a view, there is no right to a view across third party land.

The proposal would comply with policy DBE9 of the adopted Local Plan (1998) and Alterations (2006).

Conclusion:

The proposed two storey rear extension by reason of its untraditional and unsympathetic crown roof fails to relate to the original building and roof form of the Old School House which would diminish the character and appearance of the building. Along with the conservatory which is considered to appear at odds with the design of the host dwelling, the overall proposal would detract from the character and appearance of the Conservation Area contrary to policies CP2, DBE10, HC6, HC7 of the Epping Forest District Local Plan (1998) and alterations (2006).

Considered Way Forward:

The proposal is not considered to materially impact on the openness of the green belt therefore any proposed extension would have to satisfy concerns relating to impact on the conservation area and would have to be designed such that it would not detract from the character of the existing dwelling and surrounding area. A way forward has previously been discussed with the applicant but this was not considered acceptable for his needs due to the nature of the design. The conservatory requires a simpler design, possibly in the form of a lean to.

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: Steve Andrews
Direct Line Telephone Number: 01992 564337***

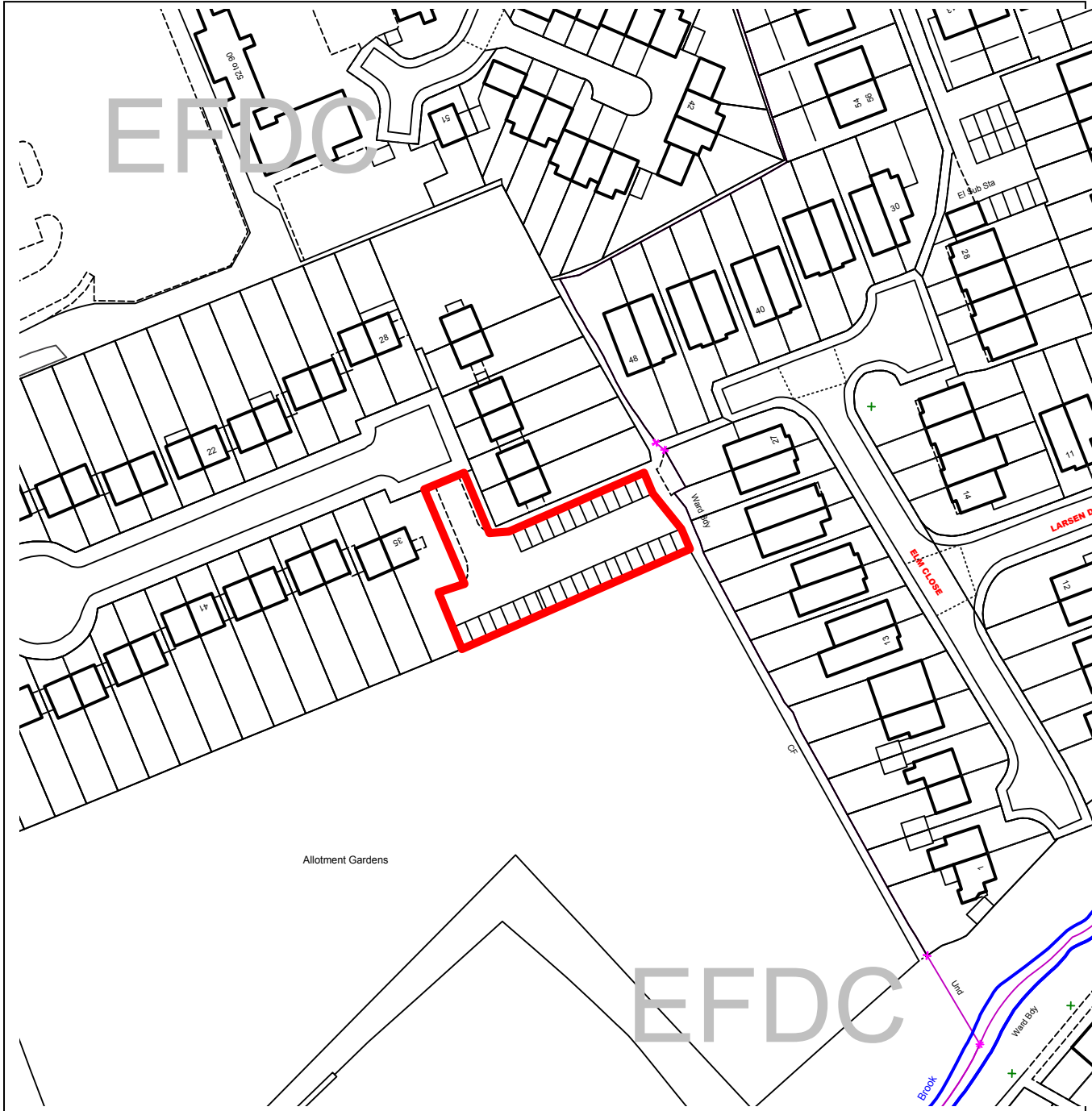
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Epping Forest District Council

Agenda Item Number 5



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Application Number:	EPF/2871/16
Site Name:	Land and Garages, Denny Avenue, Waltham Abbey, EN9 1NS
Scale of Plot:	1/1250

Report Item No: 5

APPLICATION No:	EPF/2871/16
SITE ADDRESS:	Land and Garages Denny Avenue Waltham Abbey Essex EN9 1NS
PARISH:	Waltham Abbey
WARD:	Waltham Abbey South West
APPLICANT:	East Thames
DESCRIPTION OF PROPOSAL:	Removal of existing garages and erection of 3 affordable homes with 10 parking spaces.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=588956

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: 612094PL01, 612094PL02, 612094PL03A, 612094PL04, 612094PL05A, 612094PL06A, 612094PL07
- 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 window opening in the northern first floor flank elevation 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 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.

- 6 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.
- 7 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 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 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.
- 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 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tool. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.
- 11 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]

- 12 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]

- 13 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]

- 14 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.

- 15 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.
- 16 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.
- 17 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.

This application is before this Committee since it is an application for development on the Council's own land or property that is for disposal (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3) and since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)

Description of Site:

The application site is currently occupied by 32 lock-up garages, 7 of which are privately owned with the remainder being owned by the Council. The site is located at the eastern end of Denny Avenue with direct access from the public highway.

Description of Proposal:

Consent is being sought for the demolition of the existing garages and the erection of three detached dwellings and 10 parking spaces.

The proposed dwellings would be a terrace of three two-storey properties measuring 15.4m in width and 10.2m in depth with a pitched roof to a ridge height of 8.2m and eaves height of 5m. The central property would have a low set gable projection and would protrude 500mm beyond the front elevation. The two end properties would be three bed and the central property, which is slightly narrower, would have two beds.

The dwellings would be an affordable housing development and each house would benefit from a private rear amenity area.

Relevant History:

None

Policies Applied:

Epping Forest District Council Local Plan (1998) and Alterations (2006):

CP1 – Achieving sustainable development objectives
CP2 – Protecting the quality of the rural and built environment
CP3 – New development
CP6 – Achieving sustainable urban development patterns
H2A – Previously developed land
H3A – Housing density
H5A – Provision for affordable housing
H6A – Site thresholds for affordable housing
H7A – Levels of affordable housing
DBE1 – Design of new buildings
DBE2 – Effect on neighbouring properties
DBE8 – Private amenity space
DBE9 – Loss of amenity
LL10 – Provision for landscape retention
LL11 – Landscaping schemes
ST1 – Location of development
ST4 – Road safety
ST6 – Vehicle parking

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

Draft Local Plan Consultation document (2016):

SP1 – Presumption in favour of sustainable development
H1 – Housing mix and accommodation types
H2 – Affordable housing
T1 – Sustainable transport choices
DM9 – High quality design
DM10 – Housing design and quality
DM 11 – Waste recycling facilities on new developments
DM16 – Sustainable drainage systems
DM18 – On site management of waste water and water supply
DM21 – Local environmental impacts, pollution and land contamination

At the current time only limited material weight can be applied to the Draft Local Plan, however the Draft Plan and evidence base should be considered as a material consideration in planning decisions.

