

AREA PLANS SUB-COMMITTEE SOUTH

25 October 2017

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Epping Forest District Council

Agenda Item Number 1



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Application Number:	EPF/2114/17
Site Name:	62 Borders Lane, Loughton, IG10 3QX
Scale of Plot:	1/1250

Report Item No: 1

APPLICATION No:	EPF/2114/17
SITE ADDRESS:	62 Borders Lane Loughton Essex IG10 3QX
PARISH:	Loughton
WARD:	Loughton Alderton
APPLICANT:	Mr Cuma Erdogan
DESCRIPTION OF PROPOSAL:	Notification for Prior Approval for a Change of Use from A1 to A3.
RECOMMENDED DECISION:	Approval Required and Granted (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=597953

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: Technical specification for Purified Air Equipment, Grease filters (pre filters), ESP range (particulate control), UV units (odour control) , Helios GigaBox Centrifugal fan. Location Plan, Site Plan, P100 dated 24/7/2017.
- 3 The restaurant hereby permitted shall not be open to customers / members outside the hours of 07:00 to 23:00 on Monday to Saturday and 09:00 to 22:30 on Sundays and Bank Holidays.
- 4 No development shall take place until detailed plans showing the location and layout of the ventilation and extraction (including provision of external flue) have been submitted to and approved in writing by the Local Planning Authority.

Equipment should be installed to suppress and disperse cooking/food preparation fumes and smell to a minimum. The equipment should be effectively operated and maintained for so long as the use continues. Details of the equipment should be submitted to the Local Authority for comment and should be installed and be in full working order to the satisfaction of the Local Authority prior to the commencement of use.

A vertical flue is not suitable for this location, due to the close proximity of residential properties instead additional techniques will be required to reduce odours, such as an increase in efflux velocity and additional filters, etc. The odour neutralisation

equipment installed shall include a type of odour neutralisation device which is, or is equivalent to the "Purified Air On 100' or the subsequent updated model.

The development shall be carried out in accordance with the details so approved and shall be maintained as such thereafter.

- 5 This approval does not permit the sale of food for consumption off the premises.
- 6 Prior to the installation of any new fixed plant equipment (including air conditioning units), details shall be submitted to and approved in writing by the Local Planning Authority.

The rating level of noise (as defined by BS4142:2014) emitted from the air conditioning/condenser units/mechanical plant shall not exceed 5dB(A) above the prevailing background noise level. The measurement position and assessment shall be made according to BS4142:2014.

The development shall be carried out in accordance with the details so approved and shall be maintained as such thereafter.

- 7 Prior to the premises being brought into use for the purpose hereby permitted, a scheme providing for the adequate storage of refuse from this use shall be submitted to and approved by the Local Planning Authority. The scheme shall be carried out and thereafter retained at all times.

- 8 Adequate provision for foul drainage from the kitchen shall be submitted to and approved by the Local Authority. Drains serving the kitchens in the development shall be fitted with a grease separator, as detailed in the Building Regulations 2000, Approved Document H (Drainage and waste disposal), to comply with prEN 1825-1 and designed in accordance with prEN 1825-2 (Installations for separation of grease) or other effective means of grease removal. The approved drainage shall be retained and maintained while the site is in use.

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 to be approved are received (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3).

Description of Site:

The proposal site is within a three storey mixed use mid twentieth century building on the southern side of Borders Lane. The upper floors are in residential use and the ground floor is used as a bakery. It is part of a parade of shops.

The site is a key retail parade which contains the following uses.

Unit number	Name	Use class
58	Takeaway @ Chinaman	A5
60	Perfect chicken	A5
62	Sprays Bakeries	A1
64	Platinum Hairdressers	A1
66-70	Nisa Local	A1
72	Polly's Ironing Parlour	Sui generis
74	H10 Beauty salon	D2
76	Quix newsagent	A1

The site is designated as being within an urban area which is outside of a conservation area and is not listed.

Description of Proposal:

This application seeks to notify the Council that applicant is seeking prior approval for a change of use from use for purposes within Use class A1 to use for purposes within Use class A3.

Relevant History:

Reference	Description	Decision
CHI/0189/50	Shopfront	Approve
CHI/0334/64	Erection of store shed for shop	Approve
CHI/1680/89	shopfront	Refuse

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 54

Site notice posted: Yes

OBJECTIONS received from 60, 62, 80, 86 and 88 Borders Lane, 47, 62, 64, 74 and 77 Barfields, 131 Meanley Road and one individual who withheld their address.

