

## AREA PLANS SUB-COMMITTEE SOUTH

26 July 2017

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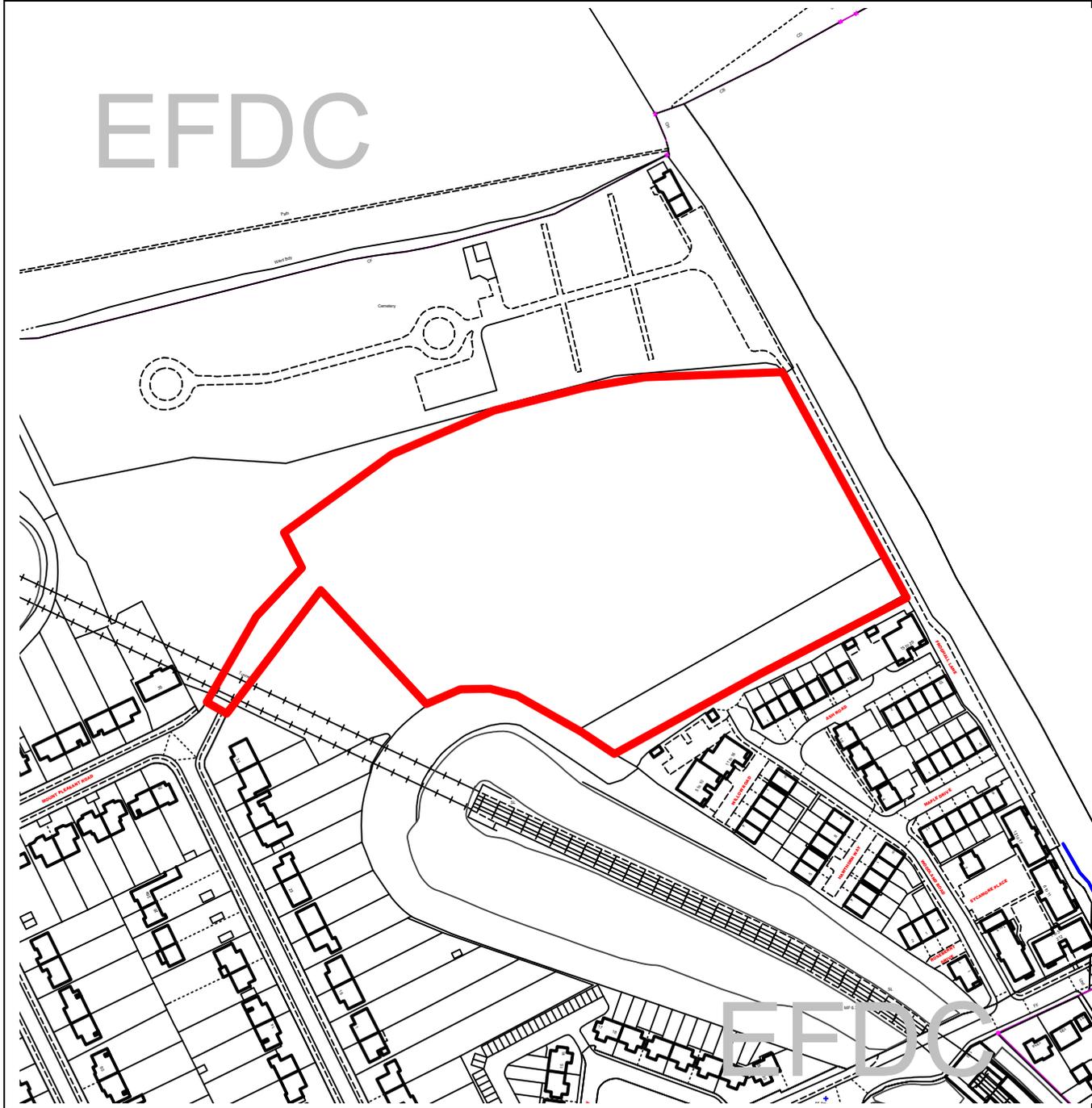
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# Epping Forest District Council

## Agenda Item Number 1



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Application Number:	EPF/3386/16
Site Name:	Land at Froghall Lane Chigwell Essex IG7
Scale of Plot:	1:2500

**Report Item No:1**

<b>APPLICATION No:</b>	EPF/3386/16
<b>SITE ADDRESS:</b>	Land West of Froghall Lane South of Chigwell Cemetery Chigwell Essex IG7
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Grange Hill
<b>APPLICANT:</b>	MPM Limited
<b>DESCRIPTION OF PROPOSAL:</b>	Hybrid application requesting: 1. Full planning permission for an assisted living development comprising of apartments and integrated communal and support facilities; landscaped residents gardens; staff areas; refuse storage; construction of a new site access; a sustainable urban drainage system; a new sub-station and associated infrastructure and services, and; 2. Outline planning permission for a 0.45 hectare extension to Chigwell Cemetery.
<b>RECOMMENDED DECISION:</b>	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=590483](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=590483)

**REASON FOR REFUSAL**

- 1 The proposal as a whole is inappropriate development in the Green Belt, that is by definition harmful to it. Furthermore, by reason of the scale, bulk and height of the proposed buildings together with associated works, the proposal would cause considerable harm to the openness of the Green Belt. The proposed development amounts to a substantial intrusion of built form into the countryside and therefore conflicts with two of the purposes of including the land within the Green Belt: to check the unrestricted sprawl of large built up areas and to assist in safeguarding the countryside from encroachment. The benefits of the proposal are insufficient to overcome the harm it would cause to the Green Belt therefore the application does not demonstrate very special circumstances in favour of granting planning permission. Accordingly, the proposal is contrary to Local Plan and Alterations policies GB2A and GB7A, which are consistent with the policies of the National Planning Policy Framework.
- 2 By reason of making an insufficient contribution towards the provision of off-site affordable housing and by restricting that contribution towards provision for older people only the proposal fails to make appropriate provision for affordable housing. It is therefore contrary to Local Plan and Alterations policies H5A, H6A, H7A and

H8A of the Local Plan and Alterations, which are consistent with the the National Planning Policy Framework.

*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: Scheme of Delegation, Appendix 3). It is also before this Committee since it is an application that is considered by the Director of Governance as appropriate to be presented for a Committee decision (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)*

### **Description of Site:**

The application site comprises approximately 2.8 hectares of land situated west of Froghall Lane, between Chigwell Cemetery to the north and recent residential development to the south. The northern part of the site extends up to land that is part of the Central Line railway and over approximately 30m of a public footpath that heads north beyond the cemetery from Mount Pleasant Road (PROW 302\_125). The remainder of the site, other than a section for a proposed access road off Mount Pleasant Road, is set approximately 100m east of the existing turning head between 33 and 35 Mount Pleasant Road.

Land levels fall significantly from the main eastern site boundary to Froghall Lane. The change in levels is 9m across a distance of 175m. Levels in the north west corner of the site fall to the north, dropping approximately 1.5m over a distance of 30m.

The application site is entirely within the Green Belt. It is not in a conservation area and there are no preserved trees at or adjacent to the site. The entire site and adjacent land is in Flood Risk Zone 1.

Presently, the land is unused, appearing as scrubland.

### **Description of Proposal:**

Hybrid application requesting:

1. Full planning permission for an assisted living development comprising of apartments and integrated communal and support facilities; landscaped residents gardens; staff areas; refuse storage; construction of a new site access; a sustainable urban drainage system; a new sub-station and associated infrastructure and services, and;
2. Outline planning permission for a 0.45 hectare extension to Chigwell Cemetery.

The land the Outline component of the proposal only relates to comprises of the northern part of the site, west of a point approximately 70m west of Froghall Lane. The applicant does not propose to develop that part of the proposal beyond this application. Rather, it is proposed to transfer ownership of the land to Chigwell parish Council, who own and manage the existing cemetery. The Applicant offers to do this in a S106 agreement.

The remainder of the site, some 2.34 hectares, relates to the full planning application component.

The site would be laid out as 5 buildings, identified as blocks A, B, C, D and E. They would have 4 floors containing a mix of one and two bedroom apartments. The development would include a total of 105 apartments comprised of 94 two-bedroom and 11 one bedroom apartments. The buildings would be arranged around a central landscaped area and linked by footpaths which also

connect to parking areas. Car parking would be provided towards the edges of the site within a landscaped setting. The submitted layout plan shows 113 parking spaces would be provided.

Access to the site would be via Woodland Road to the south. It is also proposed to access the site from Mount Pleasant Road. To facilitate this the application proposes the construction of a 100m long access road from the turning head at Mount Pleasant Road to the western part of the site. It would have a 5m wide carriageway with 1.8m wide footway on either side. Within the site all roadways would be shared surfaces.

Blocks B, D and E would stand alone in the central and eastern part of the full application site. In addition to the apartments, a disability buggy/cycle store, plant room and small communal lounge would be provided in the ground floor.

Blocks A and C would be sited on higher land at the western part of the site. They would also have 4 floors but are called lower ground floor, upper ground floor, first and second floors rather than ground, first, second and third as in the other three blocks. The lower ground floor would contain two apartments in addition to a disability buggy/cycle store, plant room and small communal lounge. More extensive communal facilities would also be provided at lower and upper ground floor in both buildings. They are indicated on the submitted plans as larders and Wellness rooms. The submitted planning statement states the community facilities provided would also comprise of a library, restaurant, gym and cinema.

The community facilities rooms would extend beyond each building on both ground floor levels such that they form a two-storey link between the blocks. The link building would also contain a reception/office area. The reception would face towards the central landscaped area, but also be accessed through the link building from a parking area west of it.

Each Block would be designed to have steeply pitched roofs with prominent gable features, the gables also forming parapets. Ridge heights would typically be between 16.5m and 17.5m above ground level. They would be finished in a mix of materials, indicated as follows: block masonry at ground/lower ground floor levels; brick and render at upper floors; zinc as a roof covering.

#### Planning Obligation Offered

In addition to the transfer of land to Chigwell Parish Council for an extension to Chigwell cemetery, the Applicant also offers the following financial contributions to be secured by way of a S106 agreement:

- £488,526 contribution towards the provision of affordable housing for older people only. *This is made on a without prejudice basis since the Applicant maintains an affordable housing contribution would not be justified or viable for this scheme.*
- £105,000 contribution towards the running costs of the Chigwell Hoppa Bus scheme over a 10 year period.
- £24,909 contribution towards the provision of primary health care services.

#### **Relevant History:**

None

#### **Policies Applied:**

*Adopted Local Plan:*

CP2	Protecting the quality of the rural and built environment
GB2A	Development in the Green Belt
GB7A	Conspicuous Development
H5A	Provision for Affordable Housing
H6A	Site thresholds for Affordable Housing
H7A	Levels of Affordable Housing
H8A	Availability of Affordable Housing in Perpetuity
U3B	Sustainable Drainage Systems
DBE1	Design of New Buildings
DBE4	Design in the Green Belt
DBE6	Car Parking in New Development
DBE9	Loss of Amenity
LL3	Edge of Settlement
LL11	Landscaping Schemes
ST1	Location of Development
ST2	Accessibility of Development
ST4	Road Safety
ST6	Vehicle Parking
I1A	Planning Obligations

*NPPF:*

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

*Draft Local Plan:*

At the current time, only limited 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. The relevant policies in this case are as follows:

SP1	Presumption in Favour of Sustainable Development
SP5	Green Belt and District Open Land
SP6	The Natural Environment, Landscape Character and Green Infrastructure
H1	Housing Mix and Accommodation Types
H2	Affordable Housing
T1	Sustainable Transport Choices
DM2	Landscape Character and Ancient Landscapes
DM5	green Infrastructure: design of Development
DM9	High Quality Design
DM10	Housing Design and Quality
DM11	Waste Recycling Facilities on New Development
DM16	Sustainable Drainage Systems

**Consultation Carried Out and Summary of Representations Received**

Two consultation exercises were carried out on the application since it was significantly revised following the first consultation, primarily to include the Outline component of the proposal. Number of neighbours consulted: 248 addresses consulted in each consultation. Site notice posted: Yes. In addition the application was advertised in the local press.

Responses received:

In response to both consultation exercises a total of 266 responses from 127 addresses were received raising OBJECTION to the proposal.

The list of addresses is appended to this report. The responses were primarily to the initial consultation but since the Full Application component of the proposal did not change significantly when the proposal was revised the responses are treated as applying equally to the revised proposal. The responses are almost entirely in the form of an identical letter. The objections raised as a whole are summarised below.

1. The proposal is contrary to Green belt policy, eroding the purpose of the Green Belt.
2. New buildings are inappropriate development in the Green Belt.
3. The use of land as a cemetery is inappropriate development in the Green Belt.
4. The land is part of a strategic Green Belt gap that is essential to prevent the unrestricted sprawl of urban areas.
5. A review of the green Belt in connection with the preparation of the Draft Local Plan concluded the land should not be identified for development due to its importance as part of the Green Belt.
6. The Draft Local Plan demonstrates the Council's housing requirement can be met without releasing this site from the Green Belt.
7. There is no proposal to release the land for development. The Draft Local Plan proposes retaining the land in the Green Belt.
8. Very special circumstances for allowing a development that amounts to luxury flats within the Green Belt are not demonstrated.
9. There is no need to release Green Belt Land for housing. Government advice is unmet housing need is unlikely to outweigh the harm to the Green Belt and constitute very special circumstances justifying inappropriate development on a site within the Green Belt.
10. Assisted living accommodation is already in existence in numerous locations throughout Grange Hill, therefore it obviously not exceptional circumstances and should not be built on Green Belt.
11. The properties are supposed to be for elderly care but are too high as 3 floors is impractical for them to get out in an emergency without a lift.
12. If this application is truly to benefit the locality then its residents should be restricted to those who currently live in Chigwell. That will free up family homes for residents.
13. Since emergency access is not required, the proposed emergency access to Mount Pleasant Road is only required to make way for a further development of luxury houses. There are plans to develop 9 on the access road off Mount Pleasant Road.
14. At a public meeting with Pegasus, we were told that there was going to be another 9 houses or so built on this site by another developer. Why has this not been mentioned in any paperwork, or are they waiting for this to be approved and then they will submit there plan, yet more and more cars?
15. The intensity of development proposed is excessive. In the Parish Councils alternative local plan they say the maximum number of dwellings on this plot should not exceed 70, this development is for 105 + the 9 yet to be applied for making 114.
16. What is the point of the Parish Council putting forward an alternative local plan and then ignoring their own decision.
17. Screening proposed is inadequate to cover multiple 4 storey buildings. These are also likely to obscure the views we have across Chigwell towards the church and beyond.
18. There should be no access to the site from Mount Pleasant Road since that will result in an increase in traffic along it that is unsustainable and harmful to the amenities of residents.
19. Access to the site is insufficient. Mount Pleasant Road is a heavily parked small crescent along which it is difficult for vehicles to pass.
20. Both companies involved have declared to residents of Mount Pleasant Road that access to the proposed development will not be through Mount Pleasant Road. For this to be

meaning full the land needs to be adjusted to contain a covenant in favour of Mount Pleasant residents to provided for reasonable compensation should this covenant be breached. This should be a condition of planning.

21. The proposal will generate significant traffic exacerbating congestion on Manor Road that has already been increased by the development at Grange Manor. The application misrepresents the position by stating Manor Road is a quiet road.
22. Given the number of parking spaces proposed within the development it is clear the developer expects each flat to have at least 1 car. The number of vehicle movements that would be generated by the proposal would add to existing congestion and pollution.
23. Woodland Road (and Mount Pleasant Road) is currently heavily parked by commuters. The application misrepresents the position at Woodland Road when it states Woodland Road is only 33.9% occupied at any time of the day.
24. Due to parking along it, Woodland Road is not a suitable access for the development. Indeed, it is not fit to provide access to the existing development due to the amount of car parking along it.
25. The access proposed via Woodland Road cannot be used until the road is adopted, therefore the application should be refused.
26. The proposed access road crosses the Central Line Tunnel but the proposal does not demonstrate it is safe to build any form of road over the structure.
27. The proposal would result in a loss of the countryside and its natural beauty adjacent to existing houses, removing the enjoyment of this from those residents.
28. This development cannot be allowed to proceed and destroy areas of natural beauty and land that is home to so much wildlife.
29. Light pollution created from a development of this size is significant at night especially as street lighting is turned off in Chigwell at night.
30. The proposal would significantly increase the demand for local healthcare services, exacerbating the pressure they are already under.
31. The proposal will be a massive drain on all utilities and services that are already at breaking point in the area.
32. I object to the water main coming through a connection to Mount Pleasant Road when the connection could be made via Woodland Road.
33. Construction activity, including accessing the site by large vehicles, would cause noise and inconvenience.
34. The development would devalue neighbouring properties.
35. Should planning permission be granted it would serve as a precedent for permitting similar development elsewhere, particularly in Chigwell.
36. The applicant has declared they own the land. This does not appear to be true either in terms of the land to be built on or the access they now intend to use. On this basis the application should be rejected.
37. The Parish Council's draft neighbourhood plan indicated Chigwell Cemetery would be enlarged by 1.5 hectares, however the developer is offering far less in this application.
38. The contribution to the Chigwell Hoppa Bus has currently no benefit to either the proposed plan or local residents as no bus or route has been agreed. This should not be considered as part of the Planning Application but the company could still make a donation to the council.
39. Figures for the number of dwellings built over the last ten years in the Grange Hill area compared to the number of dwellings built in the Chigwell Village area far exceeds the Chigwell Village number, WHY? It seems that the Council is allowing NIMBYISM to take precedence in the Chigwell Area.
40. The developer has secured the support of Chigwell Parish Council by blatant inducement in the form of offering it the transfer of land for Chigwell Cemetery.

NHS ENGLAND: No objection subject to an appropriate contribution to offset the consequence for primary care services in the locality.

LONDON UNDERGROUND: No objection subject to conditions to safeguard the railway.

THAMES WATER: No objection subject to conditions in relation to drainage

CHIGWELL PARISH COUNCIL: While objection was raised to the proposal as submitted, support is expressed for the revised proposal -

“The Council **SUPPORTS** this application because there is a significant requirement for this type of residential accommodation and all the previous concerns have now been addressed by the implementation of appropriate solutions.”

### **Screening Opinion**

The following is Officers screening opinion under Regulation 7(2) of the Town and country Planning (Environmental Impact etc.) Regulations 1999. Such opinions are given where an application that appears to be either a Schedule 1 or Schedule 2 application is submitted that has not been the subject of a prior screening opinion and is not accompanied by an environmental statement for the purposes of the Regulations.

This development is not of a type that falls within Schedule 1 of the Regulations. However, since it amounts to an urban development project on a site that exceeds 0.5 hectares in area it falls within Schedule 2 of the Regulations. Officers therefore have to decide whether an environmental statement is required. Schedule 3 of the Regulations sets out criteria for carrying out that assessment. Having applied the criteria Officers conclude an environmental statement for the purposes of the Regulations is not required for this application.

Notwithstanding that conclusion, Members are advised the Applicant included comprehensive information with the application that assesses the environmental impact of the proposed development. That has been scrutinised by specialist consultees and conclusions on those matters are set out as appropriate in the issues and considerations section of this report.

### **Main Issues and Considerations:**

The main issues raised by the proposal are:

- Consequence for the Green Belt
- Design and visual impact
- Access, parking and highway safety
- Requirement for affordable housing
- Need for the development
- Whether very special circumstances exist in favour of the development

Other matters include drainage and consequence for habitat.

### **Consequence for the Green Belt**

The application site, together with adjoining land between it and Mount Pleasant Road and land to the north, including Chigwell Cemetery, is entirely in the Green Belt. The recent development to the south is also within the Green Belt.

The application site was assessed as part of a larger site in the call for sites exercise in connection with the production of the Draft Local Plan. The outcome of that exercise was that the site scored highly as part of the Green Belt and that its release for development is not justifiable due to the harm that would be caused to it. Members are advised that the current application site, which is significantly smaller than the site considered in the call for sites exercise, will be assessed separately together with a number of other sites throughout the District. The results of that

exercise will not be available until early 2018. In the circumstances the submission is premature since this application must be assessed before that work is completed. Informal discussion with the Applicant's agent about the option of withdrawing this application and resubmitting it later has taken place. The Applicant decided to press on with the application, in part because the outcome of that work is uncertain.