Consultation Carried Out and Summary of Representations Received:

69 neighbouring properties were consulted and a Site Notice was displayed.

TOWN COUNCIL – Object. Concerns were raised with regard to loss of parking and the fact that entrance to the allotments could be hindered by this development.

22 DENNY AVENUE – Object due to the impact on parking and disruption during construction.

5 DENNY AVENUE – Object due to parking concerns and the impact on highway safety and due to noise and light pollution, loss of light and privacy to neighbours, overdevelopment of the site, flooding/environmental concerns, and as the buildings would be overbearing and out of scale with neighbouring properties.

Issues and Considerations:

The key issues within this application are the suitability of the site for such a development, highway/parking concerns, design/layout, and regarding amenity considerations.

Principle of the Development:

The application site is located within an already heavily built-up residential area just beyond the designated Waltham Abbey town centre. The site constitutes previously developed (brownfield) land since it currently contains garages. Both Local Plan policy H2A and paragraph 17 of the National Planning Policy Framework “*encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value*”.

Notwithstanding consideration regarding the loss of the garages and assessment of the design/layout of the proposal the principle of developing this site would be acceptable since it would make more efficient use of an urban, previously developed site.

Five year housing supply

The site is situated within a sustainable urban location close to local services, facilities and public transport and would make more efficient use of this large site. Given that 92.4% of the District is designated Green Belt the principle of further development within existing sustainable settlements outside of the Green Belt is generally considered to be appropriate, provided all other policies are complied with. In addition, paragraph 49 of the NPPF states that “*housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites*”.

The Council is currently in the process of preparing a new Local Plan where sites will be identified for residential development however the latest figures reveal that the Council can currently only demonstrate a 1.35 year supply of land for housing purposes. Due to this it has been shown in several recent appeal decisions, both within and outside of the district that such a lack of a demonstrable five year supply of housing weighs in favour of granting planning permission. However, this still has to be weighed against other material planning considerations.

Affordable Housing:

There is no requirement for any affordable housing to be provided on a scheme of this size, however since the proposed development has been put forward on behalf of East Thames Housing Group and is located on Council owned land the proposed dwellings would be affordable houses. This would be of benefit to the overall housing provision within the district.

Since there is no requirement to provide affordable housing on this site, and as this is a Council led development, it is not necessary to secure this by way of a legal agreement.

Highways/Vehicle Parking:

A key consideration in this case is with regards to the loss of the existing parking provision.

The site currently contains 32 lock-up garages, 7 of which are privately owned with the remainder being owned by the Council. The submitted Transport Statement shows that 11 of the 25 Council owned garages are currently rented out to people within the local area (two of which by one property), 13 are not in use, and 1 of which is occupied by a tenant living outside of the parking survey area (200m from the site). The Transport Statement highlights that the internal width of the garages is around 2.2m and the overall size falls far short of the 7mx3m as prescribed within the Essex County Council Vehicle Parking Standards. As a result of this it can prove difficult to utilise the garages for the parking of many modern cars.

A study by Mouchel's, on behalf of Essex County Council, revealed that 78% of lock-up garages are not used for the parking of vehicles but instead are used for general storage/utility uses. Based on this it is estimated within the Transport Assessment that the loss of these garages would result in up to four cars displaced onto the highway. In addition during the surveys one car was observed parked within the garage court (not within a garage).

The current parking stress of the study area is 71%. The Transport Statement claims that parking methodology "*does not prescribe specific thresholds for when a parking survey area is deemed to suffer from undue parking stress. However it is widely perceived that an observed parking stress of 90% or more is deemed to represent a high intake of kerb side parking*".

The proposed development would provide 10 off-street parking spaces that would include the six spaces required for the proposed new residents and the 1 visitor space required for the development. This would therefore also provide 3 additional spaces to accommodate some of the displaced parking from the loss of the garages.

Irrespective of the above additional parking provision the Transport Statement highlights that "*an additional five cars parked on the streets within the parking study area would increase the observed parking stress by 6% from 71% to 77%. The impact on the loss of the garages and redevelopment of the site on existing parking conditions is therefore expected to be adequately absorbed without detriment to road safety, capacity or neighbouring amenity*".

Essex County Council Highways have assessed the submitted information and have concluded the following:

The Highway Authority is satisfied that any displaced parking will not be detrimental to highway safety or efficiency as a result of the development. The submitted Transport Statement (TS) has shown that the very worst case scenario demonstrates that on-street parking levels will not reach an unacceptable amount. Although the Highway Authority does not necessarily endorse on-street parking, the reality is, there will be fewer vehicles actually displaced from the garages than the worst case scenario, as a reasonable proportion of them will not be used for parking in. Furthermore the proposal is providing an additional 3 off-street parking spaces over the provision required for the development.

The proposal will not increase vehicle movements along the accessway above the level of the previous use, operating at full capacity, and there is also sufficient turning provided within the site.

Consequently the proposal will not adversely affect highway safety or efficiency.

Design:

The proposed new dwellings would be a terrace of three two storey dwellings with a pitched roof. The central property would project some 500mm forward of the front elevation and have a gable projection and would be finished in different facing brick to provide variety and break up the terrace.

Whilst the proposed dwellings would differ from the existing, relatively uniform, semi-detached properties within Denny Avenue the overall scale and detailing would reflect that of the surrounding area. Furthermore, given the location of the properties they would not appear as part of the wider street scene.

The level of private amenity space for the two end dwellings would be in excess of 100m² and the amenity space for the central property would be some 73m². These are well above the recommended level of 80m² and 60m² for these size properties.

Tree information has been submitted with the application to show that the proposed development would not have a detrimental impact on the surrounding trees. At this stage the applicant is only required to show that the development is feasible without a detrimental impact on trees, which has been done, however full tree protection details would nonetheless still need to be agreed by way of a condition.

Neighbouring Amenity:

The proposed dwellings would be located approximately 4m from the closest neighbouring property and the dwellings would be roughly in line with the adjacent house at No. 34 Denny Avenue (and those beyond). Due to this the proposal would not have any detrimental impact on the neighbour's amenities.

Other considerations:

Land Drainage:

The sites lies within an EFDC flood risk assessment zone and is of a size where it is necessary to avoid generating additional runoff and where the opportunity should be taken to improve existing surface water runoff. Therefore a flood risk assessment is required, which can be dealt with through a condition.

The applicant is proposing to dispose of surface water by soakaway however the geology of the area is predominantly clay and infiltration drainage may not be suitable for the site. Therefore further details are required by way of a condition.

Contamination:

Due to the use of the site as domestic garages and formerly by Nobels Explosives Company Ltd for explosives manufacturing & testing there is the potential for contaminants to be present on site. Since domestic dwellings with gardens are classified as a particularly sensitive proposed use an

appropriate contamination assessment is required. As remediating worst case should be feasible it should be possible to deal with land contamination risks by way of condition.

Construction impacts:

Concerns have been raised with regards to disturbance, nuisance and parking problems as a result of construction works, however such matters are not material planning considerations as this harm would only be temporary during the period of construction. Time constraints for construction works are suggested in order to minimise any impact on neighbours.

Allotment access:

The Town Council have raised concerns that the access to the adjacent allotments may be hindered by this proposal, however the proposed development would not have any impact on the existing access to the allotments. Furthermore since the proposal includes the removal of the garages and provision of an open parking/landscaped area on the western part of the site there is a possibility that greater access could be achieved to the adjacent allotments.