Issues raised include:-

- Increased smell into homes
- Increased mess in local area
- Increased noise
- Increased litter in local area
- Insufficient parking due to restricted parking close by. Where will staff park?
- Currently problem with inconsiderate parking.
- Antisocial behaviour
- There are already numerous food outlets within parade no more need.
- Bad for public health
- Will have a negative impact on trade for existing businesses.
- Will create a vermin problem.
- Number 76 Borders Lane had permission refused for A3 use.
- Flats are now unsaleable as a result of the food uses.

In addition, a petition signed by 39 people strongly objecting to the proposal has been submitted.

LOUGHTON TOWN COUNCIL: Application noted.

PUBLIC HEALTH: The Purified Air Equipment proposed to be installed, in the above-mentioned premises would be acceptable as long as it is correctly sized for the cooking equipment installed and is maintained in efficient working order to enable mitigation of odours.

However, the floorplan P100 dated 24/7/2017 is not satisfactory because it does not show the configuration of the equipment listed above. A suitable condition must be included to ensure that detailed plans are provided showing the location and layout of the intended equipment.

HIGHWAYS: 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.

WASTE MANAGEMENT: I have looked at the above plans and can confirm that the change of use will not affect the domestic waste collection. Any trade waste agreement will have to be adjusted for the change from a bakery to a bakery/restaurant.

LAND DRAINAGE: Having reviewed the above application I have no comments to make on behalf of the Engineering, Drainage and Water Team.

Estates and Valuation Section: SUPPORT : There is no café at present on Borders Lane and we believe that a café will be a vital addition to the parade as it will improve the mix of uses for the local residents and also encourage longer stays on the Parade, which hopefully will assist the existing shops on the parade."

From a freeholder's perspective and local landlord of the other retail premises, this is an excellent opportunity to improve the mix of the parade and improve the vitality of the parade and we would strongly recommend approval of this application. It is therefore considered that the proposal will not have an undesirable impact on the adequate provision of retail services in this area. The proposal will also not have an adverse impact on the sustainability of the local shopping parade within which the application site is situated.

Main Issues and Considerations:

This application is not for planning permission. Such permission is deemed to have been given in a statutory instrument, the Town and Country Planning (General Permitted Development) (England) Order 2015.

The matter to decide in this application is whether prior approval of specific matters is required under the provisions of Class C of Part 3, Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 and if so, whether such prior approval should be given. Class C(a) gives permission for changes of use to restaurants from shops and Class C(b) gives permission for any works reasonably required for the development including ventilation equipment, subject to a number of limitations set out in Class C.1.

Since the application would result in not more than 150sqm of floorspace within the building being used as a restaurant (the application relates to 82 sqm) and details of ventilation, extract and storage of rubbish have been included within the application, the limitations specified in Class C.1 (a) and (b) have been met.

The land or the site on which the building is located does not form part of—

- a site of special scientific interest;
- a safety hazard area; or
- a military explosives storage area;

Consequently the limitations of Class C.1 (c) are met.

Since there is no scheduled monument at the site and the building is not listed the limitations of Class C.1 (d) and (e) are also met.

The permitted development given in Classes C(a) and C(b) is given subject to the condition that before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to:

- (a) noise impacts of the development,
- (b) odour impacts of the development,
- (c) impacts of storage and handling of waste in relation to the development,
- (d) impacts of the hours of opening of the development,
- (e) transport and highways impacts of the development,
- (f) whether it is undesirable for the building to change to a use falling within Class A3 (restaurants and cafes) of the Schedule to the Use Classes Order because of the impact of the change of use:
 - (i) on adequate provision of services of the sort that may be provided by a building falling within Class A1 (shops) or, as the case may be, Class A2 (financial and professional services) of that Schedule, but only where there is a reasonable prospect of the building being used to provide such services, or
 - (ii) where the building is located in a key shopping area, on the sustainability of that shopping area, and
- (g) the siting, design or external appearance of the facilities to be provided under Class C(b)

The GPDO states the local planning authority must, when determining an application for a determination as to whether its prior approval is required:

- (a) take into account any representations made to them as a result of any consultation
- (b) have regard to the National Planning Policy Framework

Given the nature of the use and its location it is concluded that prior approval in relation to the specific and relatively narrow range of matters specified in the GPDO is required.

Amenity

The application includes details of the means of odour control, together with an associated extract fan unit, which could be a source of noise. No details of any external ducting are provided, however, this matter can be addressed in conditions. This is discussed further below.

In relation to criterion (a), the Public Health service has not raised any objection to the details submitted with regard to noise impacts subject to suggested conditions.

In relation to criterion (b), the Public Health service has not raised any objection to the details submitted with regard to odour impact subject to suggested conditions.