The NPPF does not specify appropriate uses of land within the Green Belt. Rather, it focuses on buildings, the preservation of openness of the Green Belt and ensuring development does not conflict with the purposes of including land within it. The construction of new buildings is inappropriate in the Green Belt. The NPPF sets out exceptions to that in paragraph 89. It also makes clear that inappropriate development is, by definition, harmful and should not be approved except in very special circumstances.

The provision of appropriate facilities for cemeteries is one of the exceptions listed in paragraph 89. That is not to say the cemeteries of themselves are not inappropriate development in the Green Belt. Due to the amount of small scale development, including headstones, other structures for marking graves and associated engineering operations including roadways, together with often formal landscaping, cemeteries are an urbanising use that fails to preserve the openness of the Green Belt. Consequently, the proposed extension to Chigwell Cemetery is inappropriate development.

In relation to the proposed assisted living development, it is clearly inappropriate development in the Green Belt that, by reason of the scale, bulk and height of the proposed buildings, together with associated works, would cause considerable harm to the openness of the Green Belt.

Members are reminded of a recent decision of the Council to grant planning permission for a development at Woodview, Lambourne Road, Chigwell, a short distance from the application site (application reference EPF/2473/16).. In that case the proposed development includes one three storey block containing 25 retirement living apartments. The application was reported to the District Development Management Committee on 5 April 2017 when it was resolved to grant planning permission subject to the completion of a S106 agreement securing contributions towards early years child care provision and the provision of affordable housing. A significant distinction between that proposal and this one is the fact that Woodview is previously developed land, whereas the current application site is undeveloped open land. That decision does not therefore weigh in favour of granting permission in this case.

Taken as a whole, therefore, it is concluded the proposal is for inappropriate development that would be highly damaging to the openness of the Green Belt. Moreover, it amounts to a substantial intrusion of built form into the countryside and therefore conflicts with two of the purposes of including the land within the Green Belt: to check the unrestricted sprawl of large built up areas and to assist in safeguarding the countryside from encroachment.

Such development may only be permitted in very special circumstances. Whether such circumstances have been demonstrated is discussed below.

#### Design and visual impact

Since the cemetery component of the proposal is in outline form only, the matter of its design and visual impact cannot be fully assessed at this stage of the planning process. Should consent be given for the proposal that would be considered as part of a submission for approval of reserved matters. In general terms, however, the cemetery would be a low lying development that would not clearly be seen from any built up area. It would, of course, appear highly visible from PROW 302\_125 since the footpath passes through the western end of the proposed extension to Chigwell Cemetery. However, it is likely a detailed design and layout for the proposal would successfully integrate the footpath therefore its route does not impact on the feasibility of the proposal.

As a built form, the proposed assisted living development would be well designed and laid out. The proposal is a bold modern design that is focused on a central green space with landscaped parking areas towards the edges of the site. The design of the buildings breaks up what could otherwise appear excessively bulky by way of an irregular footprint and steeply pitched gabled roofs with eaves at varying heights. A good mix of indicative materials would also assist in breaking up the bulk of the buildings. The buildings would nonetheless have coherent and relatively simple forms. The result would be a bold design in a landscaped setting that would relate well in scale and form to the recent development to the south, the built form most closely associated with it in terms of distance and land level.

The development would appear prominent from the north elevations of buildings to the south, however, given a minimum 30m separation distance that would not cause excessive harm to the visual amenities of the occupants of those buildings. Furthermore, no excessive loss of privacy would arise.

The proposal would contrast with the older housing at Mount Pleasant Road. That contrast is appropriate given the distance separating the older housing from the nearest buildings, Blocks A and C, and the drop in levels from Mount Pleasant Road to the buildings, some 6m. The drop in levels is such that the lower third of the buildings would not be seen from ground level at Mount Pleasant Road. No excessive harm would be caused to the visual amenities of houses in Mount Pleasant Road and no loss of privacy would arise.

Visually, the proposed access road linking Mount Pleasant Road to the site would direct the eye to the western entrance to the main reception area and communal facilities of the development as one descends from Mount Pleasant Road to Blocks A and C. The access road would be the natural primary route into the site and in urban design terms is preferable to the proposed primary route off Woodland Road. However, the fact it is not does not make the proposal unacceptable in design terms.

The development would be apparent in long views from the east but the degree of impact is limited. Existing trees would substantially screen views of it from Froghall Lane and particularly from Chigwell Cemetery.

In conclusion, the proposal is acceptable in design terms and would appear as a high quality development. The main visual impact would be on outlook from buildings to the south and their associated gardens/parking areas on the north side of those buildings. The impact on outlook would be very significant, most severe to the east where Block E would be sited 30m from the rear elevations of the buildings. However, the degree of harm would not amount to excessive harm to amenity.

Clearly, the proposal would cause harm by way of seriously reducing the openness of the site, amounting to an encroachment of the urban area into the countryside. That matter has been considered above in terms of consequence for the Green Belt.

#### Access, parking and highway safety

The extension to Chigwell Cemetery would be accessed from within Chigwell Cemetery. The Cemetery is accessed off manor road by Froghall Lane, a private road that for most of its length is not wide enough for two cars to pass each other. The proposed cemetery extension would add approximately 80 years additional capacity to Chigwell Cemetery. In the meantime, the existing cemetery has capacity for approximately 25 years of burials before the extension is required. In the very long term that may well result in a need to resolve potential conflict in vehicle movements along Froghall Lane. In the short, medium and long term however, the proposal would not be

likely to generate significant conflict. Since such conflict may arise in the very long term, and may not arise at all, it is unnecessary to deal with that matter now.

The access to the proposed assisted living development from Mount Pleasant Road would only be used for utilities and emergency services. A locked access gate at the Mount Pleasant Road junction is proposed to ensure that. That underscores the proposal to access the site from Woodland Road only.

Presently Woodland Road has no parking restrictions and is heavily parked to the extent that vehicle movements along it can often be restricted when two cars attempt to pass each other. That situation is unsatisfactory and to resolve it Essex County Council are in the process of introducing parking restrictions along the length of Woodland Road. That process is at an advanced stage and an update will be provided verbally to Members. In the circumstances it is highly likely parking restrictions will be introduced along Woodland Road some years advance of the proposed development being completed, should planning permission be granted. Consequently, the present restricted movement of vehicles along Woodland Road is very unlikely to impact on access to the proposed assisted living development.

Essex County Council, as Highway Authority, has given consideration to the consequences of the proposed access arrangements and likely traffic levels the development would generate. It advises that from a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the imposition of a number of conditions in the interests of highway safety and efficiency and to promote sustainable transport. The detailed advice of the Highway Authority is reproduced below:

*The Highway Authority has considered the above planning application, visited the site and thoroughly assessed the submitted transport information and has concluded that the proposal is not contrary to current National/Local policy and safety criteria.*

*The applicant has submitted a robust Transport Assessment for the proposal and has demonstrated that the impact on the Woodland Rd/Manor Rd junction will be negligible. This is mainly because the future occupiers are highly unlikely to travel during the network peak hours. The parking is considered to be more than sufficient for the development given the location and the good access to other modes of sustainable travel available.*

*Consequently the Highway Authority is satisfied that the development will not be detrimental to highway safety, capacity or efficiency within Chigwell or on the wider highway network.*

In relation to parking, the submitted site layout plan shows 113 parking spaces would be provided to serve the development, which would take the form of 105 serviced apartments, 94 of which would be two-bedroom dwellings. The submitted application forms state 132 parking spaces would be provided, but since only 113 are shown on the site layout plan it is concluded there is an error in the form. The proposal is therefore assessed on the basis of providing 113 parking spaces for residents, visitors and staff. The submitted forms state the number of staff who would be employed in the development is unknown.

The Applicant emphasises the proposal is aimed at elderly people and states a planning condition restricting occupation to people aged 60. However, the Applicant also says, no restriction is proposed on occupation by younger partners of residents. That could be refined in a S106 agreement should Members wish to grant planning permission. This is relevant since there is evidence to show car ownership reduces amongst elderly people. While that is recognised in the adopted parking standards, they do not specify a parking standard for uses such as that proposed. They are a form of interim residential development between a dwellinghouse and a care home which is not covered by the standards. However, the level of parking proposed is consistent if not higher than that provided at other similar developments approved elsewhere in the District.

Evidence submitted in support of the planning application demonstrates, on the basis of car ownership rates for over 65's, is the total expected number of cars owned by residents of the proposed development is 101. That theoretically allows for 12 spaces for staff and visitors. Similar developments by other providers have had a lower level of parking provision. In this case, the application site is very close to an Underground station and arguably more accessible therefore there is a reasonable prospect that the development would have a lower level of car ownership than anticipated. In any event, there is space within the proposed site layout to provide additional parking spaces without losing its landscaped appearance should they be required.

#### Requirement for affordable housing

Adopted planning policy seeks the provision of at least 40% of the total number of dwellings in new residential development to be affordable in order to meet a shortfall in the provision of affordable housing in the District. Where it is not appropriate to provide affordable housing on the development site a contribution towards off site provision is an acceptable alternative. The level of contribution would be determined by an assessment of the viability of the development and the amount of subsidy required for a social housing provider to provide 40% of the number of proposed units as affordable homes.

In this case, notwithstanding that the internal arrangement of the proposed buildings is for apartments, the development would be managed as a whole. That has two consequences. First, it would be impractical to provide 40% of the units as general affordable housing, and; second, the Applicant maintains the proposed development is a residential institution within Use Class C2 and consequently not a form of development from which planning policy seeks affordable housing. In support of the second point the Applicant has provided Counsel's opinion, dated 1 August 2014, on the nature of the type of development proposed. The advice is the use is not within Use Class C3, dwellinghouses. However, it is ambivalent on whether the use falls within Use Class C2 or is in a class of its own, a 'sui-generis' use.

While Officers agree on the first point, they are not convinced the use proposed falls within Use Class C2. To settle this, Counsel's opinion was sought in relation to this specific proposal. The advice given is that while the proposal does not fall within Use Class C3, it is neither a use within Use Class C2 nor a mixed use comprising of Use Classes C2 and C3 on the basis that none of the apartments would be a Class C3 dwellinghouse. Counsel's advice is the specific proposal before Members is a 'sui-generis' use.

Officers also sought advice from Counsel on whether planning policy allowed for securing a contribution towards affordable housing in connection with this specific proposal. The advice given is that under current policy the apartments could be treated as "housing" and "dwellings" and the application could be treated as one for "residential use" as referred to in the policies. Counsel pointed out the adopted policies do not refer to the C3 use class nor do they tie contributions to only C3 dwellinghouses. Furthermore, the adopted policies appear to generally conform to advice in NPPF. Accordingly, there is a reasonable basis for seeking a contribution towards affordable housing in connection with the development proposed.

The Applicant's firmly maintain their position that the proposed use falls within Use Class C2 and therefore no policy basis for securing any contribution for affordable housing exists. They have nonetheless submitted a viability study on a without prejudice basis to demonstrate what an appropriate contribution for affordable housing could be. That report, dated 13 February 2017 by GL Hearne, concluded:

*Based upon the findings herein the proposed scheme contained within the application produces a Residual Land Value below what is considered an appropriate Benchmark Land Value for this type*

*of development whilst adopting an appropriate developer's return in accordance with published guidance on the financial viability in planning process.*

*Any requirement for further planning benefits may make the scheme undeliverable at the current time.*

That was based on an assumption of a Hopper bus contribution of £52,500 and the provision of approximately 0.34 hectares (0.84 acres) to the Parish Council for the extension of Chigwell Cemetery. Subsequently, as reported above, the developer has increased the level of contribution to £105,000 and the area of land transferred to 0.45 hectares as well as agreeing to make a £24,909 contribution towards the provision of primary health care services and offering a £488,526 contribution towards the provision of affordable housing for older people only.

In order to properly advise planning officers on the matter of an appropriate contribution for affordable housing the Director of Communities put the GL Hearne viability assessment to the Council's viability consultant, Kift Consulting Limited (KCL), for validation. Following their analysis KCL concluded the approach take by GL Hearne was deeply flawed and therefore KCL would not confirm the validity of the viability assessment.

A critical point in the GL Hearne viability assessment is an assumption of what amounts to a residential land value for the application site. KCL is aware the site is undeveloped land in the Green Belt. It is also aware the assessment of the land in connection with the preparation of the Draft Local Plan found the site was not suitable for release from the Green Belt, which is reflected in the Plan finally consulted on. Consequently, there is no evidence to support a residential existing use value for the land. A more realistic existing use value would be on the basis of use for grazing in connection with agriculture.

In addition to the disagreement on existing use value, KCL took issue with a number of other assumptions. KCL reported its findings to the Director of Communities, who advises planning officers as follows:

*"KCL has concluded that, based on the submitted information, the national guidance that supports the approach to financial viability and assumptions KCL has made, KCL is of the opinion that the scheme, as submitted, would generate a sufficient surplus to enable the applicant to make a financial contribution of £8,755,981 in lieu of the provision of on-site affordable housing and the proposed development would still remain viable. KCL have assessed this level of the financial contribution on the basis that it should reflect the subsidy that the developer would have to provide, if the affordable housing were to be provided on-site. KCL have concluded that the scheme can provide 39% of the dwellings as affordable housing, which is slightly below the Council's requirement for the provision of 40% affordable housing.*

*Therefore, in view of the large surplus that has been identified by KCL and because the applicant is not proposing to make any provision for affordable housing either through a financial contribution or on site, **it is my recommendation that planning permission for the submitted scheme be refused on the grounds of an insufficient affordable housing contribution, when it is considered by the Council that it would be viable to do so.***

*However, if the applicant were to amend the application to provided a financial contribution of £8,755,981, I would be able to recommend the application from an affordable housing point of view."*

That advice, together with KCL's report, was provided to the Applicant. Following further consideration of their position the without prejudice offer of a £488,526 contribution towards the provision of affordable housing was made. The Applicant has also stated they are only content to make that contribution if it were spent on affordable housing for older people rather than put

towards meeting the general need for affordable housing. The latter point is also unacceptable to Officers. Given the degree of difference between Officers and the Applicant on the appropriate level of contribution for affordable housing, Officers did not approach the Applicant to discuss whether the contribution offered should be restricted to spending on older people.

The positions of Officers and the Applicant on the matters of the principle of making a contribution towards affordable housing, the appropriate level of contribution and whether that contribution should be restricted to meeting the need in respect of older people only are poles apart. Having regard to the professional advice provided to the Council by Counsel and KCL, and to the advice of the Director of Communities, it is concluded the proposal fails to comply with adopted planning policy in relation to the provision of affordable housing. Such policy is consistent with the NPPF, and Members are advised the relevant policy of the Draft Local Plan is consistent with adopted policy therefore it is unlikely policy will shift significantly on this matter through the continuing progress of the Local Plan.

The only possible change could be if, following a further assessment of the site as part of the extended call for sites exercise, the Draft Local Plan is revised to identify the site as one for residential development. The implications of that for existing use value of the site would have to be assessed at that time. Whether that situation arises or not will not be known until early 2018. Since this application is put forward for decision now, the decision must be made on the basis of what is presently known and the evidence for that.

The Council's recent decision to grant planning permission for a development at Woodview, Lambourne Road, Chigwell, (application reference EPF/2473/16) that includes 25 assisted living apartments is also relevant to the matter of affordable housing. In that case, following validation of a viability appraisal, the developer has offered to make a financial contribution of £443,855 towards off-site provision of affordable housing. The Council resolved to grant permission subject to a S106 agreement that secured that contribution in addition to a contribution for early years child care provision. The S106 agreement has not been concluded at the time of writing this report. Officers approach towards the matter of affordable housing provision in this case is consistent with the approach taken in relation to the proposed development at Woodview.

#### Need for the development

The application includes evidence of need for the expansion of Chigwell Cemetery. That evidence is for need in the long term and Officers agree with that. Officers consider it far preferable to expand the existing cemetery rather than create a new one to meet that need. Since that need could only be met on land adjacent to Chigwell Cemetery the long term need for the expansion of the cemetery as proposed is accepted and could be planned for. The Local Plan process offers a way of securing land for that need. While the current Draft Plan does not identify land for the expansion of cemeteries, since the long term need for expansion is accepted there is no obvious reason why, following the extended call for sites exercise, land could not be identified in the Draft Plan.

In relation to the need for a wide range of specialist housing for the elderly, this was accepted by Officers in the Woodview application and there is no evidence to support any change in that position. The Applicant has submitted evidence of the need and Officers do not disagree there is a need and that the need within Epping Forest District is somewhat higher than elsewhere. Census data supports that view.

The applicant's go further, however, in stating that in order to meet that need it is necessary to release Green Belt land. That situation is no different to that for general housing need. Indeed, it is appropriate to understand the need for specialist housing for the elderly as a component of general housing need. That is the approach taken in preparation of the Draft Local Plan.

The Applicant maintains failure to meet this need will have very significant impacts on the residents of Chigwell in need of care, forcing them to remain in unsuitable accommodation. The Applicant further maintains this will have a range of negative social and economic impacts, including reducing the quality of life and health of those in need.

Perhaps the difference between the general need and the specialist need is the size of site required to provide a viable development that meets the specialist need, a point drawn out by the Applicant who has carried out a search for sites suitable for the proposed development. The Applicant's site search was carried out on the basis that a site should meet need within Chigwell, Buckhurst Hill and Loughton since the catchment area was confined to those parishes. The search concluded the application site was only viable site having regard to planning constraints and availability. Four potential sites of suitable size for providing specialist housing for the elderly, which are identified as potential housing sites in the Draft Local Plan, were dismissed on the basis that there is uncertainty the site would be carried forward into the final plan.

The Applicant's approach and conclusion appears to discount both the consequence and robustness of the Council's Local Plan process. The Council's approach to meeting the need is to aggregate it with all housing need and then identify sites of varying size, including large sites where it would be viable to meet the specialist need. The sites identified within the Draft Local Plan are demonstrably sufficient to meet the Council's full range of objectively assessed housing need within the strategic housing market. Moreover, the Council will consider the application site separate from the area of a larger originally assessed site as part of its extended call for sites exercise, due to report in early 2018. On that basis it is concluded:

- Evidence demonstrates the identified need could be met elsewhere within the local Plan period.
- The proposal is premature, in advance of the outcome of the extended call for sites exercise through which the case for releasing the site for residential development will be objectively assessed.

#### Whether very special circumstances exist in favour of the development

Inappropriate development in the Green Belt may only be approved where it is demonstrated material planning considerations outweigh the harm caused by the development and that those considerations are very special. The question of whether material considerations in favour of development are very special therefore only need be assessed following a conclusion that they outweigh the identified harm. Simply outweighing the identified harm is not equivalent to amounting to very special circumstances.

#### *Do material planning considerations outweigh the harm caused by the development?*

The harm the proposed development would cause is considerable. Harm would be caused to the Green Belt by way of the development as a whole being inappropriate, causing a severe reduction in openness and by conflicting with the purposes of including the land in the Green Belt. Moreover, the proposal fails to make adequate provision for affordable housing.

Weighed against the identified harm are the benefits of the proposal in meeting the long term need for expansion of Chigwell Cemetery and the need for specialist housing for the elderly.

In relation to the cemetery point the need for cemetery expansion in Chigwell is a long term need, beyond the life of the Local Plan currently being progressed. There is the possibility that the expansion could be secured through the Local Plan process and the extended call for sites exercise may deliver this. Even if it does not, the land adjacent to Chigwell Cemetery would be safeguarded from development by way of Green belt policy and therefore can reasonably be

expected to be available. It is therefore concluded the provision for expansion of the cemetery in the application does not outweigh the harm that would be caused by the proposal as a whole.

In relation to the need for specialist housing for the elderly, there are demonstrably adequate sites to meet that need identified in the Draft Local plan. Moreover, it is not accepted that the need generated by Chigwell, Buckhurst Hill and Loughton need only be met in those parishes even if it may be preferable to do so. It is also not accepted that the development proposed should be restricted to occupation by people last resident within those parishes, since that would be unreasonable. Consequently, the degree to which the local need would be met by the development is unclear. Indeed, ability to afford the purchase price for residing in the proposed development is likely to be a very significant factor in determining occupation and that ability extends to people who live outside of the three parishes.

Furthermore, the suitability of the application site for residential development will be assessed as part of the extended call for sites exercise, due to report in early 2018. Giving a planning permission now would prejudge that assessment, undermining the Local Plan process.