Conclusion:

The proposed development would provide much needed affordable housing within an existing built-up area that will assist in the Council meeting its five-year land supply. The design and layout of the proposed dwelling would be acceptable and the development would not result in any excessive loss of amenities to surrounding neighbours.

Although the proposed development would result in the loss of occupied garages and parking spaces on-street parking levels would not reach an unacceptable amount as a result of any displacement from the existing site. As such the proposal would not have a detrimental impact on highway safety and efficiency.

Given the above, the proposed development is considered to be acceptable and therefore the application is recommended for approval, subject to conditions.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

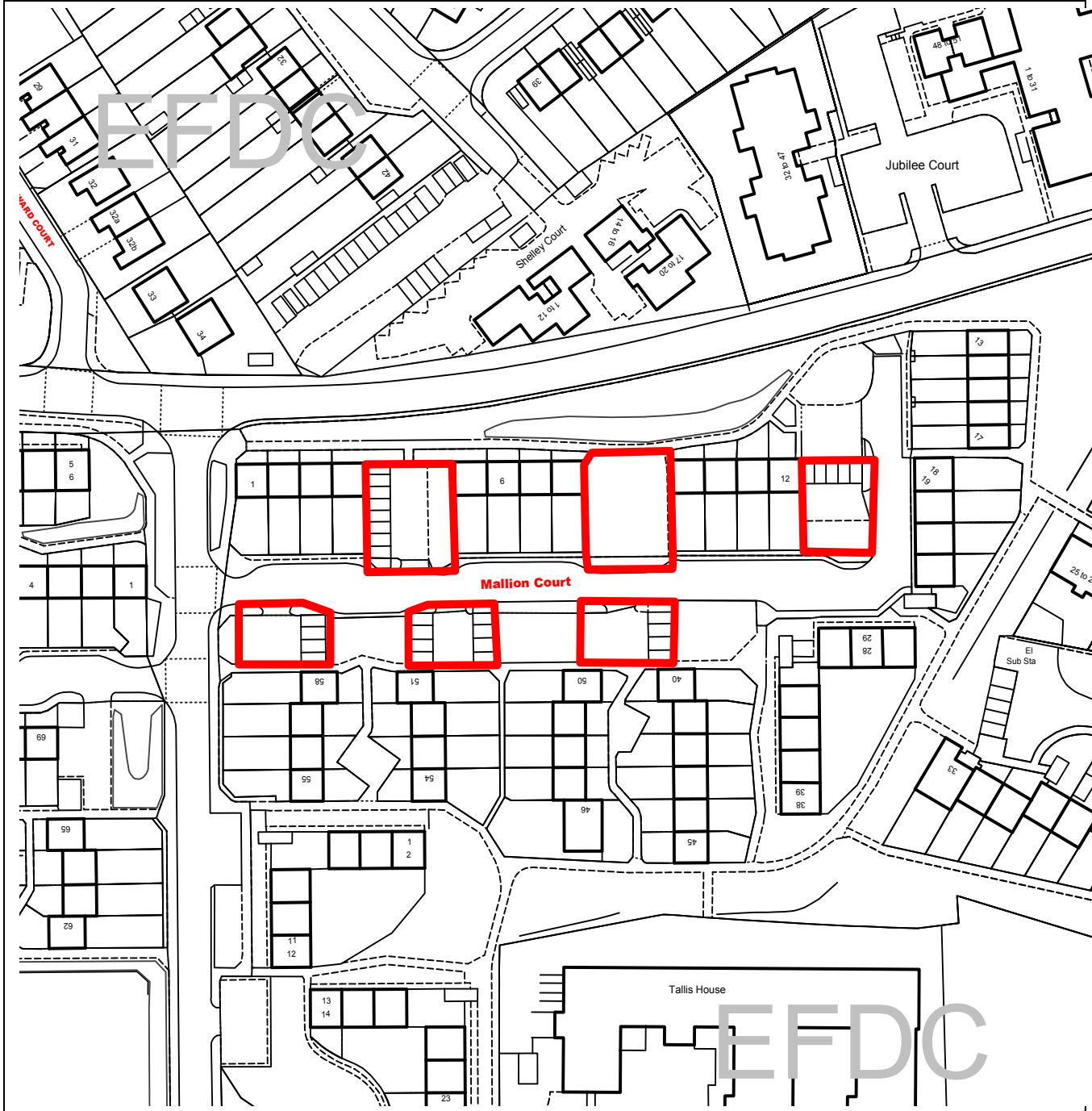
***Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228***

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



Epping Forest District Council

Agenda Item Number 6



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Application Number:	EPF/2936/16
Site Name:	Land and Garages, Mallion Court, Waltham Abbey, EN9 3EQ
Scale of Plot:	1/1250

Report Item No: 6

APPLICATION No:	EPF/2936/16
SITE ADDRESS:	Land and Garages Mallion Court Waltham Abbey Essex EN9 3EQ
PARISH:	Waltham Abbey
WARD:	Waltham Abbey Paternoster
APPLICANT:	East Thames
DESCRIPTION OF PROPOSAL:	4 affordable homes with 35 parking spaces
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=589198

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: 612:089/PL: 01A, 02, 03, 04B, 05B, 06A, 07A, 08A, 09 and 10
- 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 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 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, 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.

- 7 An assessment of flood risk, focussing on surface water drainage, shall be submitted to and approved by the Local Planning Authority prior to commencement of the development. The assessment shall demonstrate compliance with the principles of Sustainable Drainage Systems (SuDS). The development shall be carried out and maintained in accordance with the approved details.

- 8 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]

- 9 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]

- 10 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]
- 11 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.
- 12 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.
- 13 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.
- 14 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.

- 15 Prior to the first occupation of the development the access arrangements, 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.

This application is before this Committee since it is an application for development on the Council's own land or property that is for disposal (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(e))

This application is before this Committee since it is for a type of development that cannot be determined by Officers if more than two objections material to the planning merits of the proposal to be approved are received (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(f).)

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

Description of Site

The application site is located on Mallion Court which is located just to the south of Ninefields, within the built up area of Waltham Abbey. Mallion Court is a rather small road which is often heavily parked on either side by existing residents. There are a number of Council owned garages along Mallion Court, two blocks on its northern side containing 13 garages and four blocks on the south side containing 16 garages. There is a rather large open green space between no.8 and no.9 which allows pedestrian access onto Ninefields. The application site is not located within the boundaries of the Metropolitan Green Belt and it is not in a conservation area.

Description of proposal

The proposal is to demolish and remove all the garages from the site and to erect four new affordable dwellings and to put hardstanding over the existing green area between no.8 and 9 Mallion Court. The removal of the garages and green area will result in an additional 35 parking spaces for the area.

Relevant History

None Relevant

Relevant Policies

The following saved policies within the Council's adopted Local Plan (2004) and Alterations (2008) are relevant:

CP1 – Achieving Sustainable Development Objectives

CP2 – Protecting the Quality of the Rural and Built Environment

DBE9 – Loss of Amenity
ST4 – Road Safety
LL10 – Adequacy of Provision for Landscape Retention
LL11 – Landscaping Schemes
DBE1 Design of new buildings
RP4 Contaminated land
U3B sustainable drainage
DBE8 private amenity Space
ST6 vehicle parking standards
ST1 Location of development
ST2 Accessibility of development
H1A Housing Provision

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

Draft Local Plan Consultation document (2016):

SP1 – Presumption in favour of sustainable development
H1 – Housing mix and accommodation types
H2 – Affordable housing
T1 – Sustainable transport choices
DM9 – High quality design
DM10 – Housing design and quality
DM 11 – Waste recycling facilities on new developments
DM16 – Sustainable drainage systems
DM18 – On site management of waste water and water supply
DM21 – Local environmental impacts, pollution and land contamination

At the current time only limited material weight can be applied to the Draft Local Plan, however the Draft Plan and evidence base should be considered as a material consideration in planning decisions.

Consultation carried out and summary of representations received

163 Neighbours consulted –

WALTHAM ABBEY TOWN COUNCIL – OBJECTION - Concerns were raised with regard to the loss of car parking spaces.

2 MALLION COURT – OBJECTION – The parking issue is a disgrace

4 MALLION COURT – OBJECTION – The dwelling will cause a significant loss of light to my property and it will cause overlooking.

8 MALLION COURT – OBJECTION – The existing parking on Mallion Court is terrible and this development will worsen the situation.

9 MALLION COURT – OBJECTION – The proposal will cause a significant loss of parking which will make the existing situation worse. The siting a layout of the proposal will harm existing residents, there are significant drainage issues, the appearance of the dwellings is in stark contrast to the existing street scene and is an overdevelopment of the site.

12 MALLION COURT – OBJECTION – The proposal will reduce the amount of parking which will exacerbate the existing situation. The loss of the grass verge will cause harm to the street scene and also will impact on peoples enjoyment of it. The position of the new dwelling will cause significant harm to existing light appreciation.

14 MALLION COURT – OBJECTION – The proposal will cause significant harm to existing parking issues.

10 SHELLY COURT, BRAMLEY SHAW – OBJECTION – We cannot see how the new dwellings will fit on the site.

42 MALLION COURT – OBJECTION – The proposal will cause harm to the existing parking situation.

56 GRASMERE ROAD, SURREY – OBJECTION – The loss of parking will cause significant harm to the existing residents

Issues and considerations

The main issues to consider when assessing this application are issues of housing supply, the potential impacts on the living conditions of the neighbours, the character and appearance of the locality, parking and access issues, landscaping, land drainage and contamination.

Five year housing supply

The site is situated within a sustainable urban location close to local services, facilities and public transport and would make more efficient use of this large site. Given that 92.4% of the District is designated Green Belt the principle of further development within existing sustainable settlements outside of the Green Belt is generally considered to be appropriate, provided all other policies are complied with. In addition, paragraph 49 of the NPPF states that *“housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites”*.

The Council is currently in the process of preparing a new Local Plan where sites will be identified for residential development however the latest figures reveal that the Council can currently only demonstrate a 1.35 year supply of land for housing purposes. Due to this it has been shown in several recent appeal decisions, both within and outside of the district that such a lack of a demonstrable five year supply of housing weighs in favour of granting planning permission. However, this still has to be weighed against other material planning considerations.

Living conditions of neighbours

The dwelling labelled as 01 on the site layout plan will be located on the southern side of Mallion Court and will replace an area of four existing garages adjacent to no.58 Mallion Court. The new dwelling will be approximately 3.8m from the side elevation of no.58 and will project around 3.6m beyond its existing rear elevation. As the dwelling will be a significant distance from the side boundary and that no.58 benefits from a relatively long rear garden, it is not considered that the proposal will appear significantly overbearing or cause excessive loss of light. The southern elevation of the new dwelling does not have any windows and therefore there is no issue regarding overlooking, nor a perception of being overlooked.

The dwelling labelled as 02 on the site layout plan will be located on the northern side of Mallion Court and will see the removal of 8 garages to accommodate it. The dwelling will be 1.4m from the side elevation of no.4 Mallion Court and the majority of its bulk will be set against the side elevation of this neighbour. Only 2m of the dwelling will project beyond no.4 Mallion Court and

therefore it is not considered that there will be any harm to its living conditions. The new dwelling will be a significant distance from no.5 and therefore will not cause any excessive harm.

The dwelling labelled as 03 on the site layout plan will be located to the east of the proposed dwelling labelled 01 on the southern side of Mallion Court. The dwelling will be around 3.8m from the side elevation of no.51 Mallion Court and will project 3.6m beyond its rear elevation. Such a significant distance from the side boundary will ensure that there will not be excessive harm to the living conditions of this neighbour. The Southern elevation does not contain any windows and therefore no concerns have been raised regarding potential overlooking.

The dwelling labelled as 04 on the site layout plan will be located adjacent to no.12 Mallion Court at the eastern end of the road. This dwelling will be 1.4m from the side elevation of no.12 and will not project excessively beyond its rear elevation. As such there will be no harm to their living conditions.

The proposed new parking areas will not cause a significant increase in vehicle movements over and above the existing situation and rather is an expected location for parking within a residential area. As such there will be no excessive noise disturbance resulting from the development.

Character and appearance of the locality

Mallion Court has a rather varied character in terms of its visual appearance. There are a number of terrace properties which have a relatively uniform design in terms of their bulk, mass, scale and use of materials. There are also a number of unattractive single storey flat roof style garages which have very little architectural merit. The proposed new dwellings are of a very similar design and appearance to the existing properties on Mallion Court and would include the removal of the unattractive garages in the street scene. Such a development is to be welcomed as an improvement to the appearance of the street scene and is compliant with the policy paradigm from the NPPF and Local Planning Policy to enhance or preserve the character and appearance of existing areas.

The removal of the grass area between 8 and 9 Mallion Court and its replacement with hardstanding will cause some degree of harm to the appearance of the street scene as it currently offers a welcome area of green space in an existing area of relatively few examples. However taking the proposal as a whole, the removal of the existing flat roof garages will actively improve the appearance of the street scene to a significant extent and this is given greater weight than the rather limited harm that the loss of this green space would cause. It is notable that there are other areas of green space on other areas along Mallion Court which somewhat soften for potential harm.

Parking and access issues

The Essex County Highway Advisor has commented that the displaced parking through the loss of the garages will not be detrimental to the safety or efficiency of the public carriageway as there is a substantial increase in the number of available spaces. Furthermore it is questionable how many of the garages are actually used for the parking of vehicles, which further reduces the impact on the highway as a result of their removal.

Landscaping issues

The Tree and Landscape team have concluded that they have no objection to the proposal subject to suitable measures of tree protection and a hard and soft landscaping plan. Both aspects are both reasonable and necessary to be conditioned.

Land drainage

The site is within an Epping Forest District Council Flood Risk Assessment Zone (FRAZ) and therefore it is necessary to avoid additional run off, this can be secured through a Flood Risk Assessment condition.

It is proposed to dispose of surface water by soakaway. The geology of the area is predominantly clay and infiltration drainage may not be suitable for the site. Further details are required.

Contamination

Due to its use as lock-up Garages and the presence of Horticultural Nursery and Made Ground, there is the potential for contaminants to be present on site.

Domestic dwellings with gardens are classified as a particularly sensitive proposed use. As remediating worst case conditions should be feasible, it should be possible to deal with land contamination risks by way of condition.

Conclusion

The proposal will offer four new affordable units which will assist in meeting the unmet need of the Council whilst not conflicting with any policy within the Development Plan. Therefore it is recommended that planning permission is granted.