It is therefore concluded the benefit of providing specialist housing for the elderly does not outweigh the harm that would be caused by the proposal as a whole.

The cumulative benefit of both providing land for Chigwell Cemetery expansion and specialist housing for the elderly is also insufficient to overcome the very considerable harm the proposed development would cause to the Green Belt. Given the additional harm of failing to make adequate provision for affordable housing, it is clear the harm caused considerably outweighs the benefits of the proposal.

The Applicant's have also offered to make a £105,000 contribution towards the running costs of the Chigwell Hoppa Bus scheme over a 10 year period and £24,909 contribution towards the provision of primary health care services. The former has no planning policy basis and, while it is a good thing, it does not address a need alone or cumulatively that outweighs the harm the development would cause. The latter is required to off-set a specific consequence of the proposal and no more.

Since the material considerations in favour of the development do not outweigh the harm it would cause there is no need to assess whether those considerations amount to very special circumstances. Given that conclusion they cannot possibly amount to very special circumstances.

#### Other matters

The proposal would offset the consequence for local healthcare provision by way of an appropriate contribution towards the provision of primary health care services.

The Council's Land Drainage Team consider the proposal acceptable, supported by a good FRA. Although the Lead Flood Authority has outstanding issues with the development, they are not insurmountable.

There would be adequate provision for the storage and collection of waste.

There is no known archaeology on the proposed development site, or in the immediate vicinity.

In relation to biodiversity, Countrycare advises the proposal is acceptable subject to an appropriate condition.

Matters raised by local residents are largely addressed above. The matter of consequence for property values is not a material planning consideration.

## **Conclusion:**

The proposal would cause considerable harm to the Green Belt by way of the development as a whole being inappropriate, causing a severe reduction in openness and by conflicting with the purposes of including the land in the Green Belt. Moreover, the proposal fails to make adequate provision for affordable housing. The benefit of the proposal in providing land for Chigwell Cemetery expansion and specialist housing for the elderly are insufficient to overcome the harm the proposed development would cause to the Green Belt. Given the additional harm of failing to make adequate provision for affordable housing, the harm that would be caused by the proposal considerably outweighs its benefits. Accordingly, the application does not demonstrate very special circumstances in favour of granting planning permission. It is therefore recommended that planning permission be refused.

As stated in the body of this report, the application site will be considered in the extended call for sites exercise, reporting in early 2018. A decision to grant planning permission now would undermine that process, which is part of the further preparation of the Local Plan. To that extent the proposal is also premature.

Should Members disagree with Officers recommendation to refuse planning permission and decide to grant planning permission it will be necessary to refer the application to the Council's District Development Management Committee. That is due to the degree of conflict with adopted planning policy in relation to the Green Belt and the provision for affordable housing and the consequences for the Local Plan process.

Should the District Development Management Committee decide to grant planning permission the application will then have to be referred to the National Planning Casework Unit under the Town and Country Planning (Consultation) (England) (Direction) 2009 since the proposal is a departure from the Green Belt policies of the Local Plan.

### *Way Forward:*

In the event of planning permission being refused, the Applicant is advised to engage further with the Local Plan process and take a view on how to proceed following the conclusion of the Councils extended call for sites exercise.

***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: Stephan Solon  
Direct Line Telephone Number: 01992 564018***

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

**List of addresses of residents objecting:**

1 Great Oaks, Chigwell  
1 Hawthorn Way, Chigwell  
1 Mount Pleasant Road, Chigwell  
1 Oak Lodge Avenue  
1 Willow Road  
10 Grange Crescent  
10 Maple Drive  
10 Mount Pleasant Road  
10 Woodland Road  
11 Ash Road  
11 Grange Crescent  
11 Great Oaks  
11 Maple Drive  
11 Mount Pleasant Road  
12 Great Oaks  
12 Mount Pleasant Road  
13 High Elms  
14 High Elms  
14 Mount Pleasant Road  
15 High Elms  
15 Mount Pleasant Road  
15 Oak Lodge Avenue  
16 Mount Pleasant Road  
17 Ash Road  
17 Daleside Gardens  
17 Mount Pleasant Road  
18 Oak Lodge Avenue  
19 Ash Road  
1a Mount Pleasant Road  
2 Ash Road  
2 Forest Housefields  
2 Great Oaks  
2 Hawthorn Way  
2 High Elms  
2 Mount Pleasant Road  
2 Warren Court  
20 Meadow Way  
20 Mount Pleasant Road  
205 Manor Road  
21 Warren Court  
22 Mount Pleasant Road  
22 Warren Court  
23 Mount Pleasant Road  
23 Mount Pleasant Road  
25 Mount Pleasant Road  
26 Mount Pleasant Road  
27 Ash Road  
27 Mount Pleasant Road  
28 Mount Pleasant Road  
29 Mount Pleasant Road  
3 Great Oaks  
3 Hawthorn Way

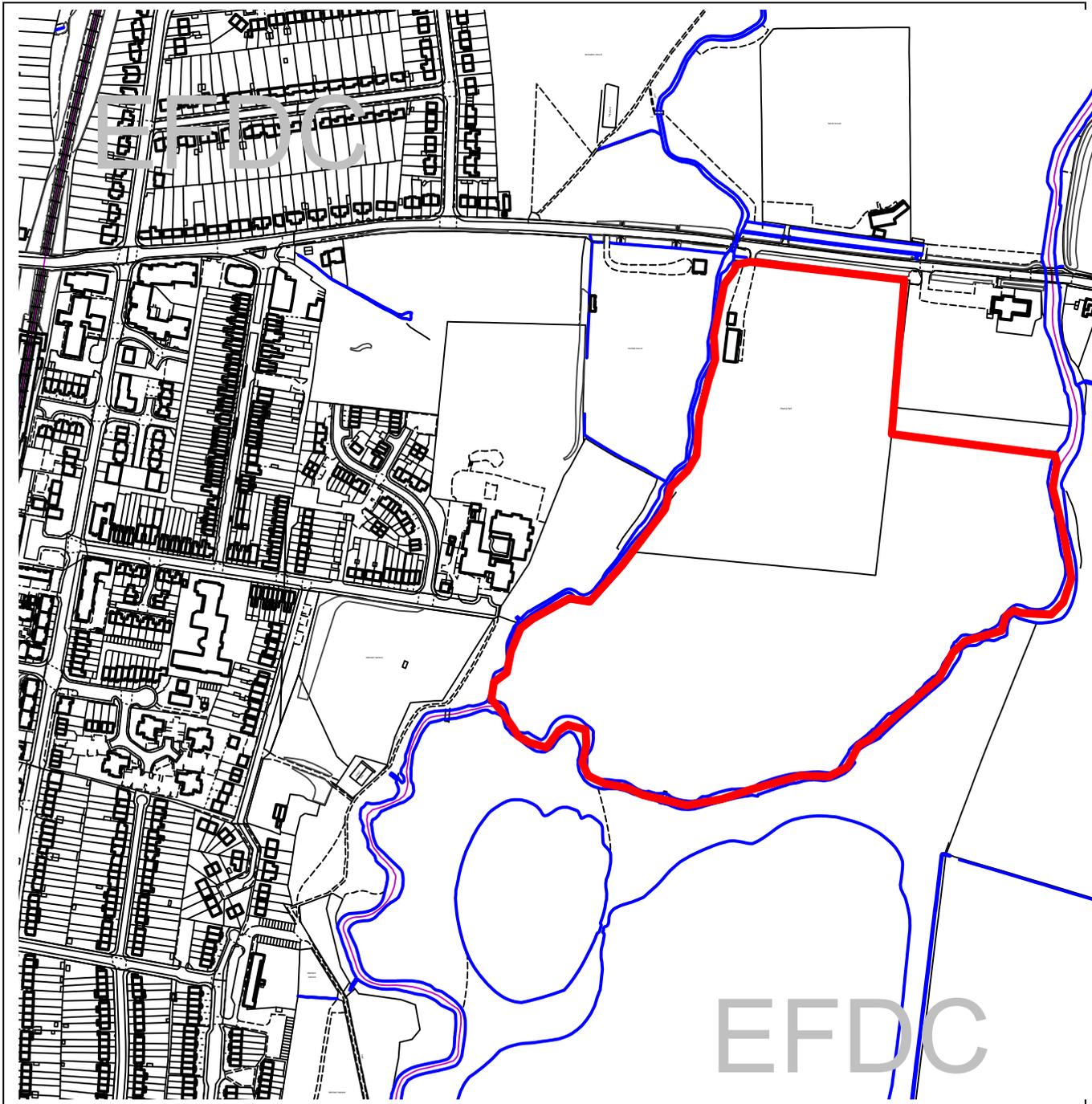
3 Maple Drive  
3 Mount Pleasant Road  
3 Willow Road  
31 Mount Pleasant Rd  
32 Mount Pleasant Road  
33 Mount Pleasant Road  
34 Mount Pleasant Road  
36 Grange Crescent  
37 Mount Pleasant Road  
38 Grange Crescent  
4 Great Oaks  
4 Hawthorn Way  
4 High Elms  
4 Mount Pleasant Road  
40 Mount Pleasant Road  
42 Mount Pleasant Road  
43 Mount Pleasant Road  
44 Mount Pleasant Road  
45 Mount Pleasant Road  
46 Mount Pleasant Road  
47 Mount Pleasant Road  
48 Hycliffe Gardens  
49 Mount Pleasant Road  
5 Ash Road  
5 High Elms  
5 Maple Drive  
5 Mount Pleasant Road  
50 Mount Pleasant Road  
52 Mount Pleasant Road  
53 Mount Pleasant Road  
53 Oak Lodge Avenue  
54 Grange Crescent  
54 Mount Pleasant Road  
55 Mount Pleasant Road  
56 Mount Pleasant Road  
56A Grange Crescent  
57 Grange Crescent  
57 Oak Lodge Avenue  
58 Grange Crescent  
59 Mount Pleasant Road  
6 Hawthorn Way  
6 High Elms  
6 Mount Pleasant Road  
60 Mount Pleasant Road  
62 Mount Pleasant Road  
63 Grange Crescent  
64 Mount Pleasant Road  
65 Mount Pleasant Road  
66 Grange Crescent  
67 Mount Pleasant Road  
68 Grange Crescent  
69 Grange Crescent  
7 Great Oaks  
7 Hawthorn Way  
7 High Elms

7 Maple Drive  
7 Mount Pleasant Road  
7 Oak Lodge Avenue  
71 Mount Pleasant Rd  
73 Grange Crescent  
75 Grange Crescent  
77 Grange Crescent  
79 Mount Pleasant Road  
8 Ash Road  
8 Great Oaks  
8 Hawthorn Way  
8 Mount Pleasant Road  
8 Oak Lodge Avenue  
81 Mount Pleasant Road  
84 Grange Crescent  
9 Grange Crescent  
9 Great Oaks  
9 Mount Pleasant Road  
9 Warren Court  
9 Woodland Road



# Epping Forest District Council

## Agenda Item Number 2



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Application Number:	EPF/2446/16
Site Name:	Buckhurst Hill Football Club, Roding Lane Buckhurst Hill IG9 6BJ
Scale of Plot:	1:4937

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/2446/16
<b>SITE ADDRESS:</b>	Buckhurst Hill FC Roding Lane Buckhurst Hill Essex IG9 6BJ
<b>PARISH:</b>	Buckhurst Hill  Chigwell
<b>WARD:</b>	Buckhurst Hill East  Chigwell Village
<b>APPLICANT:</b>	Mr Michael Johnson
<b>DESCRIPTION OF PROPOSAL:</b>	Change of use of open fields within the Green Belt to playing fields and formation of new car park with associated landscaping.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=587735](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=587735)

**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: 101 and 201 rev. C
- 3 The football pitches hereby approved shall not be brought into use until the car park hereby approved has been constructed and is available for use.
- 4 The car park shall be constructed in full compliance with the Flood Risk Assessment submitted with the application and using a permeable cellular construction system that meets the requirements set out CIRIA 753, Section 20.1.3 , page 389. Details of construction, (including site preparation, sub structure and upper surface finishes) shall be submitted to and approved by the Local Planning Authority prior to work commencing. The development shall thereafter be fully implemented in accordance with the agreed details.
- 5 No development, including site clearance, shall take place until details of the hedging to the car park hereby approved and a statement of the methods, including a timetable, for its Implementation (linked to the development schedule), have been submitted to the Local Planning Authority and approved in writing. The landscape scheme shall be carried out in accordance with the approved details and the agreed timetable. If any plant dies, becomes diseased or fails to thrive within a period of 5

years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand in writing.

- 6 No development shall take place until details of a landscaping retention plan,, including retention of trees and other natural features have been submitted to and approved in writing by the Local Planning Authority. No areas identified as being retained shall subsequently be removed without prior consent of the Local planning Authority.
- 7 No development shall take place until details of surface water disposal to the car park have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 8 Prior to the commencement of the development, details of provision of a minimum of 10 parking spaces for disabled drivers, including details of location and transfer zones, and provision of a minimum of 25 cycle stands shall be submitted to and approved by the Local Planning Authority. The works as agreed shall be fully implemented prior to the pitches being first brought into use.
- 9 Notwithstanding any indications on the approved plan, no additional hard surface areas shall be laid on the site without prior consent from the Local Planning Authority.

*This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal. In addition, the application 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: Scheme of Delegation, Appendix 3)*

### **Description of Site:**

The application relates to land to the south of Roding Lane and is submitted on behalf of Buckhurst Hill FC. The main part of the site lies to the south of road frontage land currently comprising the football club and Eton Manor Nursery and is bordered by the River Roding on the south and east sides and by a drainage channel of the west side. The land is currently an open field which officers are advised is cut twice a year for silage by a local farmer.

The football club's existing site comprises of the main area comprising of three pitches, a pavilion building comprising changing and ancillary facilities, a small (20 space) car park and open areas used for training areas or ad hoc parking. To the west across the drainage channel lies a separate single football pitch accessed both from a separate access on to Roding Lane and via a bridge from the adjoining land. This part of the site includes two dilapidated pavilion buildings not currently in use, and at the northern end of the site an area of hardstanding for around 30 vehicles.

The immediate surrounding area is predominantly open in character, all within the Green Belt.

### **Description of Proposal:**

From the applicant's perspective, the principle element of the application is the change of use of the field to the south to a sports field. As a result of a review of existing trees and landscape

features on the site, the application proposes four additional football pitches, one to the east at the rear of the nursery and three adjacent to each other on the southern part of the land. The applicants advise that no material alterations to the land are proposed and no additional buildings are to be provided on this land, the ground works will simply involve cutting the grass to a shorter length and any rolling / levelling / infilling etc. required for the new pitches to be made playable.

The application also includes the provision of a car park intended to serve the whole of the football club's activities. This is located on a grassed area at the northern end of the site (currently used primarily as a training area) adjacent to the main entrance. The car park indicates 155 spaces to be laid in a 'permeable material, with hedge screens to the east, south and part of the northern edge. Vehicle access will continue to be from the existing entrance.

### **Relevant History:**

None relevant – an earlier application for the additional pitches (EPF/0550/16) was withdrawn to enable a fuller review of the site to be undertaken.

### **Policies Applied:**

#### *Adopted Local Plan:*

GB2A	Development in the Green Belt
GB7A	Conspicuous development
NC4	Protection of established habitat
RP3	Water quality
RST1	Recreational, sporting and tourist facilities
RST22	Potentially intrusive activities
U2A	Development in flood risk areas
U3B	Sustainable drainage systems
DBE4	Design in the Green Belt
DBE9	Loss of Amenity
LL10	Adequacy of provision for landscape retention
LL11	Landscaping schemes
ST4	Road safety
ST6	Vehicle parking

#### *NPPF:*

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

#### *Draft Local Plan:*

At the current time, only limited 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. The relevant policies in this case are as follows:

SP5	Green Belt and District Open Land
T1	Sustainable Transport Choices
T2	Safeguarding of routes and facilities
DM5	Green infrastructure: Design of development
DM9	High Quality Design
DM15	Managing and reducing flood risk

DM16 Sustainable drainage systems  
D4 Community, leisure and cultural facilities

### **Consultation Carried Out and Summary of Representations Received**

Number of neighbours consulted: 78 and site notice posted.

Responses received:

OBJECTIONS have been received from residents of 11 properties – ten with Buckhurst Hill addresses ( 60 ALFRED ROAD, 1 AND 11 CASCADE CLOSE, 8 CASCADE ROAD, 5 POWELL ROAD,, 64 ROEBUCK LANE, 3, 5 AND 20A ROUS ROAD AND 2 THE WINDSORS), and one from 41 CHESTER ROAD, CHIGWELL. Comments covered a wide range of issues, as under:

- Inappropriateness of the development in the Green Belt, particularly the car park.
- Impact on local wildlife and habitat, this includes a badger sett in the vicinity, and wildflowers on the land. Objectors also suggested the need for a habitat survey.
- Parking issues – these covered a number of areas; complaints about existing parking associated with the use particularly on the road, , the size and surfacing of the car park, the additional traffic that the new pitches will generate and the suitability of the site access to serve the car park.
- Flood risk issues – objectors raise concerns at any increase in flood risk from the car park and implications for users and local residents. A number of objectors referred to the absence of a Flood Risk Assessment at submission stage, although this has subsequently been provided and is addressed below.
- Concerns at the future plans of the football club and the likely need for additional facilities to serve the pitches and meet that long term ambition.
- Objectors question the need for the additional pitches given the number available in the area.
- Safety concerns as to the stability of the banks of the adjacent water courses and the risk to participants and spectators
- Impact on trees on the site
- Increased general activity at and in the vicinity of the site.
- Appearance of the site – pitch markings, adverts etc
- Pedestrian safety on Roding Lane currently and as a result of increased activity
- One resident raised wider issues of general public access to land in the area which does not appear to be directly related to the application proposal.

The site lies within two Parish Council areas.;

BUCKHURST HILL PARISH COUNCIL OBJECTED to the application on grounds of impact on the Green Belt of the car park design and surfacing and the lack of a Flood Risk Study. It was also suggested that an ecology study should be sought. Should permission be granted, a condition was requested that no further development be permitted in that part of the Green Belt and requested that any proposals for advertising be referred to District and Parish Councils.

CHIGWELL PARISH COUNCIL had NO OBJECTION to this application, provided the necessary attention is given to the drainage issues that would arise as a consequence of this development.

## **Main Issues and Considerations:**

Buckhurst Hill FC are an established local club mainly offering organised football for boys and girls (including mini-soccer on smaller pitches) and a limited number of adult teams, all of whom play at weekends, but with evening activity limited by the restricted nature of the facilities on offer, particularly the lack of permanent floodlighting. As such their role in the local community should be recognised in considering these proposals.

The operation of the existing site is further constrained by the location of the site within the flood plain, and this will not particularly change as a result of the application. The site will continue to flood and be unplayable in the worst of the winter conditions, and this will affect by existing and new pitches. The expansion will however give greater scope for pitches to be used more sparingly during wetter times, as well as increase use in good conditions.

In policy terms, the use of land for sport and recreation is evidently an appropriate use of the land in the Green Belt. There is also a strong emphasis on increasing opportunity for leisure activity. The works involved in providing the sports pitches are limited to the ground works and installing the goals, no other structures or fencing is indicated. This element is therefore considered appropriate to the Green Belt.

The car park is however somewhat different, and a car park as an engineering operation would be treated as inappropriate development in the Green Belt, unless very special circumstances are identified.

Issues around car parking linked to the site are well known locally, at any time the site is in use, vehicles park indiscriminately along Roding Lane, usually on the footway (which lies on the north side of the road only) and causing delays to traffic and hazards to pedestrians, issues raised by a number of residents. In the event a proposal provided a permanent and viable solution to this could be found, officers consider this would constitute very special circumstances in this case, particularly as it is related to an appropriate outdoor activity in Green Belt terms.

Concerns have been raised over the size of the car park and the access thereto. Adopted parking standards recommend 20 spaces for each football pitch plus one per 10 spectator seats. It is noted that these standards are based on standard size football pitches and do not recognise the growth in youth football of smaller sided games for younger children (up to 11 years) of shorter duration and quicker turnaround. However based on the number of pitches overall, the proposed car park is of an appropriate size.

In terms of access, ECC highway authority advises that the existing site access is sufficient for two cars to pass each other and does not require alteration. Thus in parking and traffic terms, the proposals provide a proportionate level of parking with safe access.