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: James Rogers
Direct Line Telephone Number: 01992 564 371***

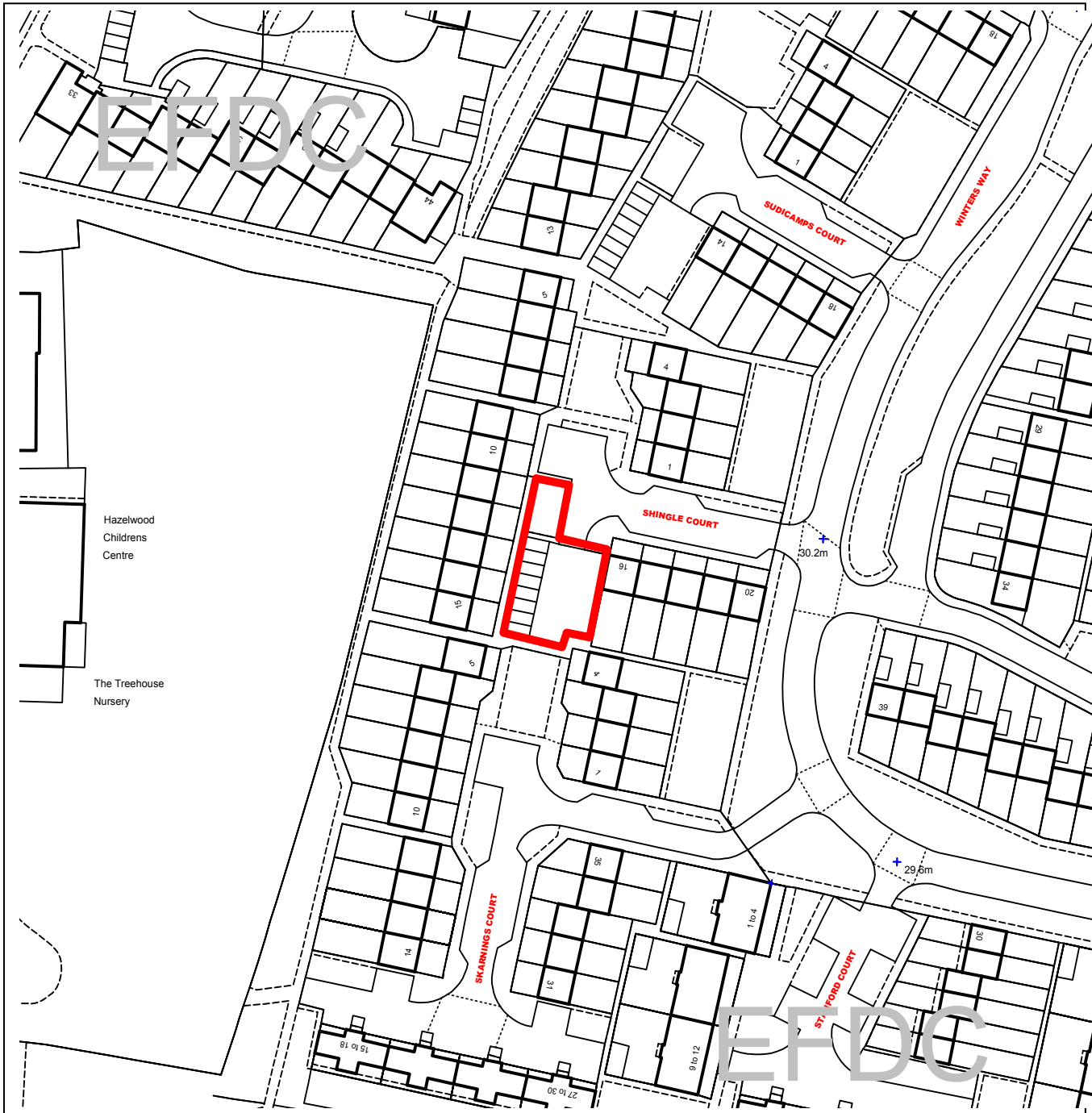
or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

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Epping Forest District Council

Agenda Item Number 7



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Application Number:	EPF/2977/16
Site Name:	Garages At Shingle Court, Waltham Abbey, EN9 3HD
Scale of Plot:	1/1250

Report Item No: 7

APPLICATION No:	EPF/2977/16
SITE ADDRESS:	Garages at Shingle Court Waltham Abbey Essex EN9 3HD
PARISH:	Waltham Abbey
WARD:	Waltham Abbey Paternoster
APPLICANT:	Mr East Thames
DESCRIPTION OF PROPOSAL:	1 affordable home with 12 parking spaces.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=589269

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: 612100PL01, 612100PL02, 612100PL03, 612100PL04, 612100PL05, 612100PL06
- 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 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.
- 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, 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.
- 7 Prior to the first occupation of the development the access arrangements, 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.
- 8 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 9 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]
- 10 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]

- 11 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]
- 12 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.
- 13 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.
- 14 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.

This application is before this Committee since it is an application for development on the Council's own land or property that is for disposal (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3) and since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)

Description of Site:

The application site is currently occupied by 8 garages and 7 parking spaces to the southwest of Shingle Court. Access to the site is from the north.

Description of Proposal:

Consent is being sought for the demolition of the existing garages and the erection of one detached bungalow and 12 parking spaces.

The proposed dwelling would measure 12m in width and 5.3m in depth with a pitched roof to a ridge height of 4m and eaves height of 2.1m. The proposed new dwelling would be an affordable property and would benefit from rear/side amenity space.

Relevant History:

None

Policies Applied:

Epping Forest District Council Local Plan (1998) and Alterations (2006):

- CP1 – Achieving sustainable development objectives
- CP2 – Protecting the quality of the rural and built environment
- CP3 – New development
- CP6 – Achieving sustainable urban development patterns
- H2A – Previously developed land
- H3A – Housing density
- H5A – Provision for affordable housing
- H6A – Site thresholds for affordable housing
- H7A – Levels of affordable housing
- DBE1 – Design of new buildings
- DBE2 – Effect on neighbouring properties
- DBE8 – Private amenity space
- DBE9 – Loss of amenity
- LL10 – Provision for landscape retention
- LL11 – Landscaping schemes
- ST1 – Location of development
- ST4 – Road safety
- ST6 – Vehicle parking

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

Draft Local Plan Consultation document (2016):

SP1 – Presumption in favour of sustainable development
H1 – Housing mix and accommodation types
H2 – Affordable housing
T1 – Sustainable transport choices
DM9 – High quality design
DM10 – Housing design and quality
DM 11 – Waste recycling facilities on new developments
DM16 – Sustainable drainage systems
DM18 – On site management of waste water and water supply
DM21 – Local environmental impacts, pollution and land contamination

At the current time only limited material weight can be applied to the Draft Local Plan, however the Draft Plan and evidence base should be considered as a material consideration in planning decisions.

Consultation Carried Out and Summary of Representations Received:

30 neighbouring properties were consulted and a Site Notice was displayed.

TOWN COUNCIL – Object. Concerns were raised with regard to loss of parking spaces.

5 SHINGLE COURT – Object due to noise and disruption during construction, since this would remove parking spaces in an area where there are currently not enough, and since larger pieces of land should be used to build estates rather than small developments such as this.

Issues and Considerations:

The key issues within this application are the suitability of the site for such a development, highway/parking concerns, design/layout, and regarding amenity considerations.

Principle of the Development:

The application site is located within an already heavily built-up residential estate in the town of Waltham Abbey and constitutes a brownfield site since it currently contains garages. Both Local Plan policy H2A and paragraph 17 of the National Planning Policy Framework “*encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value*”.

Notwithstanding consideration regarding the loss of the garages and assessment of the design/layout of the proposal the principle of developing this site would be acceptable since it would make more efficient use of an urban, previously developed site.

Five year housing supply

The site is situated within a sustainable urban location close to local services, facilities and public transport and would make more efficient use of this large site. Given that 92.4% of the District is designated Green Belt the principle of further development within existing sustainable settlements outside of the Green Belt is generally considered to be appropriate, provided all other policies are complied with. In addition, paragraph 49 of the NPPF states that “*housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites*”.

The Council is currently in the process of preparing a new Local Plan where sites will be identified for residential development however the latest figures reveal that the Council can currently only demonstrate a 1.35 year supply of land for housing purposes. Due to this it has been shown in several recent appeal decisions, both within and outside of the district that such a lack of a demonstrable five year supply of housing weighs in favour of granting planning permission. However, this still has to be weighed against other material planning considerations.

Affordable Housing:

There is no requirement for any affordable housing to be provided on a scheme of this size, however since the proposed development has been put forward on behalf of East Thames Housing Group and is located on Council owned land the proposed dwelling would be an affordable house. This would be of benefit to the overall housing provision within the district.

Since there is no requirement to provide affordable housing on this site, and as this is a Council led development, it is not necessary to secure this by way of a legal agreement.

Highways/Vehicle Parking:

A key consideration in this case is with regards to the loss of the existing parking provision.

The submitted Transport Statement shows that seven of the eight existing garages are currently rented out locally. The Transport Statement highlights that the internal width of the garages is around 2.2m and the overall size falls far short of the 7mx3m as prescribed within the Essex County Council Vehicle Parking Standards. As a result of this it can prove difficult to utilise the garages for the parking of many modern cars.

A study by Mouchel's, on behalf of Essex County Council, revealed that 78% of lock-up garages are not used for the parking of vehicles but instead are used for general storage/utility uses. Based on this it is estimated within the Transport Assessment that the loss of these garages would result in up to two cars displaced onto the highway.

During the applicants study it was observed that six of the seven open parking spaces were occupied. During the Officers site visit five of these were occupied (before 7:30am), however there were several cars parked on the highway so it is feasible that all seven open parking spaces are utilised on a regular basis.

Even when taking into account all seven open spaces, along with the estimated two displaced cars as a result of the loss of the garages, this development would result in nine vehicles displaced. The current parking stress of Shingle Court is at 108%, which is higher than usually considered acceptable. Nonetheless the proposed development includes 12 off-street parking spaces that can accommodate the nine displaced vehicles (eight according to the Transport Statement), one required additional space to serve the new dwelling plus two further spaces. As such the proposal would have a nil-detriment/positive impact in terms of parking pressure within Shingle Court.

It has also been highlighted within the Transport Statement that, whilst parking pressures vary within specific areas the average parking stress within the wider survey area is just 69%, which is considered to be relatively low. This wider survey area consists of:

- Winters Way,
- Farmers Court,
- Bromefield Court,
- Sudicamps Court,
- Shingle Court,
- Skarnings Court,

- Stanford Court,
- Tillingham Court,
- Blackmore Court,
- Geisthorp Court,
- Wrangley Court,
- Wormley Court, and
- Ninefields.

Essex County Council Highways have assessed the submitted information and have concluded the following:

The Highway Authority is satisfied that any displaced parking will not be detrimental to highway safety or efficiency as a result of the development. The submitted Transport Statement (TS) has shown that the proposed parking provision will not displace any of the on-site parking onto the highway. Consequently the proposal will not adversely affect highway safety or efficiency.

Design:

The proposed new dwelling would be a single storey bungalow of traditional design. Given its low height and location the bungalow would not be particularly visible from public view or detrimental to the character and appearance of the area.

The level of private amenity space for the proposed dwelling would be in excess of 60m², which is well above the recommended level of 40m² for this size of property.

Tree information has been submitted with the application to show that the proposed development would not have a detrimental impact on the surrounding trees. At this stage the applicant is only required to show that the development is feasible without a detrimental impact on trees, which has been done, however full tree protection details would nonetheless still need to be agreed by way of a condition.

Neighbouring Amenity:

The proposed dwelling would be located approximately 1.5m from the site boundaries at its closest point. Given the low height of the building and its single storey nature the proposal would not have any detrimental impact on the neighbour's amenities.

The proposed amenity area of the new dwelling would be overlooked to some degree by surrounding houses however due to the distances involved and/or the angle of the neighbouring properties any loss of privacy to the new dwelling would not be significant or excessive, particularly given its location within a densely developed urban area.

Other considerations:

Land Drainage:

The applicant is proposing to dispose of surface water by soakaway however the geology of the area is predominantly clay and infiltration drainage may not be suitable for the site. Therefore further details are required by way of a condition.

Contamination:

Due to the use of the site as domestic garages and formerly as a horticultural nursery, along with the presence of made ground, there is the potential for contaminants to be present on site. Since domestic dwellings with gardens are classified as a particularly sensitive proposed use an appropriate contamination assessment is required. As remediating worst case should be feasible it should be possible to deal with land contamination risks by way of condition.

Construction impacts:

Concerns have been raised with regards to disturbance, nuisance and parking problems as a result of construction works, however such matters are not material planning considerations as this harm would only be temporary during the period of construction. Time constraints for construction works are suggested in order to minimise any impact on neighbours.

Conclusion:

The proposed development would provide much needed affordable housing within an existing built-up area that will assist in the Council meeting its five-year land supply. The design and layout of the proposed dwelling would be acceptable and the development would not result in any excessive loss of amenities to surrounding neighbours.

Although the proposed development would result in the loss of occupied garages and parking spaces the additional parking spaces proposed as part of the development would adequately accommodate any displacement from the existing site and would alleviate the existing parking stress in the area.

Given the above, the proposed development is considered to be acceptable and therefore the application is recommended for approval, subject to conditions.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

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

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

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Epping Forest District Council

Agenda Item Number 8



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Application Number:	EPF/3025/16
Site Name:	Garages at Bromefield Court, Waltham Abbey, EN9 3HA
Scale of Plot:	1/1250

Report Item No: 8

APPLICATION No:	EPF/3025/16
SITE ADDRESS:	Garages at Bromefield Court Waltham Abbey Essex EN9 3HA
PARISH:	Waltham Abbey
WARD:	Waltham Abbey Paternoster
APPLICANT:	Mr East Thames
DESCRIPTION OF PROPOSAL:	1 affordable home with 8 parking spaces
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=589415

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: 612098PL01, 612098PL02, 612098PL03A, 612098PL04A, 612098PL05, 612098PL06
- 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 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.
- 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, 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.
- 7 Prior to the first occupation of the development the access arrangements, 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.
- 8 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 9 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]
- 10 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]

- 11 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]

- 12 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.

- 13 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.

- 14 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.

This application is before this Committee since it is an application for development on the Council's own land or property that is for disposal (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3) and since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)

Description of Site:

The application site is currently occupied by 8 garages and 7 parking spaces to the west of Bromefield Court. Access to the site is from the northeast.

Description of Proposal:

Consent is being sought for the demolition of the existing garages and the erection of one detached bungalow and 8 parking spaces.

The proposed dwelling would measure 12m in width and 5.3m in depth with a pitched roof to a ridge height of 4m and eaves height of 2.1m. The proposed new dwelling would be an affordable property and would benefit from rear/side amenity space.

Relevant History:

None

Policies Applied:

Epping Forest District Council Local Plan (1998) and Alterations (2006):

CP1 – Achieving sustainable development objectives
CP2 – Protecting the quality of the rural and built environment
CP3 – New development
CP6 – Achieving sustainable urban development patterns
H2A – Previously developed land
H3A – Housing density
H5A – Provision for affordable housing
H6A – Site thresholds for affordable housing
H7A – Levels of affordable housing
DBE1 – Design of new buildings
DBE2 – Effect on neighbouring properties
DBE8 – Private amenity space
DBE9 – Loss of amenity
LL10 – Provision for landscape retention
LL11 – Landscaping schemes
ST1 – Location of development
ST4 – Road safety
ST6 – Vehicle parking

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

Draft Local Plan Consultation document (2016):

SP1 – Presumption in favour of sustainable development

H1 – Housing mix and accommodation types
H2 – Affordable housing
T1 – Sustainable transport choices
DM9 – High quality design
DM10 – Housing design and quality
DM 11 – Waste recycling facilities on new developments
DM16 – Sustainable drainage systems
DM18 – On site management of waste water and water supply
DM21 – Local environmental impacts, pollution and land contamination

At the current time only limited material weight can be applied to the Draft Local Plan, however the Draft Plan and evidence base should be considered as a material consideration in planning decisions.

Consultation Carried Out and Summary of Representations Received:

24 neighbouring properties were consulted and a Site Notice was displayed.

TOWN COUNCIL – Object. Committee considered this to be out of keeping with the street scene and failed to understand why car parking spaces would be taken away in an area where parking for residents proves to be difficult.