The issues around the location of the site within a flood zone have been the subject of extensive review, particularly in the context of the car park. The flood issues in relation to the pitches are relative straightforward in that the ground is either waterlogged or it is not, and conditions would not be expected to change so suddenly as to cause risk to users – the ground would be expected to be waterlogged and unusable long before there was a risk to users from the river or drainage channel overflowing. As to the car park, a Flood Risk Assessment (FRA) has been provided and been scrutinised by the Environment Agency, the County Council SUDs team and the Council's EWD Team. Despite initial concerns, all now consider the attenuation measures contained in the FRA to be sufficient, subject to conditions. The car park is proposed to be surfaced in a permeable surface (unlike the existing hard surface areas on the site) and offers adequate safeguards against increased flood risk in the surrounding area, notwithstanding much of it being at a higher level.

A number of objectors raise various concerns at the impact of the development on local flora and fauna, and suggest the need for habitat surveys. In this regard, it is noted that the land for the sports pitches is not a wild meadow but an area of managed grassland. The proposed pitches are located a minimum of 10 metres from the edge of either of the watercourses which is recognised as the primary wildlife corridors around the site. The car park lies on a more regularly mown area and does not impinge on the highway border which is more likely to provide a migratory route to wildlife in this vicinity, and this will to some extent be supplemented by new hedge planting. A review of trees on the site has identified that these are principally located around the site boundaries and in a group on the eastern portion of the site, all of which are indicated as being retained.

A number of objectors raised concerns at the likely future need to expand the site facilities to cater for the additional facilities. Such works would have to be assessed on their individual merits at the appropriate time as part of future planning applications, if submitted and do not form part of the current application. The condition in that regard requested by Buckhurst Hill PC is therefore ultra vires. It is noted that there are two existing pavilion buildings on the western part of the site which could be refurbished if additional support facilities are required, that would have limited impact on the Green Belt and the locality.

**Conclusion:**

The primary land use element of the application, the provision of the sports pitches, is consistent with Green Belt policy and acceptable in general amenity terms and visually in its overall context. Officers would intend a condition to prevent the erection of pitch side barriers, advertisements etc. to ensure the land remains open and solely for the purpose intended.

Issues around the car park are more finely balanced but this proposal seeks to address existing concerns over the lawful operation of the site and to provide a solution to this and future potential demand on the site. This officers consider, represents very special circumstances to justify this aspect of the proposal. The provision does not at this time include either disabled parking or cycle parking but both aspects can be addressed by condition. The use of a permeable surface and measures to combat flood risk as set out in the FRA (and now accepted by the relevant authorities) can also be dealt with by condition.

Some minor discrepancies have been noted in the application drawings but these are not material to the primary elements which provide for a useful addition to local sporting provision.

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

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

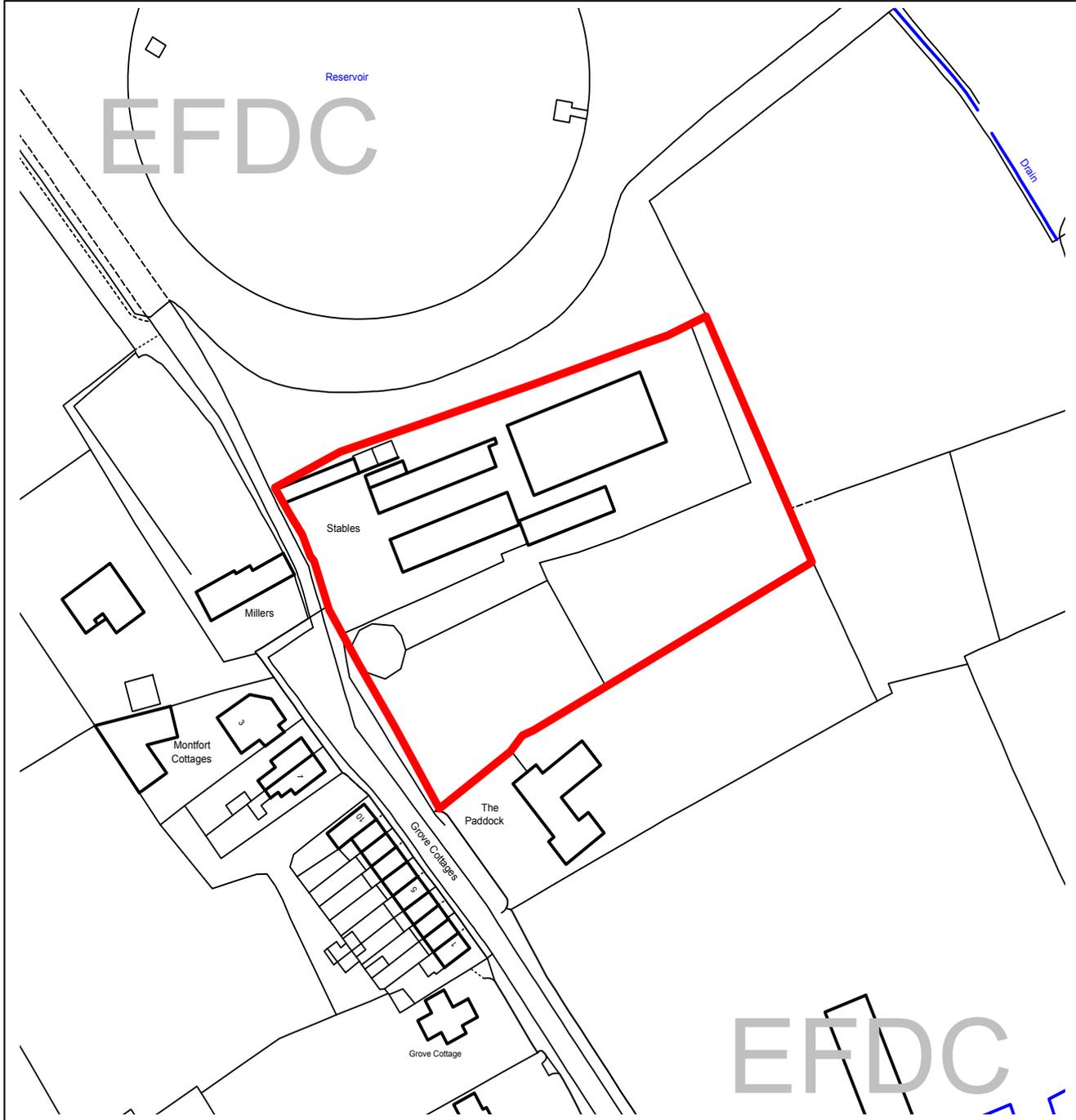
***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***

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# Epping Forest District Council

## Agenda Item Number 3



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Application Number:	EPF/0329/17
Site Name:	Land adj to The Paddock, Grove Lane Chigwell Essex IG7 6JF
Scale of Plot:	1:1250

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/0329/17
<b>SITE ADDRESS:</b>	Land adjacent to The Paddock Grove Lane Chigwell Essex IG7 6JF
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Chigwell Row
<b>APPLICANT:</b>	Mr S Campbell
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of existing stables and warehouse and erection of 12 semi-detached dwelling houses and associated landscaping.
<b>RECOMMENDED DECISION:</b>	Grant Permission (Subject to Legal Agreement)

**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=591623](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=591623)

**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: FJT\_100, FJT\_2\_10 Rev B, FJT\_2\_12 Rev B, FJT\_2\_14 Rev B, FJT\_2\_16 Rev A, FJT\_2\_20 Rev B, FJT\_2\_21 Rev B, FJT2\_22 Rev B, FJT\_2\_23 Rev B, FJT\_2\_24 Rev B, FJT\_2\_25 Rev B, FJT\_2\_26 Rev A, FJT\_2\_27 Rev A, FJT\_2\_30 Rev F, FJT\_2\_50 Rev E, FJT\_2\_60 Rev F and FJT\_2\_61 Rev E
- 3 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes including doors, windows, guttering, downpipes, soffits and fascias 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 wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with the details submitted and approved under reference EPF/0123/17. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.
- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Classes A, B or E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.

- 6 Bat boxes shall be installed prior to first occupation in accordance with the details shown within the submitted Soft Landscape Management Plan dated January 2017.
- 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) for the whole site including the area of land that is to be handed over to the Parish Council 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.
- 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 unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 10 Prior to 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 and remain free of obstruction.
- 11 Gates shall not be erected on the vehicular access to the site without the prior written approval of the Local Planning Authority.
- 12 Prior to first occupation of the proposed development, the developer shall be responsible for the provision to and implementation of for each dwelling a Residential Travel Information Pack for sustainable transport, approved by Essex County Council.
- 13 There shall be no discharge of surface water onto the highway.
- 14 The development shall be carried out in accordance with the drainage strategy (EAS, SK01 Project 1162, 01.02.2017) and supporting documents submitted with the application unless otherwise agreed in writing with the Local Planning Authority.

- 15 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]
- 16 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.
- 17 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.
- 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 bonfire shall be permitted on site throughout the demolition and construction phase of the development.
- 20 The development shall take place in accordance with the submitted existing and proposed site levels as shown on drawing No. FJT\_2\_60 Rev F.
- 21 Prior to commencement of the development the land as shown to be transferred to the Parish Council on approved drawing number FJT\_2\_50 'Proposed site plan' shall be permanently transferred to the ownership of Chigwell Parish Council at no cost together with the sum of fifty thousand pounds.

**And subject to the completion by the 6<sup>th</sup> September 2017 (unless otherwise agreed in writing for a further extension of time with the Local Planning Authority) of a legal agreement to secure the handover of land to be used as public open space, with a maintenance fee of £50,000, to Chigwell Parish Council.**

*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 and since it is for a type of development that cannot be determined by Officers if more than four objections material to the planning merits of the proposal to be approved are received (Pursuant to The Constitution, Part Three Planning Services: Scheme of Delegation, Appendix 3)*

**Description of Site:**

The application site is situated at the top, north eastern side of Grove Lane, in a rural location on the edge of Chigwell Row. Grove Lane is characterised by linear residential development along the street, with a Grade II listed building 'Millers' at the head of the road and directly adjacent to the application site. The site is currently an equestrian stables with a low intensity use. A number of low height equestrian buildings, hardstanding and equestrian facilities are currently on site. Beyond the site to the rear is a waterworks and then open countryside. The site is within the Metropolitan Green Belt.

Grove Lane narrows towards the top of the lane to little wider than single width with parking on both sides of the road.

**Description of Proposal:**

This proposal seeks planning permission for the demolition of the existing structures on the site and the erection of 12 semi-detached two storey dwellings, an access road with parking and associated landscaping.

The 12 dwellings form a linear development with rear gardens backing on to the north boundary of the site. An access road is proposed to the front with 24 parking spaces plus 3 visitor parking spaces on the opposite side of the road. The land to the south of the proposed access road will be open land.

The site, although in the Green Belt is considered (by a former appeal decision) to be previously developed land as it was used for equestrian purposes. The proposal is located directly to the side of the Grade II listed farmhouse (Millers) with approximately a 10m separation.

It is the intention of the application to hand over the area of land to the south to the Parish Council by way of a legal agreement.

The application has been revised during the application process to alter the parking layout and alter the design of the proposed houses. In addition, this submission is a revised proposal following an approved scheme for 8 dwellings on this site which consisted of 4 detached and 4 semi-detached properties which included 23 parking spaces.

**Relevant History:**

EPF/1891/15 - Demolition of existing stables and warehouse and erection of 8 dwelling houses and associated landscaping – App/Con with a s.106 agreement.

EPF/2219/14 - Demolition of existing stables and warehouse and erection of 23 no.. affordable dwellings – Withdrawn

EPF/1466/14 - Demolition of existing stables and warehouse and erection of 6 detached residential dwellings. (Revised application to EPF/2188/13) - Refused and Dismissed at Appeal (A copy of the Inspector's decision is attached to this report)

EPF/0906/14 - Prior notification application for a proposed change of use of agricultural building to a flexible use – Withdrawn

EPF/2188/13 – Demolition of existing stables and warehouse and erection of 6 detached residential dwellings and new access – Refused

**Policies Applied:**

Epping Forest District Local Plan and Alterations

CP2 – Protecting the Quality of the Rural and Built Environment

GB2A – Development in the Green Belt

GB7A – Conspicuous Development

HC12 – Development affecting the setting of Listed Buildings

DBE1 – Design of New Buildings

DBE2 – Effect on Neighbouring Properties  
DBE4 – Design in the Green Belt  
DBE8 – Private Amenity Space  
ST1 – Location of Development  
ST4 – Road Safety  
ST6 – Vehicle Parking  
LL10 – Provision for Landscape Retention  
LL11 – Landscaping Scheme  
H5A – Provision for Affordable Housing  
H6A – Site Thresholds for Affordable Housing  
H7A – Levels of Affordable Housing

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

**Summary of Representations:**

CHIGWELL PARISH COUNCIL: The Council OBJECTS to this application because the proposed parking facilities would be wholly inadequate in relation to the number of dwelling-houses. The number of dwellings proposed on the site is acceptable, however the parking bays should be augmented accordingly.

The Parish was re-consulted on the revised parking layout and revised designs and the Parish Council response will be reported verbally at the Committee meeting.

55 Neighbours consulted and a site notice erected:

OBJECTIONS RECEIVED FROM: 3, 4, 6, 8, 9 and 10 GROVE LANE COTTAGES, MILLERS FARMHOUSE, 6 GAINSBOROUGH PLACE, ABBOTS COURT, HOLLYCROFT, WOODBINE, 2 AND 3 MONTFORT COTTAGES, MONTFORT COTTAGE, GROVE COTTAGE AND THE BRAMLINS – ALL GROVE LANE

Summary of Objections – Increase by 50%, increase in traffic, harm to the openness of the Green Belt, insufficient parking, higher than Grade II listed building, design of proposed houses is poor, prominence of parking, existing parking and access problems within Grove Lane, intensification from 8 to 12 units

Support received from TUTEIN FARM AND ANNEXE AT TUTEIN FARM, GROVE LANE

**Issues and Considerations:**

The main issues that arise with this revised application relate to whether the proposed increased in units from the previously approved 8, to the proposed 12 is acceptable. Therefore the main issues are considered to be impact on the Green Belt, setting of the listed building and design concerns, affordable housing, amenity of existing residents of neighbouring property and future occupiers of the proposal, highway issues and tree and landscape issues.

This current application has been revised several times throughout the course of the application particularly following comments made by the Council's Conservation Officer. Green Belt

The proposal results in 12 dwellings in place of the previously approved 8. It has been established that the site is previously developed land and that 8 dwellings are acceptable to the Council in terms of the impact on the Metropolitan Green Belt.

The dwellings are all pairs of semi-detached properties (previously there was a mix of detached and semi-detached) and broadly follow a similar footprint to the previous scheme. The volume calculations provided for the most recent revised scheme show that the volume of proposed buildings on the site is an approximate total of 6105m<sup>3</sup>. The existing equestrian buildings have a volume of 4,429m<sup>3</sup>, the previous proposal resulted in a volume of 6, 870m<sup>3</sup>. Therefore this

proposal results in approximately 700m<sup>3</sup> decrease in built volume compared to the previously approved scheme and therefore in terms of built form is likely to have less of an impact on the character and openness of this Green Belt location than the previous approval. In addition, the proposal has been reduced in height compared to the previously approved scheme by a minimum of 0.3, and the width of the pairs of dwellings has also been marginally reduced.

As with the previously approved scheme the proposal has been restricted to the northern part of the site which is where the existing buildings are located and this contains the development as a whole and prevents any further sprawl. It is clearly a more urban in appearance development than the existing 'expected' buildings within a Green Belt location but as it is so similar to the approved scheme is not considered to result in any significant harm to the Green Belt beyond the existing approval.

The additional dwelling numbers may result in further domestic encroachment into the Green Belt in terms of additional movements and cars however, it is not considered that the increase in numbers, given the above results in such significant harm to the Green Belt to justify a refusal particularly as the current proposed scheme is for 3 bedroom properties rather than 4/5 bedroom properties.

The area of hardstanding has been increased in size to accommodate a higher level of parking spaces and a turning head. However, given that approval was given previously, again it is not considered the increase in hardstanding is so significant to justify a refusal.

#### Listed Building and Design

Previously it was Officer's view that the approved scheme was detrimental to the setting of the listed building, although in isolation an acceptable scheme in general design terms. However, as the previous scheme has gained an approval which is extant, the Conservation Officer has worked closely with the Agent's for this current application to secure a design that limits, as far as possible, any harm to the setting of the listed building. The current design has been altered on several occasions to bring it inline with the Conservation Officer's requirements, particularly lowering the height of all the dwellings so that they are no higher than Millers Farmhouse and ensuring that all of the properties have traditional fully pitched roofs.

Although the Conservation Officer has worked closely with the Agent, the Officer still has concerns with regards to the scale, massing and bulk of the development, in addition to the original concerns with regards to the suburban appearance of the development. However, notwithstanding these views the principle of the development has been agreed and the increase in numbers and the improvements to the current scheme are on balance considered acceptable on this basis.

Concern has historically been raised with past applications with regards to the open area of land to the south as little information was provided with regards to the long term use of this area. Clearly it is not in the interests of proper planning of the locality for that area of land not to be coherently integrated into a detailed proposal for the site as a whole. As there previously was an absence of detail it was considered that the area would be likely to invite its neglect and abuse by, for example, fly-tipping.

However, as with the previous proposal, it is the intention of this scheme to transfer the land to the south of the site to the Parish Council by way of a legal agreement and a donation of £50,000 has been offered, again, by the applicant so that the area of land can be maintained in perpetuity. The Parish Council are willing to accept this land, as they did on the previous planning permission, but it is not considered that, and no evidence has been put forward to suggest that there is a need for open public space within this particular locality.

### Affordable Housing

The plans show that the proposed developable area is 0.355ha and the number of proposed dwellings is 12 which on both counts is below the threshold for affordable housing (as with the previously approved scheme). Therefore the Council would therefore not seek the provision of any affordable housing within this development.

### Amenity

The proposal is not considered to result in any significant amenity concerns due to the separation between the development and existing properties there will be no loss of light, outlook or privacy. The proposed dwellings will be clearly visible to the existing properties at the end of Grove Lane but are not considered to result in any detrimental visual impact amenity. Although the proposal may result in additional traffic movements above that of the existing use of the site it is not considered that these movements will result in any significant noise or nuisance above that of the existing road users.

### Amenity of Future Occupiers

The proposed gardens all face north and therefore will have limited sunlight. In addition the gardens are all on the small side and below the requirements of policy DBE8. However, the gardens are more useable in shape than the previously approved scheme, although there is a concern regarding the retained trees which have large canopy spreads which will reduce light to some of the gardens. However, as with the previous scheme although not fully compliant with Policy DBE8, the harm to living conditions arising is not considered so great that it could amount to a defensible reason for refusal.

### Highway and Parking Issues

Grove Lane currently has parking and access issues due to pressures from existing residents and the width of the lane and this has been echoed in the neighbour comments received. Access is clearly an issue around parked vehicles, but Highways have been consulted and have returned no objections. This is subject to conditions covering the formation of the access and parking areas, provision of travel packs, ensuring no surface water enters the highway and the provision of no unbound materials within 5m of the highway.

In relation to parking provision, all off-street parking would be outside the curtilage of the proposed houses and therefore unallocated, however, the high level of provision proposed would ensure there is unlikely to be any harmful consequence. The proposal meets the Essex Parking Standards providing 2 spaces per a dwelling and 3 visitor spaces.

### Trees and Landscape

The submitted reports demonstrate that the application could be undertaken without a detrimental impact to the trees on and adjacent to the site and the Tree and Landscape Officer has no objection to the change to 12 houses.

The Tree and Landscape Officer has raised concerns with regards to the parking layout which is a different layout to the previously approved scheme as it is the Tree and Landscape Officer's view that this element will result in an abrupt boundary between the open area to be transferred to the Parish Council and the development itself. The parking area is marginally larger than previously approved, accommodating additional spaces around the turning area with less room for landscaping interspersed between the spaces. However, given the similarities to the previous approval it is considered that the car parking area can be softened through appropriate landscaping (secured by condition) and is considered acceptable.

### Conclusion:

A previous scheme for 8 houses has approval and this scheme for 12 is not considered to result in any significant harm to the Green Belt, listed building, amenity, existing parking/highway issues or trees beyond that of the previous approval and therefore given the above, the application is on balance recommended for approval, to be granted planning permission subject to the signing of a legal agreement to secure the handover of land to be used as public open space, with a maintenance fee of £50,000, to Chigwell Parish Council.

**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: Marie-Claire Tovey**

**Direct Line Telephone Number: 01992 564414**

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

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**Report Item No:4**

<b>APPLICATION No:</b>	EPF/0897/17
<b>SITE ADDRESS:</b>	1 Ollards Grove Loughton Essex IG10 4DJ
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Forest
<b>APPLICANT:</b>	Asset Rock Ollards
<b>DESCRIPTION OF PROPOSAL:</b>	First floor extension, new mansard roof, and new rear extension to provide 4 flats comprising 2 x 1 bed and 2 x 2 bed flats.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM\\_websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=593213](http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=593213)

**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:  
PA-916-00  
PA-916-000  
PA-916-010  
PA-916-100  
PA-916-101  
PA-916-102  
PA-916-103  
PA-916-110  
PA-916-111  
PA-916-112  
Planning Statement
- 3 No demolition or construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 4 No development shall take place, including site clearance, demolition of the garage or other preparatory work, until full details of both hard and soft landscape works (including tree planting and boundary treatment) 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; 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 Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation, per dwelling, of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator.
- 6 The storage area for refuse and recyclable materials; bicycle storage structure; and, enclosed and gated communal amenity area, as shown on approved drawing PA-916-100, shall be implemented and in place prior to first occupation of any additional dwelling hereby approved and thereafter maintained as such unless the prior written agreement of the local planning authority is given to any change.
- 7 A sight screen, 1.5m in height relative to the surface of each balcony and of an obscure material, shall be installed on the north eastern side of each balcony prior to occupation of any flat or maisonette having a balcony and shall be maintained in place thereafter unless any change is agreed in writing by the local planning authority.
- 8 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 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 building on the application site is of two storeys with a hip roof with a front dormer. The frontage onto High Road, and around the corner along a part of Ollards Grove, is a dry cleaner's. A beauty salon with a frontage onto Ollards Grove is also on the ground floor. Next to the beauty salon is an entrance, on Ollards Grove, to residential accommodation above the commercial units. At the end of the building is a lockup garage with a roller shutter door.

The site is at a corner of High Road with Ollards Grove and the application building faces onto a mini-roundabout. On the other corner, to the southwest, is a branch of the NatWest bank. Attached to the building the subject of the application is a three-storey building with a branch of the Nationwide building society on the ground floor. The rear yard of this building adjoins the site to the north. Further to the north is 1 Connaught Avenue, "Braeside", a locally listed building.

The site is within the Loughton Town Centre and is Secondary Shopping Frontage as defined in the Local Plan Proposals Map inset map. The property is not listed or in a conservation area.

**Description of Proposal:**

First floor extension, new mansard roof, and new rear extension to provide 4 flats comprising 2 x 1 bed and 2 x 2 bed flats.

The proposal involves removing the existing roof and adding a second and a third floor to the building. The proposed third floor would be in the form of a mansard type roof.

On the ground floor level the lockup garage would be demolished and the footprint of the building enlarged to the rear. The first and second floor as proposed would follow the footprint of the enlarged building.

The building now has a two-bedroom flat on the upper floor. The proposal would retain the existing flat, create a one-bedroom maisonette at the rear of the building, create a two-bedroom flat and a one-bedroom maisonette on the second floor and create a two-bedroom flat on the third floor.

At the rear of the site a communal amenity area would be created and an area provided for bin storage and bicycle storage.

The building as proposed would be of render and brickwork external wall and have a natural slate roof. Window frames would be of uPVC.

**Relevant History:**

EF\2016\ENQ\01822 - Addition of second floor plus roof accommodation and extension of two storeys of accommodation from northwest elevation enabling creation of three additional dwellings.

**Policies Applied:**

*Adopted Local Plan:*

CP1	Achieving Sustainable Development Objectives
CP2	Protecting the quality of the rural and built environment
CP3	New Development
CP4	Energy Conservation
CP5	Sustainable Building
CP6	Achieving Sustainable Urban Development Patterns
CP7	Urban Form and Quality
HC13A	Local List of Buildings
H2A	Housing Provision
TC3	Town Centre Function
DBE3	Design in Urban Areas
DBE6	Car Parking in New Development
DBE8	Private Amenity Space
DBE9	Loss of Amenity
ST1	Location of Development
ST6	Vehicle Parking

*NPPF:*

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 215 states that due weight should be given to relevant policies in existing plans

according to their degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

*Draft Local Plan:*

At the current time, only limited 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. The relevant policies in this case are as follows:

SP1	Presumption in Favour of Sustainable Development
SP2	Spatial Development Strategy 2011-2033
E2	Centre Hierarchy/Retail Policy
DM7	Heritage Assets
DM9	High Quality Design
DM10	Housing Design and Quality
DM11	Waste Recycling Facilities on New Development
DM16	Sustainable Drainage Systems
DM18	On site management of Waste Water and Water Supply
DM19	Sustainable Water Use

**Consultation Carried Out and Summary of Representations Received**

Number of neighbours consulted: 46  
Site notice posted: 26/05/2017

Responses received:

10 OLLARDS GROVE – Object, overdevelopment, lack of parking, strain on local services, too large for street scene, precedent to increase height of other buildings.

12 OLLARDS GROVE – Object, plans not clear, trying to squeeze a lot into a very small space, overdevelopment, concern at lack of parking provision, loss of light to surrounding office buildings, too close to a building of interest at Braeside, not the right site for the proposed development.

6 CONNAUGHT AVENUE – Object, too tall, lack of parking, construction process would be disruptive and lengthy.

LOUGHTON TOWN COUNCIL: The Committee OBJECTED to this application. The addition of two further floors to the building was considered an overdevelopment of the property with the increased height adversely affecting the street scene. This would set an unacceptable precedent in this part of the High Road. Given the lack of parking provision, members asked that should the application be granted occupiers would not have access to any residents parking schemes in the area.

**Main Issues and Considerations:**

The main issues are considered to be the appearance of the proposed design; parking provision/highway safety; impact to neighbours; and, residential amenity for future occupiers of the development.

In relation to the principle of the development, the following points are noted. The application site is in the urban area of Loughton. The proposal is for residential use in a town centre on the edge of a residential area. The proposal would make more efficient use of land and is considered to be acceptable in principle. The site is in a sustainable location and is some 400m from Loughton London Underground station.

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. Given that the NPPF requires a demonstrable five year supply of housing, paragraph 49 of the NPPF is engaged whereby Local plan policies which address the supply of new housing are considered to be out of date. As a result these policies are to be afforded less weight in the decision making process in favour of a greater reliance on the NPPF.

The lack of a five year supply of housing weighs in favour of granting planning permission and is attributed substantial weight in this application.

With regard to achieving sustainable development objectives, the subject of Policy CP1, the proposal would have no material negative impact whilst providing three additional flats in a way that would avoid the use of greenfield land. A primary objective, as set out in Policy CP7, is to make the fullest use of existing urban areas for new development before locations within the Green Belt. With regard to housing development, Policy H2A expands on this objective by stating that the re-use of previously developed land will be encouraged when considering residential development schemes.

#### Design and appearance in the streetscene

The site is of some prominence because of its corner position of and an open area set in front of it in the form of a mini-roundabout. Despite its corner position, with one elevation facing the road junction, the existing building is not as tall as an adjoining building to the northeast, 106-108 High Road. It is the Officers' opinion that the proposal could offer some benefit to the street scene. The site, due to its corner position and setting adjoining a higher building next but one from the corner, could accommodate a higher built form in a satisfactory way.

The proposed elevations would have an appearance that would follow that of the existing building. This is considered appropriate for the setting of this site.

The existing building consists of a ground floor which for the most part has a typical town centre commercial façade appearance. The first floor is essentially white painted pebble dash with echoes of a Tudorbethan style, with black stained exposed beams to an element of the elevation and oriel windows with a black and white finish. The roof is of a red tile.

The design approach is to mimic the appearance of the first floor in the appearance of the first floor in the appearance of the second floor and to have dormers to the third floor which resemble the appearance of a dormer to the existing building.

In conclusion with regard to the appearance of the design, the proposal is considered acceptable and may enhance the streetscene by providing a building more in scale with its setting.

#### Parking and highway safety

No off street parking provision is proposed for the proposal. Adopted car parking standards allow for a reduction in car parking where the site is in a sustainable location. The site is well located in terms of access to goods, services and other modes of sustainable transport. Moreover, there are suitable parking restrictions within the vicinity. Consequently it is not considered that the lack of parking would lead to the detriment of highway safety.

The local Highway Authority has commented that the impact of the proposal is acceptable subject to measures to promote sustainable transport. The measures could be secured by condition.

In relation to the Town Council's comment about prohibiting future residents from receiving residents parking permits in any future residents parking scheme, that falls outside of the scope of planning control. Court judgements have ruled a section 106 agreement (or unilateral planning obligation under that section) that seeks to prevent residents from applying to the Council for a parking permit in a controlled parking zone is unlawful. The courts found such a restriction is not within the scope of section 106. The most recent judgment was of the Court of Appeal in May 2017. It made clear that, outside Greater London, a covenant cannot be inserted in a planning obligation that seeks to prevent residents from applying for residents' parking permits.

### Impact to neighbours

Additional windows at a higher level would be created on the south-eastern and southwestern elevations. These would look onto public areas. A glazed door and a balcony would be created at first, second and third floor levels. The balconies would face northwest though have views to the north and south also. The plans are annotated to the effect that the northern side of each balcony would have an obscured balcony screen. Residential properties lie to the northwest, along Ollards Grove and Connaught Avenue, though on somewhat higher ground level than the application site and with rear gardens screened by houses: any view of these properties would be of their front gardens.

The additional built form would not overshadow any residential neighbour; a commercial building and its rear yard are orientated to the north.

The proposal is considered acceptable with regard to impact to neighbours.

### Amenity for future occupiers

The maisonette to the rear of the building would have its own entrance door and have its front elevation set back 0.6m from the footway with railings at 1.1m height providing a space from the public highway area. The maisonette would have an amenity area of 5 sq. m at off the communal kitchen and living area. This amenity area would be set behind a 1.8m height close boarded fence and gate. The maisonette would also have a 5 sq. m balcony at first floor level off the bedroom.

A communal staircase would access the flats on the first, second and third floors. The first floor flat exists and would remain of a good size. On the second floor the flat to the front of the building would be of a good size and have two bedrooms. The flat towards the rear of the building would be of a maisonette type, the entrance to the flat would be on the second floor and a staircase within the flat would lead up to a bedroom at third floor level. This flat would have a balcony at first floor level, off the living room, and a balcony at second floor level, off the bedroom. The flat at third floor level, within the mansard roof, would be a good sized flat with two bedrooms.

At the north-western end of the site, at the rearmost end of the site, would be a communal amenity area of 20 sq. m and a secure area for bicycle storage and bin storage.

Considered in the round, the design is considered to offer a good level of residential amenity to future occupiers.

### Other matters

1 Connaught Avenue, "Braeside", is a locally listed building although the proposal is sufficiently isolated from this property such that no material adverse impact would result to the character of 1 Connaught Avenue.

This proposal would not be a precedent to increase the height of other buildings; this specific case is a two-storey building next to a three-storey building and is somewhat lacking in scale in proportion to its surroundings.

With regard to any loss of light to the adjoining building, this is orientated to the northeast such that the existing building and its roof already screen some degree of sunlight. The adjoining building would maintain its glazing on the rear elevation, facing northwest, and no material impact sufficient to justify refusal would result.

The construction process is not itself a planning matter though a standard condition regarding such matters is recommended.

**Conclusion:**

The comment of the Town Council is not supported in that officers consider that the addition of built form could enhance the streetscene. Each individual site is to be considered on its individual merits and demerits. The site the subject of this application is unusual in that the nearest building to it is higher than it despite not being at a corner position. The site is in a very sustainable position such that the increase in density of housing accommodation is considered acceptable.

***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: Jonathan Doe  
Direct Line Telephone Number: 01992 564103***

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



# Epping Forest District Council

## Agenda Item Number 5



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Application Number:	EPF/1054/17
Site Name:	246-250 High Road Loughton Essex IG10 1RB
Scale of Plot:	1:1250

**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/1054/17
<b>SITE ADDRESS:</b>	246-250 High Road Loughton Essex IG10 1RB
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Marys
<b>APPLICANT:</b>	Mr Gareth Wilkinson
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed new electronic roller shutter on the shopfront facing the High Road.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM\\_websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=593675](http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=593675)

**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:  
10420-DB3-314-GF-DR-A-90\_07  
10420-DB3-314-GF-DR-A-90\_01  
10420-DB3-314-GF-DR-A-20\_07  
10420-DB3-314-GF-DR-A-20\_08  
Image, attached to email of 26th May 2017 from agent, of open lattice nature of shutters
- 3 The roller shutters hereby approved shall be of of an open lattice type, as illustrated in the attachment to an email of 26th May 2017 from the agent.

*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: Scheme of Delegation, Appendix 3)*

**Description of Site:**

This application relates to the entrance doors and two plate glass windows at "Morrisons" supermarket where the store has a frontage onto High Road.

The supermarket has a rear car park and yard and has two entrances, one off The Drive and a pedestrian only entrance off the High Road. This application relates only to the High Road elevation.

The application site is within the Loughton Town Centre.

**Description of Proposal:**

Proposed external electronic roller shutter box, which would allow a roller shutter in three sections to come down over the ground floor shopfront facing the High Road.

**Relevant History:**

EPF/0908/94 - Extension to existing retail supermarket and car parking facilities. – Allowed at public enquiry appeal 18/10/1995

EPF/0956/96 - Ground and first floor extension to existing supermarket and car parking facilities, and details of junction improvements. – Granted 28/10/1996

**Policies Applied:**

*Adopted Local Plan:*

CP2	Protecting the quality of the rural and built environment
TC3 (iv)	Town Centre Function
TC5	Window Displays
DBE12	Shopfronts

*NPPF:*

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

*Draft Local Plan:*

At the current time, only limited 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. The relevant policies in this case are as follows:

DM9	High Quality Design
DM14 (A) (iv)	Shopfronts and On-street Dining

**Consultation Carried Out and Summary of Representations Received**

Number of neighbours consulted: 8  
Site notice posted: Yes  
Responses received:

LOUGHTON RESIDENTS ASSOCIATION (PLANS GROUP) – Object, shutters tend to make the High Road appear “dead” and unattractive outside opening hours, not aware of any security problems.

TOWN COUNCIL: The Committee NOTED the contents of a letter of objection. As it was not clear from the drawings, if the proposal was for roller shutters to be used across the entire frontage, the Committee OBJECTED to the application. However, if the intention was to provide shuttering only for the entrance doors, the Committee would withdraw this objection.

### **Main Issues and Considerations:**

The main issue is whether the shopfront box and the roller shutter when it is extended fully down, would have a detrimental visual impact on the street scene.

The entrance doors are recessed, but the two main shop windows are at the pavement edge. The proposed shutter will be open mesh, so that the inside will be visible and extend across the two plate glass windows and the entrance door plus the recess.

This form of shuttering at this position is considered reasonable and would extend virtually across the full width of the High Road frontage, similar to many other examples in this road. This is not a fully solid shutter, so the objection from Loughton Residents Association (Plans Group) that it will create a “dead” frontage outside of opening hours, is not the case. It clearly provides a security function, but the visual appearance is acceptable and in keeping. It contributes to a safe and attractive environment.

There is no policy objection, which the emerging in fact supports open mesh shutters.

### **Conclusion:**

The proposal is considered acceptable in the streetscene. The detailed design of the roller shutters, being open mesh, would avoid a “dead” appearance.

***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:***

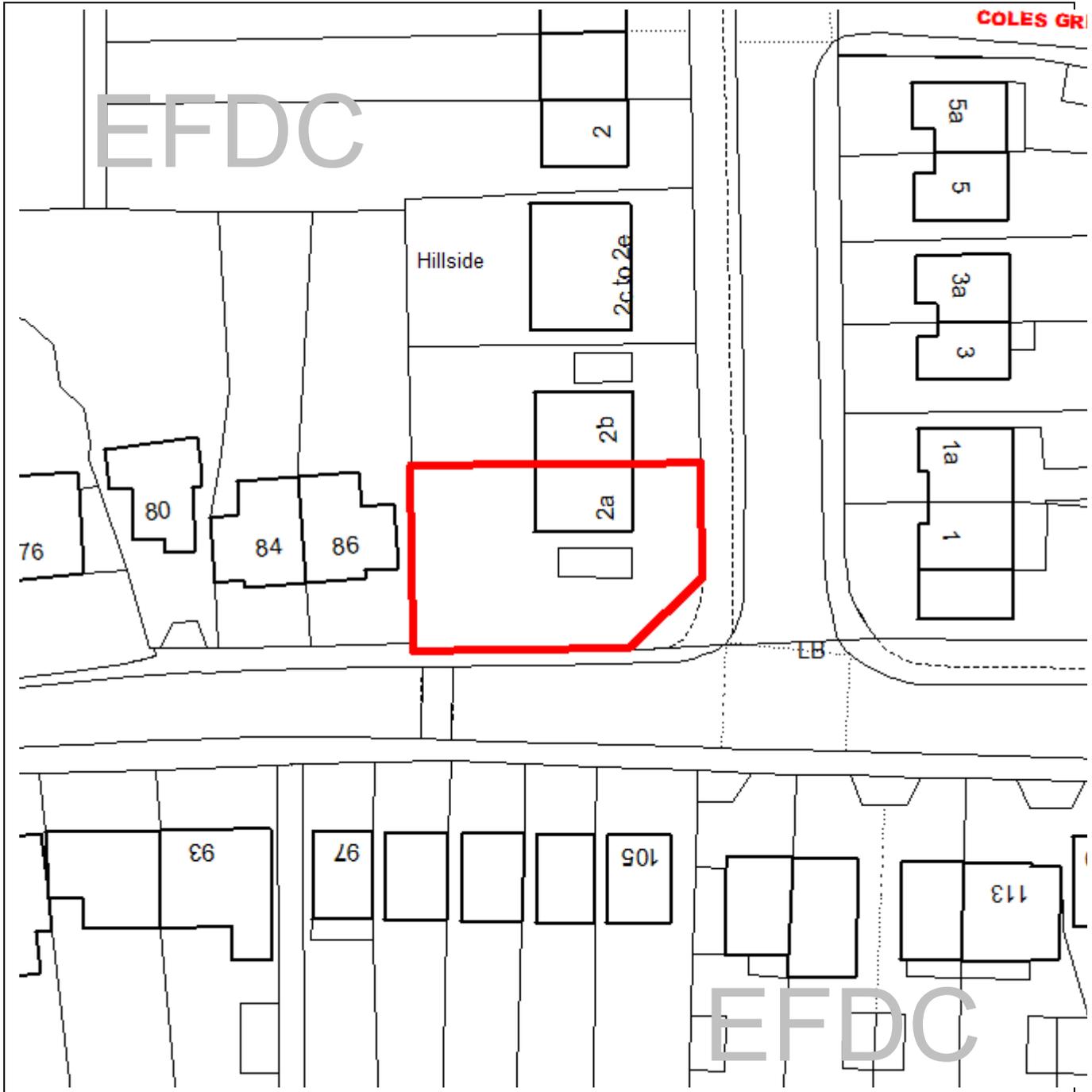
***Planning Application Case Officer: Jonathan Doe  
Direct Line Telephone Number: 01992 564103***

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



# Epping Forest District Council

## Agenda Item Number 6



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Application Number:	EPF/1152/17
Site Name:	2a Goldings Road Loughton Essex IG10 2QN
Scale of Plot:	1:500

**Report Item No:6**

<b>APPLICATION No:</b>	EPF/1152/17
<b>SITE ADDRESS:</b>	2A Goldings Road Loughton Essex IG10 2QN
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Johns
<b>APPLICANT:</b>	Ms J Wild
<b>DESCRIPTION OF PROPOSAL:</b>	Construction of new two storey 3 bed house attached to 2A Goldings Road, together with rear dormer window, plus provision of 4 off-street car spaces with two spaces for the existing dwelling.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=593915](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=593915)

**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. These details shall include those relating to boundary enclosures and the surface of the front parking area. The development shall be implemented in accordance with such approved details.
- 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 Details of measures to deal with surface water drainage shall be submitted to and approved by the Local Planning Authority before any work commences on site. Once approved these details shall be implemented in full.
- 5 The development hereby permitted will be completed strictly in accordance with the approved drawings numbered 1865/03D and 1865/01A.
- 6 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.
- 7 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 and E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.