9 BROMEFIELD COURT – Object due to the impact on parking provision in the area.

11 BROMEFIELD COURT – Object as there are existing parking problems that would be made worse by the proposed development. Consider that other sites within Waltham Abbey would be more suitable and that the site should be retained or improved for continued parking provision (even if charged for by the Council).

12 BROMEFIELD COURT – Object as there is a current lack of parking provision in the area that would be made worse by this development.

13 BROMEFIELD COURT – Object as there is not enough parking as it is and since their outlook would now be over somebody else garden.

Issues and Considerations:

The key issues within this application are the suitability of the site for such a development, highway/parking concerns, design/layout, and regarding amenity considerations.

Principle of the Development:

The application site is located within an already heavily built-up residential estate in the town of Waltham Abbey and constitutes a brownfield site since it currently contains garages. Both Local Plan policy H2A and paragraph 17 of the National Planning Policy Framework “*encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value*”.

Notwithstanding consideration regarding the loss of the garages and assessment of the design/layout of the proposal the principle of developing this site would be acceptable since it would make more efficient use of an urban, previously developed site.

Five year housing supply

The site is situated within a sustainable urban location close to local services, facilities and public transport and would make more efficient use of this large site. Given that 92.4% of the District is designated Green Belt the principle of further development within existing sustainable settlements outside of the Green Belt is generally considered to be appropriate, provided all other policies are complied with. In addition, paragraph 49 of the NPPF states that *“housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites”*.

The Council is currently in the process of preparing a new Local Plan where sites will be identified for residential development however the latest figures reveal that the Council can currently only demonstrate a 1.35 year supply of land for housing purposes. Due to this it has been shown in several recent appeal decisions, both within and outside of the district that such a lack of a demonstrable five year supply of housing weighs in favour of granting planning permission. However, this still has to be weighed against other material planning considerations.

Affordable Housing:

There is no requirement for any affordable housing to be provided on a scheme of this size, however since the proposed development has been put forward on behalf of East Thames Housing Group and is located on Council owned land the proposed dwelling would be an affordable house. This would be of benefit to the overall housing provision within the district.

Since there is no requirement to provide affordable housing on this site, and as this is a Council led development, it is not necessary to secure this by way of a legal agreement.

Highways/Vehicle Parking:

A key consideration in this case is with regards to the loss of the existing parking provision.

The submitted Transport Statement shows that only two of the eight existing garages are currently rented out, one to a property in Sudicamps Court and one in Winters Way. The other six garages are not currently in use.

The Transport Statement highlights that the internal width of the garages is around 2.2m and the overall size falls far short of the 7mx3m as prescribed within the Essex County Council Vehicle Parking Standards. As a result of this it can prove difficult to utilise the garages for the parking of many modern cars. A study by Mouchel's, on behalf of Essex County Council, also revealed that 78% of lock-up garages are not used for the parking of vehicles but instead are used for general storage/utility uses.

The Transport Assessment appears to suggest that *“the removal of the two locally occupied lock-up garages currently in use would not result in any displaced cars onto the local highway”*, although the reasoning for this conclusion is unclear. Nonetheless the loss of these garages would result in a worst case scenario of two cars displaced onto the highway.

During the applicants study it was observed that all seven open parking spaces were occupied. Photographs have also been received from a local resident showing this, plus additional cars being parked outside of dedicated spaces (i.e. in front of the garages). Anecdotal evidence has also been received from several neighbours regarding existing parking problems within the locality.

When taking into account all seven open spaces, along with the two displaced cars as a result of the loss of the garages, this development would result in nine vehicles displaced onto the highways. The current parking stress of Bromefield Court is at 96%, which is higher than usually

considered acceptable. The proposed development would provide eight off-street parking spaces to replace the parking lost, which would include one required additional space to serve the new dwelling. As such the proposed development would result in a maximum displacement of two additional vehicles onto the highway.

Whilst the current parking stress of Bromefield Court is very high and this would be further impacted by the additional two vehicles it has been highlighted within the Transport Statement that the average parking stress within the wider survey area is just 69%, which is considered to be relatively low. This wider survey area consists of:

- Winters Way,
- Farmers Court,
- Bromefield Court,
- Sudicamps Court,
- Shingle Court,
- Skarnings Court,
- Stanford Court,
- Tillingham Court,
- Blackmore Court,
- Geisthorp Court,
- Wrangley Court,
- Wormley Court, and
- Ninefields.

Due to the above, whilst the proposed development would exacerbate the existing parking stress within Bromefield Court there would be scope for the two displaced vehicles to be accommodated within the wider estate, particularly within Winters Way (the main estate road) that only has a parking stress of 34%. As such the proposal is not considered to adversely affect highway safety or efficiency.

Design:

The proposed new dwelling would be a single storey bungalow of traditional design. Given its low height and location the bungalow would not be particularly visible from public view or detrimental to the character and appearance of the area.

The level of private amenity space for the proposed dwelling would be in excess of 70m², which is well above the recommended level of 40m² for this size of property.

Tree information has been submitted with the application to show that the proposed development would not have a detrimental impact on the surrounding trees. At this stage the applicant is only required to show that the development is feasible without a detrimental impact on trees, which has been done, however full tree protection details would nonetheless still need to be agreed by way of a condition.

Neighbouring Amenity:

The proposed dwelling would be located approximately 2m from the site boundaries at its closest point. Given the low height of the building and its single storey nature the proposal would not have any detrimental impact on the neighbour's amenities.

The proposed amenity area of the new dwelling would be overlooked to some degree by surrounding houses however due to the distances involved and/or the angle of the neighbouring properties any loss of privacy to the new dwelling would not be significant or excessive, particularly given its location within a densely developed urban area.

Other considerations:

Land Drainage:

The applicant is proposing to dispose of surface water by soakaway however the geology of the area is predominantly clay and infiltration drainage may not be suitable for the site. Therefore further details are required by way of a condition.

Contamination:

Due to the use of the site as domestic garages and formerly as a horticultural nursery, along with the presence of made ground, there is the potential for contaminants to be present on site. Since domestic dwellings with gardens are classified as a particularly sensitive proposed use an appropriate contamination assessment is required. As remediating worst case should be feasible it should be possible to deal with land contamination risks by way of condition.

Conclusion:

The proposed development would provide much needed affordable housing within an existing built-up area that will assist in the Council meeting its five-year land supply. The design and layout of the proposed dwelling would be acceptable and the development would not result in any excessive loss of amenities to surrounding neighbours.

Although the proposed development would result in the displacement of two vehicles onto the highway, and the parking stress within Bromefield Court is already high, there is sufficient capacity within the surrounding area (Winters Way) to accommodate the two additional vehicles. As such the proposal would not adversely affect highway safety or efficiency.

Given the above, the proposed development is considered to be acceptable and therefore the application is recommended for approval, subject to conditions.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

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

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

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Epping Forest District Council

Agenda Item Number 9



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Application Number:	EPF/3089/16
Site Name:	Land and Garages adjacent 13 Pick Hill, Waltham Abbey, EN9 3HA
Scale of Plot:	1/1250

Report Item No: 9

APPLICATION No:	EPF/3089/16
SITE ADDRESS:	Land and Garages adjacent 13 Pick Hill Waltham Abbey Essex EN9 3HA
PARISH:	Waltham Abbey
WARD:	Waltham Abbey Paternoster
APPLICANT:	Mr East Thames
DESCRIPTION OF PROPOSAL:	2 affordable homes with 6 parking spaces
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=589574

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: 612097PL01, 612097PL02, 612097PL03A, 612097PL04, 612097PL05, 612097PL06
- 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 window openings in the first floor southern flank elevations shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 5 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to 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.