*This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (pursuant to the constitution part three: scheme of delegation, appendix 3).*

**Description of Site:**

A two storey semi detached house at the junction of Goldings Road and England's Lane. The property is not listed nor does it lie in a conservation area.

**Description of Proposal:**

Construction of new two storey 3 bed house attached to 2A Goldings Road, together with rear dormer window, plus provision of 4 off-street car spaces with two spaces for the existing dwelling.

**Relevant History:**

None.

**Policies Applied:**

*Adopted Local Plan:*

DBE1 - Design of new buildings

DBE9 – Loss of amenity.

CP1 – Achieving sustainable development objectives

CP2 – Protecting the quality of the rural and built environment

ST6 – Vehicle parking

*NPPF:*

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

*Draft Local Plan*

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. The relevant policies in this case are as follows:

- DM9 - High Quality Design
- T1 – Sustainable Transport Choices

### **Summary of Representations:**

LOUGHTON TOWN COUNCIL – the Committee objected to this application as it was considered garden grabbing. The proposal resulted in a lack of private amenity space for both properties and provided insufficient off street parking relevant to the combined total number of bedrooms. The plans also appeared to show an encroachment onto the highway land at the corner of Goldings Road

NEIGHBOURS – 16 consulted and no replies have been received.

ESSEX CC HIGHWAYS – Further to the receipt of drawing no.1865/03 Rev D the applicant has overcome the previous issues raised by the Highway Authority. From a highway and transportation perspective the Highway Authority has no comments to make on this proposal as it is not contrary to the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, and policies ST4 & ST6 of the Local Plan.

EFDC TREES SECTION - We have no objection to this application subject to the addition of the following condition - SCN59 – hard and soft landscaping.

Aerial and street view photos indicate that there are a couple of trees on site – we understand that these were removed prior to this application being submitted.

In order to comply with draft policy DM5, landscaping will be required. However, given the recent loss of trees, we would expect a least two semi mature trees to be incorporated with in the landscaping scheme. Please include the above condition for hard and soft landscaping

### **Issues and Considerations:**

This property has a sizeable side garden in addition to a rear garden. It is proposed to build an attached two storey house on this side part of the site. This form of side development on corner sites has been implemented elsewhere in Loughton and can often make good use of side garden areas that are not well utilised.

The originally submitted plans showed one car space to be provided in the rear with access from Englands Lane. However this car space would have been on raised land compared to the lower level of the adjoining pavement necessitating a form of 'ramp' and driver sightlines would have been inadequate. Revised plans now show this space relocated to the front of the site where there will be two car spaces each for the proposed dwelling and the for the existing house. This car space provision complies with Essex CC parking standards and the Highways Authority now have no objections to the proposed scheme. The revised plans also now show correctly the dimensions of the pavement along the Englands Road frontage.

In terms of garden size the existing house, allowing for a proposed rear extension being built, will have an area of 40 sq. m, and the proposed house would have a rear garden of 79 sq. m complemented by an area of side garden. While 40 sq. m for a rear garden is modest in size it has a good and usable rectangular shape, and it would be difficult to justify a refusal of permission on the basis of inadequate garden sizes.

Some trees and vegetation were removed from the site before this application was lodged. A new hedge with fence is proposed on the side and part splayed front boundary, and at least two mature

trees will be required to be planted via a condition to be imposed. This hedge and new tree planting will soften the appearance of the new dwelling.

The proposed dwelling will still be separated by a 2.5m gap from the side boundary on Englands Lane and it will not have a cramped or obtrusive appearance and in this respect a two storey side extension to the house directly opposite at no1 Goldings Road lies closer to the side boundary. The proposed house will have a hipped roof and a fenestration design that fits in well with the existing house on the site. For these reasons the proposed house will have an acceptable appearance in the street scene.

The concerns of the Town Council regarding garden sizes and parking have been dealt with above. With regard to the comment about 'garden grabbing' the size and shape of the site means that it can satisfactorily accommodate a new house and the existing house will still have a usable rear garden space. Finally, the amendment to the plans regarding the size of Englands Lane pavement area has now addressed an ambiguity about possible encroachment onto highway land, and encroachment will not occur.

### **Conclusions:**

The proposal provides for an additional family home in a sustainable location and it does not give rise to significant amenity issues. Two car spaces are proposed for both the existing and proposed dwelling, and private amenity areas are also acceptable. It is therefore recommended that planning permission is granted subject to conditions.

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

***Planning Application Case Officer: David Baker  
Direct Line Telephone Number: 01992 564514***

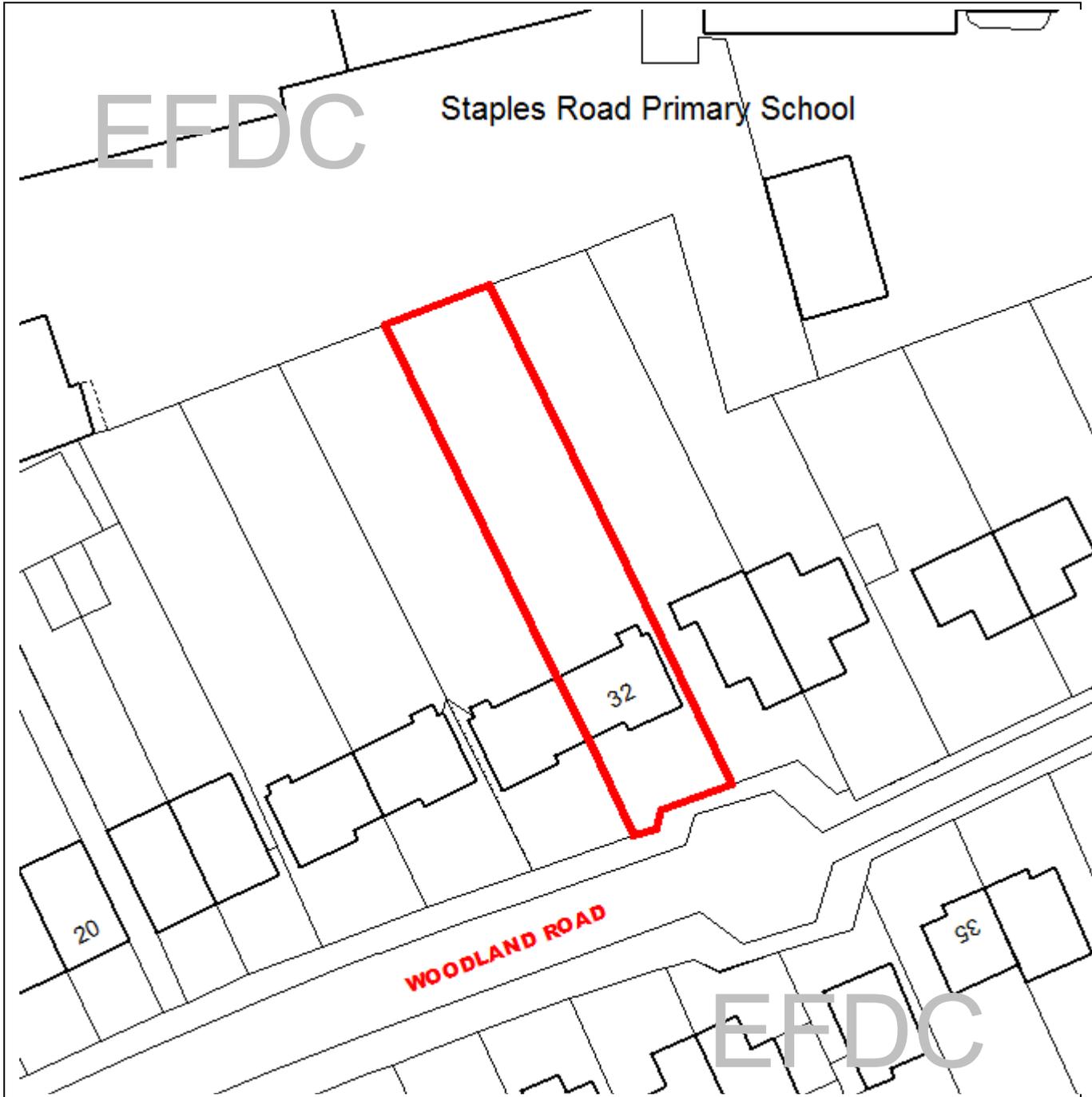
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# Epping Forest District Council

## Agenda Item Number 7



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Application Number:	EPF/1229/17
Site Name:	32 Woodland Road Loughton Essex IG10 1HJ
Scale of Plot:	1:500

**Report Item No:7**

<b>APPLICATION No:</b>	EPF/1229/17
<b>SITE ADDRESS:</b>	32 Woodland Road Loughton Essex IG10 1HJ
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Marys
<b>APPLICANT:</b>	Mr Michael Owen
<b>DESCRIPTION OF PROPOSAL:</b>	Two storey rear extension and internal alterations to enlarge living space and provide one additional bedroom. The addition of a small front porch to enlarge entrance hall.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=594119](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=594119)

**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 walls and roof slopes of the proposed development shall match those of the existing house, unless otherwise agreed in writing by the Local Planning Authority.
- 3 Access to the flat roof over the extension hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a seating area, roof garden, terrace, patio or similar amenity area.
- 4 Prior to first occupation of the development hereby approved, the proposed window opening in the north eastern flank elevation, to bedroom 2, 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 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 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:**

Semi-detached house on northern side of Woodland Road. The property has a block paved parking area set in front of the house which is sufficient to park two cars.

To the rear of the property is Staples Road Primary School, a locally listed building.

Not listed or in a conservation area though a boundary of the Staples Road Conservation Area is contiguous with the rear boundary of the property.

Ground levels rise somewhat to the north, to the rear. There is a significant slope to surrounding land rising to the east and falling to the west.

### **Description of Proposal:**

Two storey rear extension and internal alterations to enlarge living space and provide one additional bedroom. The addition of a small front porch to enlarge entrance hall.

On the ground floor the rear extension would be a maximum of 6m deep though a 2.3m wide part set on the side boundary with the attached neighbour would be 4.0m deep. The extension would be 8m wide, the full width of the existing house, on the ground floor.

At first floor level the rear extension would be 4m deep by 5.8m wide. The two-storey element of the proposal would be set 2.5m from the side boundary with the attached neighbour, no. 30.

The single storey element of the rear extension would have a flat roof some 2.8m in height. A lantern style roof light would be set 0.7m from the side edge of the roof adjoining no. 30 and 1.0m from the rear edge of the flat roof. The roof light would project a maximum of 0.5m from the surface of the flat roof.

The two-storey element of the rear extension would have a gable roof, some 4.5m to the eaves and 7.2m to the ridge.

A front porch would infill an internal corner of the footprint of the house. The porch would be 1.3m wide by 0.7m deep. The porch would have a monopitch roof.

### **Relevant History:**

EPF/1328/02 - Single storey front bay extension. – Granted 02/08/2002

EPF/0104/17 - Two storey and single storey rear extension and internal alterations to enlarge living space and provide one additional bedroom. The addition of a small front porch to enlarge entrance hall. – Refused 09/03/2017 for the following reason:

*The rear extension, principally by reason of the depth of the ground storey element and positioning hard on a side boundary in combination with its height in relation to the level of no. 30 Woodland Road though compounded by the height of the two-storey element, would have an excessive loss of residential amenity to the occupiers of no. 30 by reasons of loss of outlook and of overbearing and domineering effect. The proposal is contrary to Policy DBE9 of the Local Plan and Alterations and the provisions of the National Planning Policy Framework requiring high quality design.*

## **Policies Applied:**

### *Adopted Local Plan:*

CP2	Protecting the quality of the rural and built environment
DBE9	Loss of Amenity
DBE10	Design of Residential Extensions
HC6	Character, Appearance and Setting of Conservation Areas
HC13A	Local List of Buildings

### *NPPF:*

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

### *Draft Local Plan:*

At the current time, only limited 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. The relevant policies in this case are as follows:

DM7	Heritage Assets
DM9	High Quality Design

## **Consultation Carried Out and Summary of Representations Received**

Number of neighbours consulted: 6

Site notice posted: No, not required

Responses received: No response received from neighbours.

LOUGHTON TOWN COUNCIL: The Committee OBJECTED to this application as, despite the revisions, it was considered still to be too bulky and imposing to the detriment of the neighbouring property at 30 Woodland Road.

## **Main Issues and Considerations:**

This application differs from one previously refused in that part of the single storey rear extension has been reduced in depth; a rear corner of built form, set on the boundary with the attached neighbour, has been deleted. Along the boundary the depth of the rear extension was previously 6m and now is to be 4m.

The main issue for this application is considered to be the impact to neighbours. The front porch would have an unnoticeable effect in the street scene and the rear extension would not relate visually with the school building beyond the rear boundary.

The proposal is essentially for a rear extension. The rear of the property faces north by northwest. The application property is a semi-detached house with the attached neighbour set to the west by southwest. The attached neighbour is at a level some 0.5m lower than the level of the application property.

It was previously considered that the depth of the rear extension, principally that of the 6m deep ground floor element, though compounded by the first floor element, would have been too great not to have had a material adverse impact to the occupiers of the attached house, no. 30. The

adverse impact would have taken the form of loss of outlook and overbearing impact to a rear window and the rear garden immediately behind the house.

This element of the design has now been materially amended with the part of the proposed built form being reduced from 6m to 4m.

Furthermore, whilst no two planning applications are the same, a recent Inspector's decision (APP/J1535/W/16/3149665 and 3152218) in which the main issue was living conditions with respect to outlook and any overbearing effect suggests that impact to the whole width of an adjoining plot should be considered, not just that part nearer a common boundary with the proposed development. The attached neighbour has a plot width of some 8m with the house taking up nearly all this width. Taking the affect of the proposal to the property at no. 30 as a whole it is considered that any adverse impact would not be so great as to now justify refusal.

Given the orientation loss of light would not occur to a degree that would have a sufficiently material impact as to reasonably justify refusal.

In relation to 34 Woodland Road, this house has been extended to the rear (reference EPF/1540/87) by some 4m of two-storey built form. No. 34 is at a somewhat higher level. It is considered that the impact to the occupiers of no. 34 would not be to a degree that could reasonably justify refusal.

Whilst the flat roofed elements of the proposal would not complement the appearance of the existing house, given the well screened nature of where the flat roofs would be set and that a two-storey rear extension at no 34 has a flat roof, this aspect of the proposals is considered acceptable.

### **Conclusion:**

It is considered that the planning balance in this case falls to that of a recommendation of approval. Whilst the occupiers of one property may perceive some sense of loss of outlook and of overbearing and domineering effect this is a subjective matter and judged to be insufficient in degree to overcome Government advice that planning permission is to be granted unless adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

***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: Jonathan Doe  
Direct Line Telephone Number: 01992 564103***

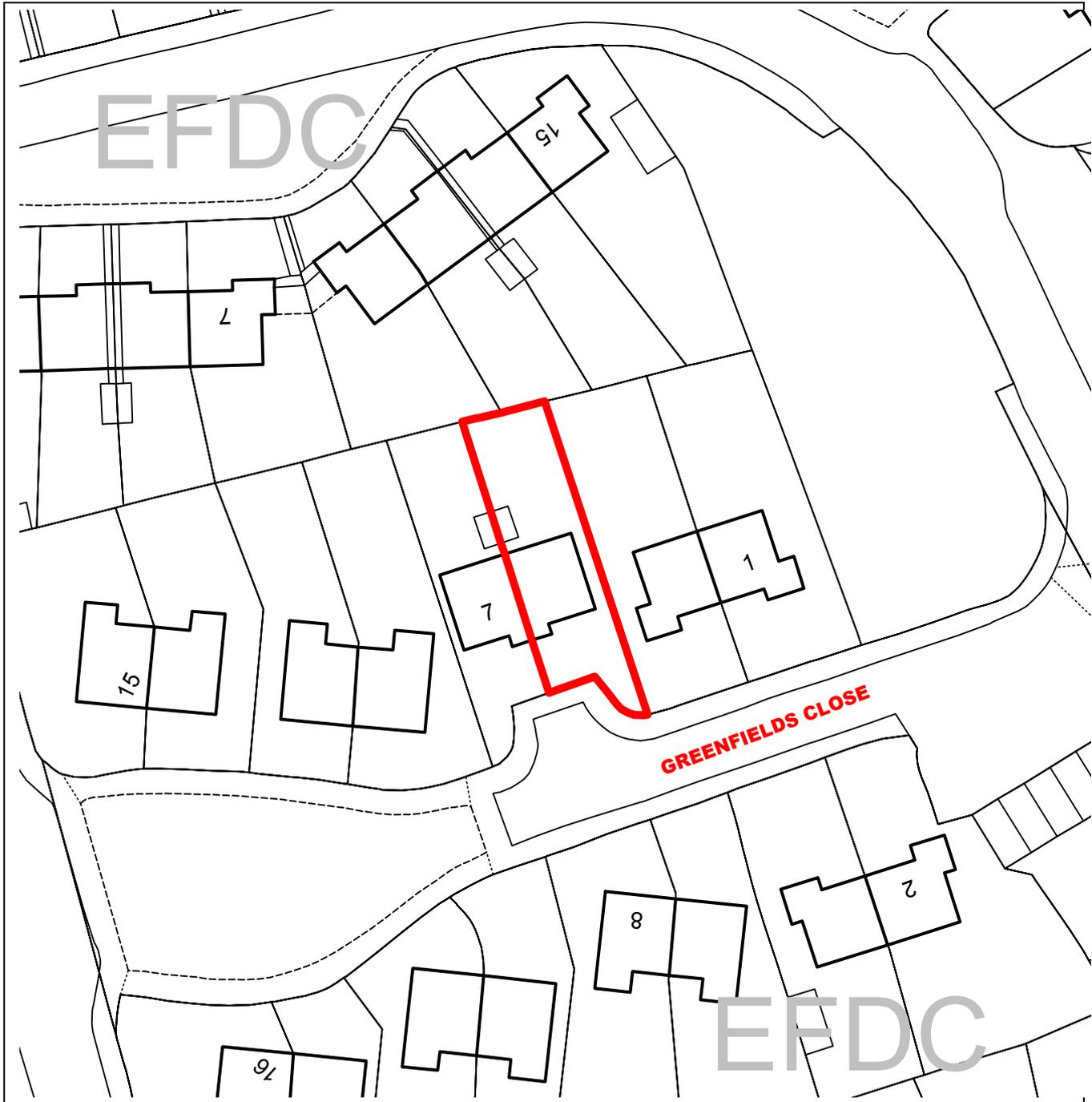
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# Epping Forest District Council

## Agenda Item Number 8



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Application Number:	EPF/1344/17
Site Name:	5 Greenfield Close Loughton Essex IG10 3HG
Scale of Plot:	1:500

**Report Item No: 8**

<b>APPLICATION No:</b>	EPF/1344/17
<b>SITE ADDRESS:</b>	5 Greenfield Close Loughton Essex IG10 3HG
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Alderton
<b>APPLICANT:</b>	Mr T Dabrega
<b>DESCRIPTION OF PROPOSAL:</b>	Two storey and single storey rear extension and single storey front extension.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM\\_websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=594627](http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=594627)

**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 walls and sloping roofs of the proposed development shall match those of the existing house, unless otherwise agreed in writing by the Local Planning Authority.
- 3 Prior to first use of the development as hereby approved, the proposed window opening in the eastern flank elevation, to bedroom 3 as shown on the approved plans, shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 4 Access to the flat roof over the extension hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a seating area, roof garden, terrace, patio or similar amenity area.
- 5 All material excavated from the below ground works hereby approved shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.
- 6 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 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 property is a semi-detached house, with side gable roof, in a cul-de-sac.

Ground levels rise to the rear, to the north, and fall to the front, to the south.

Not listed or in a conservation area.

### **Description of Proposal:**

Two storey and single storey rear extension and single storey front extension.

On the ground floor the rear extension would be 4.9m deep by 7.2m wide, leaving a space of 0.3m from the boundary with no. 3. The first floor rear extension would be 3.0m deep by 4.5m wide.

The single storey rear extension would have a flat roof with a height of 2.8m. The two storey rear extension would have a gable end with a maximum height of 6.6m, 4.9m to the eaves.

The house has a hall, kitchen and living room on the ground floor and two bedrooms and a bathroom on the first floor. The proposal would enlarge the living room by the front extension and create an open plan kitchen and dining area at the rear of the house. The first floor rear extension would create a third bedroom.

### **Relevant History:**

EPF/0181/17 Part single, part two storey rear and side extension. Single storey front infill extension. – Refused 23/03/2017 for the following reasons:

*The proposed development by reason of its scale, massing, design and projection beyond the side wall of the house, would appear as a bulky and incongruous addition to the house. The siting and projection beyond the side wall of the house would result in it having a cramped appearance, particularly when seen from the street and adjoining properties. The proposal would therefore fail to complement the appearance of the existing building and be harmful to the character and appearance of the locality, contrary to Policies CP2 (iv) and DBE10 of the adopted Local Plan (1998) and Alterations (2016); and guidance in the NPPF.*

*The proposed development by reason of its overall depth, scale, bulk, height, and siting in relation to 3 and 7 Greenfield Close, would appear excessively overbearing and dominant when seen from 3 and 7 Greenfield Close. As a consequence, the proposal would cause excessive harm to outlook from 3 and 7 Greenfield Close. Accordingly, the proposal is contrary to Policies DBE9 of the adopted Local Plan (1998) and Alterations (2006); and guidance in the NPPF (2012).*

### **Policies Applied:**

*Adopted Local Plan:*

CP2	Protecting the quality of the rural and built environment
DBE8	Private Amenity Space
DBE9	Loss of Amenity

DBE10            Design of Residential Extensions

*NPPF:*

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

*Draft Local Plan:*

At the current time, only limited 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. The relevant policies in this case are as follows:

DM9            High Quality Design

**Consultation Carried Out and Summary of Representations Received**

Number of neighbours consulted: 8  
Site notice posted: No, not required

Responses received:

3 GREENFIELDS CLOSE – Object, would encourage continued use of my drive to access their parking space, use of drive important to me because of health problems, construction process would cause disruption.

LOUGHTON TOWN COUNCIL: The Committee had NO OBJECTION to the single storey front extension but OBJECTED to the two storey rear extension which was considered over large and therefore had an adverse impact on the neighbouring property.

**Main Issues and Considerations:**

The main issues are design and impact on the living conditions of neighbours.

Design

This application represents an amended design from one previously refused, EPF/0181/17. The changes from the previous design relate to the first floor of the rear extension. It would project 700mm beyond the flank wall of the house whereas the refused proposal projected 1.4m. This has been achieved by reducing the width of the two-storey rear extension from 5.5m to 4.5m, resulting in it being set further from the site boundaries of both 3 and 7 Greenfields Close. Furthermore, the height of the proposal has been reduced from 7.0m to 6.6m. The combination of the reduced width and height together with the greater separation distances has achieved a more proportionate relationship to the existing house, with the extension appearing appropriately subordinate. Moreover, the increased separation of the two-storey component from 3 Greenfields Close has significantly reduced visibility of the proposal from the street, with the 700mm projection beyond the flank of the existing house having minimal visual impact due to the distance it would be set rear of the front elevation, 6.2m, and since it would be set 1m from the site boundary with no. 3.

Overall, the proposed enlargement to the rear would complement the appearance of the existing house and respect its setting.

The proposal includes a front extension which would come level with the front of an existing porch. This element is unchanged from the previous application and is considered acceptable.

### Living Conditions

With regard to impact to neighbours, it is considered significant that conjoined outbuildings currently exist behind the application property and its attached neighbour. The depth of the single storey rear extension, hard on the boundary with the attached neighbour, is significant, at 5m. However, this dimension would bring the rear wall of the extension effectively level with the rear wall of the outbuilding to the attached neighbour. The rear extension is on the north by northwest elevation of the house such that the extension would not obstruct direct sunlight. The rear extension adjoining the boundary with the attached neighbour would have a height of 2.7m, 0.5m greater in height than the outbuilding that would remain on the neighbours' property. The first floor of the rear extension would be 2m from the boundary with the attached neighbour. The nearest first floor window to the attached neighbour is obscure glazed and would appear to be to a bathroom. It is considered that the rear extension would have no material adverse impact to the occupiers of the attached neighbour sufficient to adequately justify refusal.

The neighbour to the other side, no. 3, would be isolated from the rear extension by a minimum distance of 4 m at first floor. Given this isolation distance and the orientation of the proposal, it is considered that the rear extension would have no material adverse impact to the occupiers of the attached neighbour sufficient to adequately justify refusal.

The addition of a first floor rear extension has necessitated the creation of a first floor side window in the existing flank wall. In order for this part of the design to be acceptable it would be necessary for this window to be obscure glazed to prevent overlooking of the rear garden of no. 3, immediately behind the rear wall of that house. Whilst this would create a bedroom with no window other than an obscure glazed window, an arrangement normally considered unacceptable, when considered in the round, with a two bedroom house being changed to a three bedroom house, this is considered necessary and, on balance, reasonable.

### Other matters

The rear garden to the application property is smaller than other houses nearby. Some 42 sq m of private amenity area would remain if the proposal were implemented. This figure is less than the Council would normally expect. However, this is not a matter on which objection was raised to the previously refused scheme. Moreover, the relevant policy does not specifically refer to a minimum figure and the private amenity space that would remain would be of a nature which would enable reasonable use. It is also noted that public open space is available between the end of Greenfields Close and Alderton Hall Lane and immediately to the east of 1 Greenfields Close. On that basis it is concluded the private amenity area that would remain for the application property is adequate.

From a site visit it would appear that the occupiers of the application property and the occupier of no. 3 share a dropped kerb. No. 3 has a garage at the end of a drive and the application property has a paved area for parking set behind a hedge. It is not clear that the comment from the occupier of no. 3 suggesting that the drive is wholly within the curtilage of no. 3 is indeed the case. From the position of the garage to no. 3 relative to the driveway between the houses in question, it appears that the driveway and the dropped kerb were intended to be shared. In any case this is a private matter between the two parties involved.

Disruption during the construction process is not a planning matter.

**Conclusion:**

The history of the site and the comment of the Town Council with regard to the rear extension element have been taken into account. However, this amended proposal would respect the appearance of the existing house and would have a negligible impact to the streetscene. Furthermore, its impact to neighbours is considered to be acceptable. On that basis the proposal complies with planning policy and it is recommended that planning permission be 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: Jonathan Doe  
Direct Line Telephone Number: 01992 564103***

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



# Epping Forest District Council

## Agenda Item Number 9



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Application Number:	EPF/1426/17
Site Name:	33 Amberley Road Buckhurst Hill Essex IG9 5QW
Scale of Plot:	1:500

**Report Item No:9**

<b>APPLICATION No:</b>	EPF/1426/17
<b>SITE ADDRESS:</b>	33 Amberley Road Buckhurst Hill Essex IG9 5QW
<b>PARISH:</b>	Buckhurst Hill
<b>WARD:</b>	Buckhurst Hill West
<b>APPLICANT:</b>	Mr Paul Hiam
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed two storey one bedroom end of terrace dwelling
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM\\_websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=594934](http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=594934)

**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: 1761/01B, 1761/02, 1761/03B, 1761/06B, 1761/07D, 1761/08D, 1761/09C and 1761/10
- 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 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, D and E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 5 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 access ways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 6 If any tree, shrub or hedge shown to be retained in the submitted Arboricultural reports is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased during development activities or within 3 years of the completion of the

development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.

- 7 Tree protection shall be implemented prior to the commencement of development activities (including demolition) in accordance with the submitted Tree Survey/Arboricultural Method Statement reports unless the Local Planning Authority gives its prior written approval to any alterations. Tree protection shall be installed as shown on RGS Arboricultural Consultants ' Tree Constraints and protection plan' dated 12th April 2017.
- 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 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 10 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.

*This application is before this Committee since it is for a type of development that cannot be determined by Officers if more than four objections material to the planning merits of the proposal 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 site is a triangular site located to the side of 33 Amberley Road, an end of terrace bungalow located on the north side of Amberley Road within the built up area of Buckhurst Hill. The site lies at the junction of Amberley Road and Russell Road and the land slopes up to the north and west. There are protected trees along the north west boundary adjacent to Russell Road. The property is not within the Green Belt or a Conservation Area. This terrace row of bungalows was originally two chalet style bungalows.

**Description of proposal:**

The application seeks consent for a new two storey one bedroom dwelling (with the first floor contained within the roof). The proposal measures 5m wide, 9.5m deep with a pitched roof inline with the attached property to a height of 6m with a pitched roof dormer to the rear. A terrace amenity area is proposed to the rear of the site with a side garden to the west. Two parking spaces are proposed to the front of the proposed dwelling.

**Summary of Representations:**

BUCKHURST HILL PARISH COUNCIL: Objection – Overdevelopment of site. Visual impact of the development

41 Neighbours consulted:

11 Letters of objection were received from the following addresses:

8, 11, 13, 26, 28 AND 36 AMBERLEY ROAD

10, 20 AND 29 RUSSELL ROAD

7 AND 26 ORMONDE RISE

Their OBJECTIONS can be summarised as follows:

Overdevelopment of the site, undesirable precedent, pressure on services, detrimental impact on character, access is dangerous, shortage of parking in area, TPO's on site, house is too small

**Relevant History:**

Various applications on this and the adjacent terrace. The most relevant of which:

EPF/2295/16 – Single storey side extension – App/Con (33 Amberley Road)

EPF/2217/07 - Roof extension to form a two bedroom end of terrace bungalow – Refused – Allowed at appeal (formed No. 33 Amberley Road)

Policies Applied

CP2 – Protecting the Quality of the Rural and Built Environment

CP3 – New Development

CP5 – Sustainable Building

CP6 – Achieving sustainable urban development patterns

CP7 – Urban Form and Quality  
DBE1 – Design of New Buildings  
DBE2 – Effect on Neighbouring Properties  
DBE3 – Design in Urban Areas  
DBE8 – Private Amenity Space  
ST1 – Location of Development  
ST4 – Road Safety  
ST6 – Vehicle Parking  
H2A – Previously Developed Land  
H4A – Dwelling Mix  
LL11 – Landscaping schemes

Also relevant are the policies and planning principles contained within the National Planning Policy Framework ('The Framework').

*Draft Local Plan Consultation document (2016):*

DM5 Green Infrastructure: Design of Development  
DM9 High quality design  
DM10 Housing design and quality  
SP6 The Natural Environment, Landscape Character and Green Infrastructure

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.

**Issues and Considerations:**

The main issues with this proposal relate to suitability of site, design, impact on amenity, highway/parking issues and tree and landscape issues.

Suitability of Site

The site is within the built up area of Buckhurst Hill and is within 1km of Buckhurst Hill Underground Station and the shops and services of Queens Road area and is considered a relatively sustainable location. The site itself is domestic garden land which is not classed as previously developed land, however this does not in itself rule out development on this land if the development complies with other policy.

The proposal will result in a further terrace property to this existing terrace row, which are the only terraced properties in the immediate area (although there are terraced properties nearby – most noticeably on Gladstone Road). However, the site is considered sufficiently large to accommodate a new dwelling, without detriment to the character of the area.

The proposed garden size is more than adequate for a one bedroom property and meets the standards as set out in policy DBE8. With regards to the host property this also meets the requirements for this size of dwelling and is considered acceptable.

Amenity

The proposal is considered to only result in limited harm to neighbouring amenity.

The properties opposite are not considered to result in any loss of amenity due to the distance across the road of some 27m and the only first floor window on the front elevation is a high level roof light over the stairs and therefore no overlooking arises.

With regards to the rear of the site, the land rises up quite significantly and the rear of the property will face the angled Russell Road rather than directly onto a neighbouring property. Given these constraints it is not considered to result in any excessive overlooking particularly as to the rear is located on significantly higher ground.

The proposal is the same depth as the host property and no amenity concerns are raised.

### Design

The proposal results in a narrower property than the attached neighbours, however the height has been kept the same and the general design theme of the attached neighbour has been adhered to. Although narrower, it is not considered to result in any significant harm to the appearance of the streetscene, particularly as from the west the proposal will be screened by the preserved trees. Although this is a smaller house than the surrounding average, it is not considered to set an undesirable precedent, as, mentioned above, this row of terrace bungalows is the only one in the immediate area and therefore is not considered to set a precedent given the surrounding character of the area where it would be difficult to copy this form of proposal.

The plot is unusually shaped given it is triangular but this is only due to the constraints of its junction position and the triangular garden is not considered to be out of character with surrounding gardens. Given the acceptable garden size and parking provision coupled with the modest size of the development the proposal is not considered to result in overdevelopment of the site.

### Highways

Despite neighbour concerns regarding the access to the proposal, Essex County Council have raised no objection in terms of access or safety to the scheme as the proposal is not contrary to the relevant policies. It is acknowledged that there is an existing parking issue in the area due to the proximity of the Underground station, however, the proposal provides space for two parked vehicles and this more than meets the Essex Parking Standards which for a one bedroom property would only require 1 parking space.

### Tree and Landscape

There are preserved trees on the site. The application was accompanied by a Tree Survey. The Tree and Landscape Officer has no objection to the scheme subject to retention of existing trees and shrubs and tree protection to ensure that the site retains its sylvan nature.

### Conclusion:

The proposal results in a new dwelling in an urban area, with ample parking and good links to transport options and services. Although on an unusually shaped plot, the proposal provides more than sufficient amenity space and parking with no harm to the preserved trees. It is a narrow dwelling but not considered to disrupt the appearance of the streetscene and no significant amenity issues are raised. Given the above assessment, the proposal is recommended for approval.

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

**Planning Application Case Officer: Marie-Claire Tovey**

**Direct Line Telephone Number: (01992) 564414**

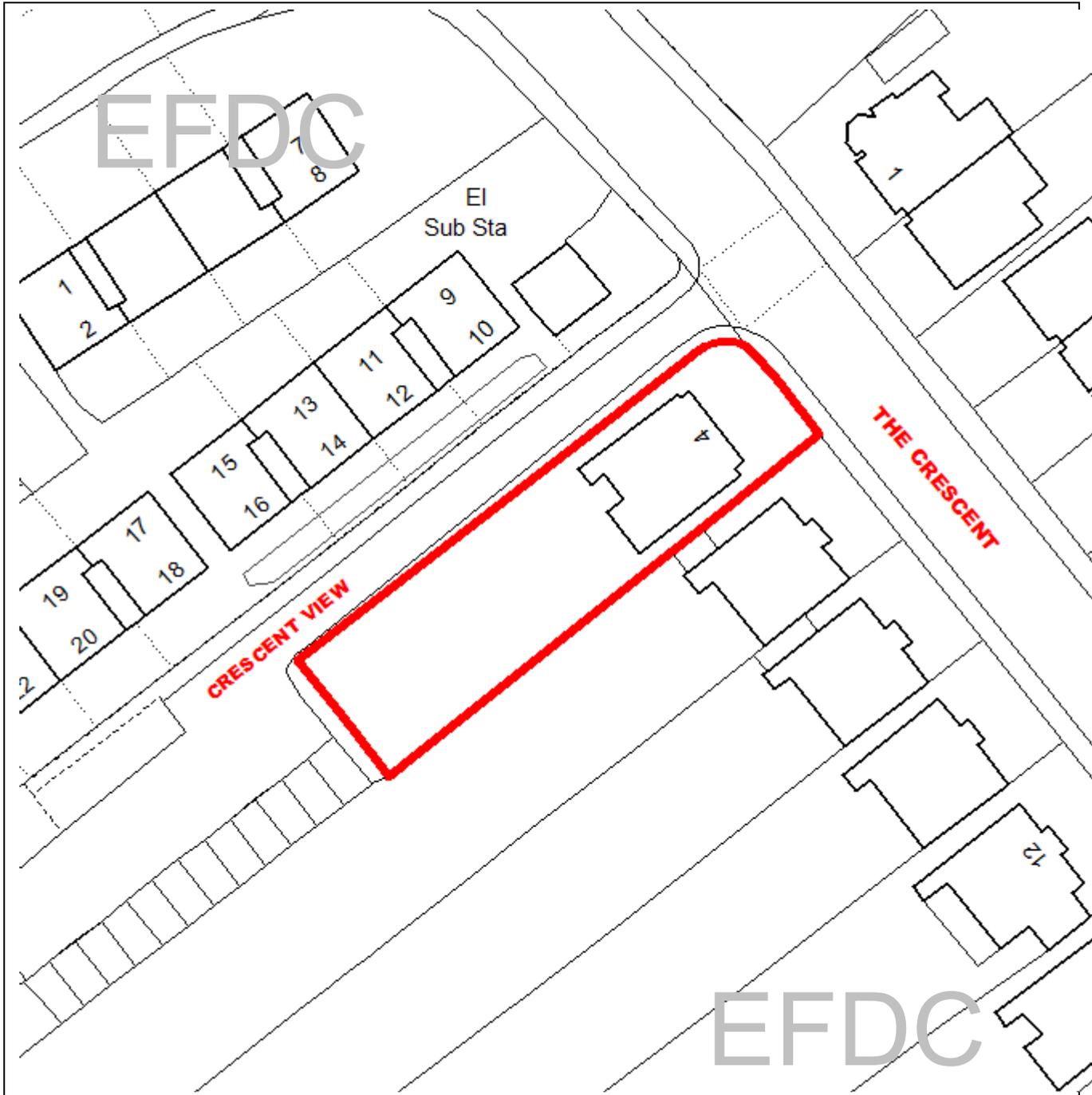
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# Epping Forest District Council

## Agenda Item Number 10



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Application Number:	EPF//1430/17
Site Name:	4 The Crescent Loughton Essex IG10 4PY
Scale of Plot:	1:500

**Report Item No:10**

<b>APPLICATION No:</b>	EPF/1430/17
<b>SITE ADDRESS:</b>	4 The Crescent Loughton Essex IG10 4PY
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Forest
<b>APPLICANT:</b>	Ms Keri Hubbard
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed loft conversion with hipped roofs being changed to gables, erection of rear first floor extension, rear dormer window, and two front dormer windows and rooflight.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=594938](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=594938)

**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 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 for a type of development that cannot be determined by Officers because more than four objections material to the planning merits of the proposal to be approved have been received (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)*

**Description of Site:**

A bungalow located at the junction with a cul de sac called Crescent View. The property is not listed nor does it lie in a conservation area.

### **Description of Proposal:**

Proposed loft conversion with hipped roofs being changed to gables, erection of rear first floor extension, rear dormer window, and two front dormer windows and rooflights.

### **Relevant History:**

None.

### **Policies Applied:**

#### *Adopted Local Plan:*

DBE10 – Residential extensions.

DBE9 – Loss of amenity.

#### *NPPF:*

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

#### *Draft Local Plan*

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. The relevant policies in this case are as follows:

- DM9 - High Quality Design

### **Summary of Representations:**

LOUGHTON TOWN COUNCIL – the Committee had no objection but recommended that the bathroom window should be glazed in obscured glass for the privacy of the neighbouring properties.

NEIGHBOURS – 14 consulted and 5 replies have been received:-

9, THE CRESCENT - This conversion will take away all the natural light which presently comes into my living room. Already the existing ground floor windows all look into my flat and their lights shine into my living & bedroom, these are my main two rooms so I have nowhere else to go and although the existing double window is only their utility room its not opaque so I can see them in that room and they can see me in my main two rooms. With the added 2<sup>nd</sup> storey window and Velux in the loft extension, I feel that would be further intrusion to my privacy as this will give the owner of 4 The Crescent more access to see into both my living room and bedroom.

12, THE CRESCENT -plans will severely affect the quality of my life. The windows from the side aspect will overlook and invade my privacy in my living room and the proposed glazing at the rear of the property will invade my privacy from my bedroom. I may be wrong but it seems that the plans are quite similar to the extension for number 6 The Crescent. Given that I can see straight into their velux windows, I know the colour of the wall decoration and I can see them in the bathroom one house away when they have the window open, to have windows even closer to me will be much worse for me and for the residents in number 4.