- 6 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.
- 7 An assessment of flood risk, focussing on surface water drainage, shall be submitted to and approved by the Local Planning Authority prior to commencement of the development. The assessment shall demonstrate compliance with the principles of Sustainable Drainage Systems (SuDS). The development shall be carried out and maintained in accordance with the approved details.
- 8 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.
- 9 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]
- 10 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]

- 11 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]
- 12 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.
- 13 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.
- 14 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.

This application is before this Committee since it is an application for development on the Council's own land or property that is for disposal (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3) and since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)

Description of Site:

The application site is a redundant garage site that is no longer in use and is currently boarded up. The site is located to the south of Pick Hill behind properties within Conybury Close and Oxleys Road. There are two existing vehicle access points to the site from the north that are opposite a small collection of properties on the northern side of Pick Hill.

Description of Proposal:

Consent is being sought for the demolition of the existing garages and the erection of two detached houses and 6 parking spaces.

The proposed dwellings would be back-to-back attached properties measuring a combined 11m in length and 10.2m in depth with a pitched roof to a ridge height of 8.1m and eaves height of 4.9m. The proposed new dwellings would be affordable housing and would benefit from enclosed side amenity space.

Relevant History:

None

Policies Applied:

Epping Forest District Council Local Plan (1998) and Alterations (2006):

CP1 – Achieving sustainable development objectives
CP2 – Protecting the quality of the rural and built environment
CP3 – New development
CP6 – Achieving sustainable urban development patterns
H2A – Previously developed land
H3A – Housing density
H5A – Provision for affordable housing
H6A – Site thresholds for affordable housing
H7A – Levels of affordable housing
DBE1 – Design of new buildings
DBE2 – Effect on neighbouring properties
DBE8 – Private amenity space
DBE9 – Loss of amenity
LL10 – Provision for landscape retention
LL11 – Landscaping schemes
ST1 – Location of development
ST4 – Road safety

ST6 – Vehicle parking
U2B – Flood risk assessment zones

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

Draft Local Plan Consultation document (2016):

SP1 – Presumption in favour of sustainable development
H1 – Housing mix and accommodation types
H2 – Affordable housing
T1 – Sustainable transport choices
DM9 – High quality design
DM10 – Housing design and quality
DM 11 – Waste recycling facilities on new developments
DM16 – Sustainable drainage systems
DM18 – On site management of waste water and water supply
DM21 – Local environmental impacts, pollution and land contamination

At the current time only limited material weight can be applied to the Draft Local Plan, however the Draft Plan and evidence base should be considered as a material consideration in planning decisions.

Consultation Carried Out and Summary of Representations Received:

33 neighbouring properties were consulted and a Site Notice was displayed.

TOWN COUNCIL – Object. Concerns were raised with regard to the loss of parking and considered that the parking survey should be carried out at a more realistic time in order to get a more accurate picture.

1 BARNS COURT – No objection to the proposed development but concerned about the general use of the road, particularly given the ‘Hill & Co’ development at the top of Pick Hill (Knollys Nursery).

Issues and Considerations:

The key issues within this application are the suitability of the site for such a development, highway/parking concerns, design/layout, and regarding amenity considerations.

Principle of the Development:

The application site is located within an already heavily built-up residential area in the town of Waltham Abbey and constitutes a brownfield site since it currently contains garages. Both Local Plan policy H2A and paragraph 17 of the National Planning Policy Framework “*encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value*”.

Notwithstanding consideration regarding the loss of the garages and assessment of the design/layout of the proposal the principle of developing this site would be acceptable since it would make more efficient use of an urban, previously developed site.

Five year housing supply

The site is situated within a sustainable urban location close to local services, facilities and public transport and would make more efficient use of this large site. Given that 92.4% of the District is designated Green Belt the principle of further development within existing sustainable settlements outside of the Green Belt is generally considered to be appropriate, provided all other policies are complied with. In addition, paragraph 49 of the NPPF states that "*housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites*".

The Council is currently in the process of preparing a new Local Plan where sites will be identified for residential development however the latest figures reveal that the Council can currently only demonstrate a 1.35 year supply of land for housing purposes. Due to this it has been shown in several recent appeal decisions, both within and outside of the district that such a lack of a demonstrable five year supply of housing weighs in favour of granting planning permission. However, this has to be weighed against other material planning considerations.

Affordable Housing:

There is no requirement for any affordable housing to be provided on a scheme of this size, however since the proposed development has been put forward on behalf of East Thames Housing Group and is located on Council owned land the proposed development would be affordable housing. This would be of benefit to the overall housing provision within the district.

Since there is no requirement to provide affordable housing on this site, and as this is a Council led development, it is not necessary to secure this by way of a legal agreement.

Highways/Vehicle Parking:

Despite the reference given by the Town Council there has been no Transport Statement submitted as part of this application since the garages are no longer in use and the site is boarded up. Due to this there would be no displaced parking as a result of the proposal.

Concern has been raised by a neighbouring resident about the general use and safety of Pick Hill (although they raise no objection in relation to this specific application). Whilst Pick Hill is a very narrow road that could benefit from some form of control this proposal would result in significantly fewer vehicle movements than the level expected from the previous use, if operating at full capacity. As such the development of this site would reduce the level of vehicles utilising this narrow road and would therefore be beneficial to the public highway. Any further works to the road would have to be undertaken by Essex County Council and is an entirely separate matter from this application.

There is sufficient turning space provided within the site to allow for vehicles to enter and leave in forward gear. It is proposed to provide six parking spaces for the development however only four of these appear to be 'laid out' on the submitted plans. The other two visitor spaces would consist of informal provision within the driveway areas. Whilst this would have some impact on the ease of turning within the site the area is sufficient enough to cater for such informal parking, particularly if only utilised by occasional visitors.

Design:

The proposed new dwellings would be back-to-back attached two storey houses with a traditional ridged roof. Whilst not particularly visible from public view the dwellings would nonetheless be in keeping with the surrounding properties in Conybury Close and Oxleys Road.

The level of private amenity space for the proposed dwelling would be approximately 85m², which is sufficient for this size of property.

The proposed development would not have a detrimental impact on the surrounding trees, however full tree protection details would need to be agreed by way of a condition.

Neighbouring Amenity:

The proposed dwellings would be located approximately 2.5m from the boundary of the neighbouring properties at No's 16 Conybury Close and 11 Oxleys Road and would side on to these neighbours. Given the orientation of the building and since the only first floor flank windows facing south would serve bathrooms, and therefore would be obscure glazed, there would not be any significant detrimental impact on the amenities of the neighbouring residents.

Other considerations:

Land Drainage:

The sites lies within an EFDC flood risk assessment zone and is of a size where it is necessary to avoid generating additional runoff and where the opportunity should be taken to improve existing surface water runoff. Therefore a flood risk assessment is required, which can be dealt with through a condition.

The applicant is proposing to dispose of surface water by soakaway however the geology of the area is predominantly clay and infiltration drainage may not be suitable for the site. Therefore further details are required by way of a condition.

Contamination:

Due to the use of the site as domestic garages and the presence of made ground there is the potential for contaminants to be present on site. Since domestic dwellings with gardens are classified as a particularly sensitive proposed use an appropriate contamination assessment is required. As remediating worst case should be feasible it should be possible to deal with land contamination risks by way of condition.

Conclusion:

The proposed development would provide much needed affordable housing within an existing built-up area that will assist in the Council meeting its five-year land supply. The design and layout of the proposed dwellings would be acceptable and the development would not result in any excessive loss of amenities to surrounding neighbours.

Since the existing garage site is redundant and closed off the proposal would not result in any displacement of parking and the level of vehicle movements resulting from the proposed development would be significantly lower than the previous use of the site. As such the proposal would have a positive impact on highway safety and efficiency.

Given the above, the proposed development is considered to be acceptable and therefore the application is recommended for approval, subject to conditions.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

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

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