11, THE CRESCENT - We live at 11 Crescent View, a ground floor flat facing the right side of 4 The Crescent. Our primary concern is that the proposed development will overlook our Flat leading to a fundamental loss of privacy. We would also like to make the Committee aware of the difficulty entering/exiting and parking on Crescent View. We would ask that the committee impose

conditions on the development as regards use of the lane for construction vehicles, access, scaffolding, hours of working etc.. Whilst we express these concerns, we wish our neighbours all the best with their plans, and hope that they can be executed with minimum impact and disruption on us all.

10, THE CRESCENT - I have major concerns about the proposed loft conversion to 4 The Crescent. The proposed loft conversion and extension will affect the privacy of people in the nearby flats at Crescent View as it will overlook these flats from the side and/or back. It seems to me that it will be level with the first floor flats which will lose most privacy, but it will also enable people in the loft conversion to look down into the ground floor flats of Crescent View. There will probably be loss of light mainly to the ground floor flats numbered 9 & 11 as well as to the first floor flats numbered 10 and 12. I trust that these matters will be taken into consideration for the benefit of me and other residents in Crescent View.

6, THE CRESCENT - My concerns are overlooking from the side facing roof light window. This could be addressed by relocating this window in a more recessed position or making it obscured and fixed. Secondly, loss of light from the nearest gable end roof extension which could be reduced by incorporation of a hipped end.

### **Issues and Considerations:**

The Crescent contains a mix of bungalows and houses but increasingly bungalows are being converted to chalet bungalows or remodelled/rebuilt to form two storey houses. This proposal seeks to convert the existing bungalow into a chalet dwelling by extending the roof incorporating two front dormer windows and two first floor rear gable roof extensions. The ridge height of the existing bungalow will not be raised. It will have a larger profile when viewed from the side, but overall the proposed extensions are of a reasonable size and are not excessive.

The property adjoins a side road Crescent View which is a narrow road containing a two storey block of maisonettes many of which face the application property. These maisonettes are located on raised land.

Concerns have been raised by residents in Crescent View that the proposed enlargement of the bungalow will reduce their front outlook and light, and give rise to a two way loss of privacy. Only the first maisonettes at nos. 9 and 10 Crescent View would have light and outlook affected by the proposal, and it is acknowledged that their front outlook is far more valuable than their rear aspect. However the front face of these maisonettes stand 12m away from the side of the application property, they also stand on ground that is 2 to 3m higher, and much of the increase in size of the application property will be in a first floor gable end rear extension that slopes in from the side. Owing to these factors the effect on the outlook and light to nos. 9 and 10 would be affected but not at a significant level.

With regard to loss of privacy issues the applicants have confirmed that the first floor bathroom side facing window facing Crescent View will be obscured glazed. They are also prepared to fit obscured glass to the two roof light windows to be placed in the side roofs of the main first floor gable extension. Although overlooking from these high level roof flights would not be 'easy' the use of obscured glass will reduce the perception of neighbours that they are being overlooked. Amended plans will be received confirming use of obscured glass. Some objectors in The Crescent are concerned that the proposed Juliet balcony in the gable end roof extension, which faces facing the rear garden, will cause overlooking both from and into the application property. However 'views' from and to this window will only be ones with a high angle of view and a material loss of privacy will there not be caused.

The neighbouring bungalow property on the other side at no.6 The Crescent has already been converted into a larger chalet bungalow. As referred to above the applicant has agreed to install

obscured glazing in the roof light window facing no. 6, and the smaller first floor gable extension on this side of the property will not give rise to a material loss of light or outlook.

**Conclusions:**

The conversion of this bungalow into a family sized chalet bungalow makes better use of a sizeable rear garden. For the reasons outlined in the report above the proposal will not cause a significant loss of amenity to neighbours. It is therefore recommended that planning permission be granted subject to conditions.

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

***Planning Application Case Officer: David Baker  
Direct Line Telephone Number: 01992 564514***

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

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# Epping Forest District Council

## Agenda Item Number 11



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Application Number:	EPF/1479/17
Site Name:	2 Fallowfields Loughton Essex IG10 4QP
Scale of Plot:	1:500

**Report Item No:11**

<b>APPLICATION No:</b>	EPF/1479/17
<b>SITE ADDRESS:</b>	27 Fallow Fields Loughton Essex IG10 4QP
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Forest
<b>APPLICANT:</b>	Mr Steve Boyle
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed single storey rear extension, roof amendment, dormer, internal alterations and porch
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM\\_websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=595193](http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=595193)

**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.

*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 a two storey end of terrace property located on the north side of Fallow Fields within the built up enclave of Great Woodcote Park on the outskirts of Loughton. The site is within the Metropolitan Green Belt but not within a Conservation Area.

**Description of Proposal:**

The application seeks consent for a proposed single storey rear extension, hip to gable extension, rear dormer window and side porch addition.

**Relevant History:**

None relevant however permitted development rights for roof additions were removed at the time the estate was given planning permission.

## **Policies Applied:**

### Epping Forest District Local Plan and Alterations

CP2 – Quality of Rural and Built Environment

DBE9 – Impact on Amenity

DBE10 – Extensions to Dwellings

GB2A – Development in the Green Belt

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

### *Draft Local Plan Consultation document (2016):*

DM9 High quality design

DM10 Housing design and quality

SP5 Green Belt and District Open Land

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.

## **Summary of Representations:**

LOUGHTON TOWN COUNCIL: The Committee OBJECTED to this application Committee as it would have an adverse effect on the street scene. Members regretted the loss of symmetry to the properties and expressed a concern about the intensification of the dwelling to provide four bedrooms all with en-suite facilities.

5 Neighbours consulted:

1 TREETOPS VIEW: Strong Objection – material impact in terms of bulk, mass, design, overlooking and overbearing nature.

29 FALLOW FIELDS: Objection – material impact in terms of loss of light

## **Issues and Considerations:**

The main issues with this application relate to design, impact on amenity and impact on the Metropolitan Green Belt.

### Design

The proposal will alter the appearance of this group of 3 properties with the addition of the hip to gable. However, there are a range of different roofscapes within the wider area and it is not considered that the alteration to a gable disrupts the appearance of this group of properties or the wider street scene to such a degree to justify a refusal. Moreover, it is noted that number 31 Fallow Fields has been granted consent for a hip to gable roof extension of a similar design and scale. This was granted consent by the South Area Planning Committee on 28 June 2017 under planning application reference: EPF/0767/17.

With regards to the proposed rear dormer, this is of a similar design and scale to the rear dormer roof extension which was approved under the above planning reference. It would have a finish which would match the existing appearance of the application dwelling. Although still a relatively large dormer it is similar to that possible under permitted development. The rear dormer extension

is of a size and scale that clearly reads as a roof addition rather than second floor addition, thus appearing subservient to the existing house.

Dormers are not unusual within the wider estate, for example, dormers are present at no. 33 Fallow Fields.

The proposed side porch addition would be of a width, height, depth and design that would appear subservient to the existing house and would not be dissimilar to existing porch extensions on this street.

The proposed single storey rear extension would be of a height, design, depth and size which can be implemented under permitted development and which is not dissimilar in size and scale to single storey rear extensions on this street such as the single storey rear extension at number 31 Fallow Fields. It would be built from materials to match the existing house and would not be visible from the street scene due to its width.

### Amenity

The proposal is not considered to result in any excessive loss of light or outlook to any neighbouring property. This is due to the size and scale of the proposal as well as the similar land levels of immediate adjoining properties. Whilst the location of the application and adjoining dwellings on this street would mean that they would receive less sunlight during the evenings, given the size and depth of the single storey rear extension proposed, it is not felt that this would result in any significant decrease in sunlight and daylight received by number 29 Fallow Fields during the afternoons and evenings compared with the existing situation. New windows are proposed at roof level; however it is not considered that the proposal will result in any excessive overlooking above that of the existing first floor windows.

No. 1 Treetops View is sited at a considerable distance from the application dwelling and is built on a higher land level compared with the application dwelling. Given the distance, the development would not result in increased levels of overlooking compared with the existing situation.

### Parking

Notwithstanding the proposed conversion of the existing garage, there is sufficient hardstanding to the front of the application dwelling for at least 2 vehicles, thus complying with Council parking standards.

### Green Belt

The site is within the Metropolitan Green Belt, where any new development is critically assessed with regards to the appropriateness of such a development and its impact on the character and openness of the surrounding area.

The roof additions and associated extensions are similar to what could be completed under permitted development, are not excessive in size and will be viewed within the context of this built up estate and therefore it is not considered that the proposal detracts from the character and openness of the Green Belt in this location. The application dwelling has not been extended or altered previously and therefore given the size and scale of the proposed development, it would not result in an intensification of development.

**Conclusion:**

The proposal is not considered to result in an excessive impact on amenity and no detrimental harm to the openness and character of the Metropolitan Green Belt. The proposed roof additions are very similar to that granted at no. 33 by this committee at its last meeting in June. Given the above appraisal the proposal is therefore considered acceptable and approval is recommended.

***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: Sukhdeep Jhooti  
Direct Line Telephone Number: 01992 564 298***

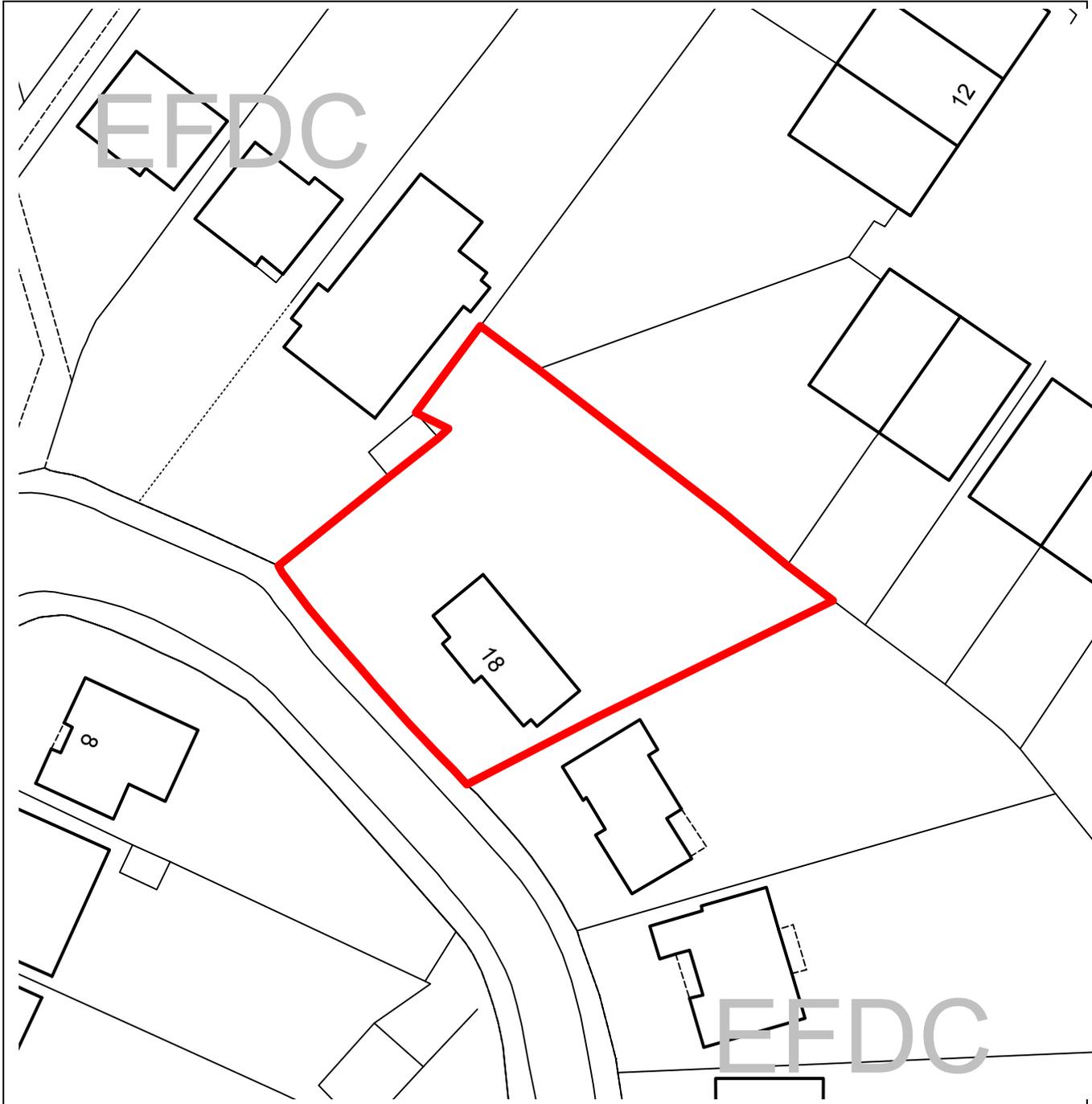
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# Epping Forest District Council

## Agenda Item Number 12



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Application Number:	EPF/1540/17
Site Name:	18 Albion Park Loughton Essex IG10 4RB
Scale of Plot:	1:500

**Report Item No:12**

<b>APPLICATION No:</b>	EPF/1540/17
<b>SITE ADDRESS:</b>	18 Albion Park Loughton Essex IG10 4RB
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Forest
<b>APPLICANT:</b>	Mr Ken Fox
<b>DESCRIPTION OF PROPOSAL:</b>	Application for variation of condition 3 'external finishes' on planning application EPF/2832/16 (Demolition of existing dwelling and erection of a detached single dwelling with associated car parking) to allow use of a blue black slate.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=595438](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=595438)

**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: BRD/16/009/010-C, BRD/16/009/011-A, BRD/16/009/012-A and BRD/16/009/013
- 3 The development shall be implemented in accordance with the brick details submitted and approved under reference EPF/0749/17 and roof tile: SSQ Sarria blue-black slate unless otherwise agreed in writing with the Local Planning Authority.
- 4 The development shall be implemented in accordance with the agreed surface water drainage details as approved under EPF/0749/17.
- 5 The approved wheel washing methods as agreed under reference EPF/0749/17 shall be used to clean vehicles immediately before leaving the site.
- 6 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 (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.
- 7 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 extensions, roof enlargements, roof lights or outbuildings generally permitted by virtue of Classes 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.

- 8 The landscape scheme shall be carried out in accordance with the approved details and the agreed timetable agreed under EPF/0749/17. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand in writing.
- 9 The development shall be carried out only in accordance with the approved Tree Protection Plan Arboricultural Method Statement submitted under reference EPF/0749/17 unless the Local Planning Authority gives its written consent to any variation.
- 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 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.
- 12 The development shall be carried out in accordance with the approved site level details submitted under reference EPF/0749/17.

*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: Scheme of Delegation, Appendix 3)*

### **Description of Site:**

The application site was a detached two storey property with attached garage located on the north side of Albion Park a small cul-de-sac of detached properties within the built up area of Loughton. The application site is within the latter stages of construction, with some roof timbers in place following an approval for a replacement dwelling on the site. The application site has a number of

preserved trees. The site slopes to the rear with the properties behind (within Hazelwood) at a significantly lower level. The site is not within the Green Belt or a Conservation Area.

### **Description of Proposal:**

This application seeks planning permission for variation of condition 3 'external finishes' on planning application EPF/2832/16 (which was for the demolition of existing dwelling and erection of a detached single dwelling with associated car parking). The condition requested the following:

*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. For the purposes of this condition, roof tiles are expected to be similar to those used at 17 Albion Park.*

Materials had been agreed under approval of details application EPF/0749/17 (a mix of Old Rustic and Old Heather tiles) which were similar to those at 17 Albion Park.

This application seeks to alter these tiles to allow the use of SSQ Sarria blue-black slate.

### **Relevant History:**

EPF/0749/17 - Application for Approval of Details Reserved by Condition 3 'materials', 4 'surface water drainage', 5 'wheel washing', 8 'landscaping', 9 'tree protection' and 12 'site levels' on planning application EPF/2832/16 (Demolition of existing dwelling and erection of a detached single dwelling with associated car parking) – Details Approved

EPF/2832/16 - Demolition of existing dwelling and erection of a detached single dwelling with associated car parking – App/Con

EPF/2343/16 - Demolition of existing dwelling and erection of two detached dwellings with associated car parking and vehicular access – Withdrawn

### **Policies Applied:**

#### Adopted Local Plan and Alterations

CP2 Protecting the Quality of the Rural and Built Environment  
DBE1 Design of new buildings

Also relevant are the policies and planning principles contained within the National Planning Policy Framework ('The Framework').

#### *Draft Local Plan Consultation document (2016):*

DM9 High quality design  
DM10 Housing design and quality

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.

### **Summary of Representations:**

Notification of this application was sent to Loughton Town Council and to 29 neighbouring properties.

LOUGHTON TOWN COUNCIL: The Committee NOTED the contents of a letter of objection.

The Committee OBJECTED to this application as the blue black slates were out of keeping with the streetscene as they would not match the surrounding properties. The Planning Officer's attention was drawn to Condition 3 from EPF/2832/16 in this regard.

Objections have been received from the following addresses:

16 HAZELWOOD –

We object to this design change as it contradicts the councillors' view expressed at the planning meeting that a redeeming feature of this development would be a red roof colour matching the existing surrounding properties, as all other features are out of keeping with other houses in the street. The Area Planning Sub-committee South (01 February 2017) discussed and stipulated the colour of the roof tiles was discussed. The Webcast shows that Councillors Knapman, Chambers and Chamberlain requested that the roof tile colour be red to match the tiles of the nearby properties. Spanish blue / black slate tiles do not relate sympathetically with the previously approved traditional clay tiles which are an established feature in Albion Park. (Illustrations of which had been included with the original submission).

8 ALBION PARK –

I object to the use of blue black slate as this property now completely dominates the site and the roof area is extremely large. Everything should be done to make the property at least ATTEMPT to blend in with the rest of the property in the road.

17 ALBION PARK –

We object to the proposal to change the material and colour of tiles from red to blue/black. The EFDC, on 10 April 2017, by EPF/0749/17 approved the colour, texture and material of the roof tiles and I attach a copy of the details submitted by the developer for approval. We respectfully draw your attention to the EFDC Planning Sub-committee Area South meeting held on 01 February 2017 when members specifically imposed Condition 3 which states that "roof tiles are expected to be similar to those used at 17 Albion Park." (Reason: - To ensure a satisfactory appearance in the interests of visual amenity, in accordance with the guidance contained within the National Planning Policy Framework and policy DBE1 of the adopted Local Plan and Alterations.).

Many residents objected to this development because they considered it to be out of keeping in this road with regard to its massive size and architectural features. From the members' debate it appeared that the roof colour and tile material would make the new house more sympathetic with other properties in the road. We cannot find within this application either reasons or justification for this proposal. The developer, in his original application, did not state the colour, texture or material of the roof tiles, but did comply with members'. If the developer did not like the approved Condition 3 he should have objected straightaway when his planning proposal was being considered back in February.

15 ALBION PARK –

We object to the proposed change as we feel that the slate roof tile is not suitable and should be as the original application i.e. a clay type roof tile which would be matching the other similar house roof construction types.

**Issues and Considerations:**

The main issues to be considered with this application relate to the acceptability of tile in terms of the design and streetscene.

## Design

The standard materials condition was altered by Members when the application was granted planning permission at Committee to state that there is an expectation that the tiles would match No. 17 Albion Park.

Although red tiles have been agreed which matched with No. 17 Albion Park, this application seeks to vary this condition to allow the use of a grey/blue slate.

No discussion took place at the Committee as to other options or alternative roof materials within Albion Park and this application seeks to change the roof tile as the Applicant considers a natural slate will better suit the overall design.

Clearly the change to a slate will not be similar to No. 17 Albion Park as originally requested by members. However, there are other slate roofs or grey (non-red clay) roof properties within Albion Park including No. 19 Albion Park (on the opposite side of the application site), 20 Albion Park, a relatively recently re-modelled No. 21 Albion Park and a recently built new property adjacent to No. 24 Albion Park.

It is not considered that the alteration to slate will result in a detrimental impact on the appearance of the streetscene or that of the application dwelling. Although it will not be similar to 17 Albion Park (as was requested by Members) it will not be out of character with Albion Park as a whole and is considered acceptable.

## **Conclusion:**

In light of the above appraisal, it is considered that the alteration to the use of a slate is considered acceptable given that it will complement the approved dwelling and will not disrupt the appearance of the streetscene given the variation of roof materials in the locality. On this basis approval is recommended.

***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: Marie-Claire Tovey**  
**Direct Line Telephone Number: (01992) 564414**

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