Given the lack of objection from Public Health and Waste Management, whose Officers had regard to the position of flats within a mixed use building and the existing presence of two adjacent take away uses (Perfect Chicken and Chinaman), it is concluded any additional harm to neighbouring amenity in terms of noise, smell and general disturbance will not be excessively more than that which already exists. The proposal is therefore acceptable in terms of noise and odours likely to be generated by the use.

In relation to criterion (c), the Waste Management and Public Health services have not raised any objection to the details submitted with regard to the storage and handling of waste due to the adequate space within the property. It is recommended that a condition be attached to any permission which specifies further what methods are proposed in order that they may be controlled. The proposal is therefore acceptable in terms of impacts arising from storage and handling of waste

In relation to criterion (d), the hours of opening will 07:00 until 23:00 each day. Conditions attached to planning permission was reference EPF/1421/01 at 60 Borders Lane, allow the business to operate between 9 and 11 Monday to Saturday and 9am to 10:30 on a Sunday. It is noted the Nisa Local food retail shop at 66-70 is also open until 11pm. It is therefore considered that the proposed opening hours of the restaurant will not cause an excessive additional impact over and above what already exists within this shopping parade.

In relation to criterion (e), the no objections were raised by the Highways Authority in regard to parking, transport and highway impact therefore refusal on highway grounds could not be justified.

In relation to the first part of criterion (f), there is an argument that there is no reasonable prospect that the unit will be used to provide another A1 use given that the unit is currently vacant and nationally demand for retail uses has significantly dropped. While that is no more than conjecture, key matters of substance to consider include the fact that is that there are existing shops within the parade which provide a retail function and other comparison and convenience retail units are within walking distance of the site. Furthermore the application is also supported by the Council's Estate's department as being economically positive for the parade. It is therefore considered that there is adequate provision of services of the sort that may be provided by a building falling within Class A1 (shops).

In relation to the second part of criterion (f), Members are advised that the parade is designated local shopping parade in the Local Plan. It is therefore not within a Key Shopping Frontage. (Those are only located within Principle Town Centres). That part of the criterion therefore does not apply.

There is nothing in the National Planning Policy Framework that could support a conclusion that the proposal is undesirable.

Design

In relation to criterion (g), members are advised no information has been provided regarding the siting, design and external appearance of the ventilation and extraction equipment including the provision of an external flue. However, having regard to the apparent acceptable provision of such equipment at adjoining restaurants/takeaways, there is no doubt this matter can be controlled by condition.

Other matters

Planning permission was refused for the change of use of from retail shop at 76 Borders Lane to use as a cafe/restaurant under reference EPF/2645/16 and EPF/1288/17 (now under appeal) on the grounds that:-

- (1) It would be harmful to the vitality and viability of the overall parade.
- (2) Increase in noise and disturbance to neighbours.
- (3) Introduction of smells and odours associated with cooking in close proximity to a built up residential area.

The previously refused application is not a material consideration in the determination of this application as prior approval legislation does not allow the Council to consider the vitality and viability of shops outside of key frontage areas.

Furthermore the applicant for the applications at 76 Borders Lane provided insufficient information to allow the Public Health team to make an informed decision on the application, therefore it was considered appropriate to refuse the application on the grounds that the proposal could harmfully increase noise and odour pollution. Unlike the current proposal, which proposes an advanced filtration system, It was evident the refused proposal did not include the necessary equipment to suppress and disperse smells or attenuate noise. The Public Health team consider in this case that there is sufficient information submitted to ensure that there will be adequate pollution control, subject to conditions securing their installation and the details of any external ducting.

Furthermore the application site adjoins existing strong odour producing takeaway uses already. While there will be some cumulative impact, the degree is very limited due to the provision of appropriate odour control equipment within the building. Consequently, any potential harm as a result of this application being approved will be covered by that already created in this end of the parade. That contrasts with the situation at 76 Borders Lane, which would have been a more isolated A3 use at the other end of the parade, adjacent to a house.

The impact of the proposal on the sale or value of neighbouring residential properties falls outside the scope of the criteria on which this type of application can be assessed. This matter is therefore not material to the application's determination.

Conclusion:

The proposal complies with the provisions of Class C of Part 3 of Schedule 2, to the Town and Country Planning (General Permitted Development) (England) Order 2015 and it is therefore deemed to constitute permitted development. Given the nature of the use and its location it is concluded that prior approval in relation to a specific and relatively narrow range of matters is required. On the basis of the above analysis it is concluded the proposal is acceptable subject to compliance with conditions proposed by officers therefore it is recommended prior approval for the proposal is granted on that basis.

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

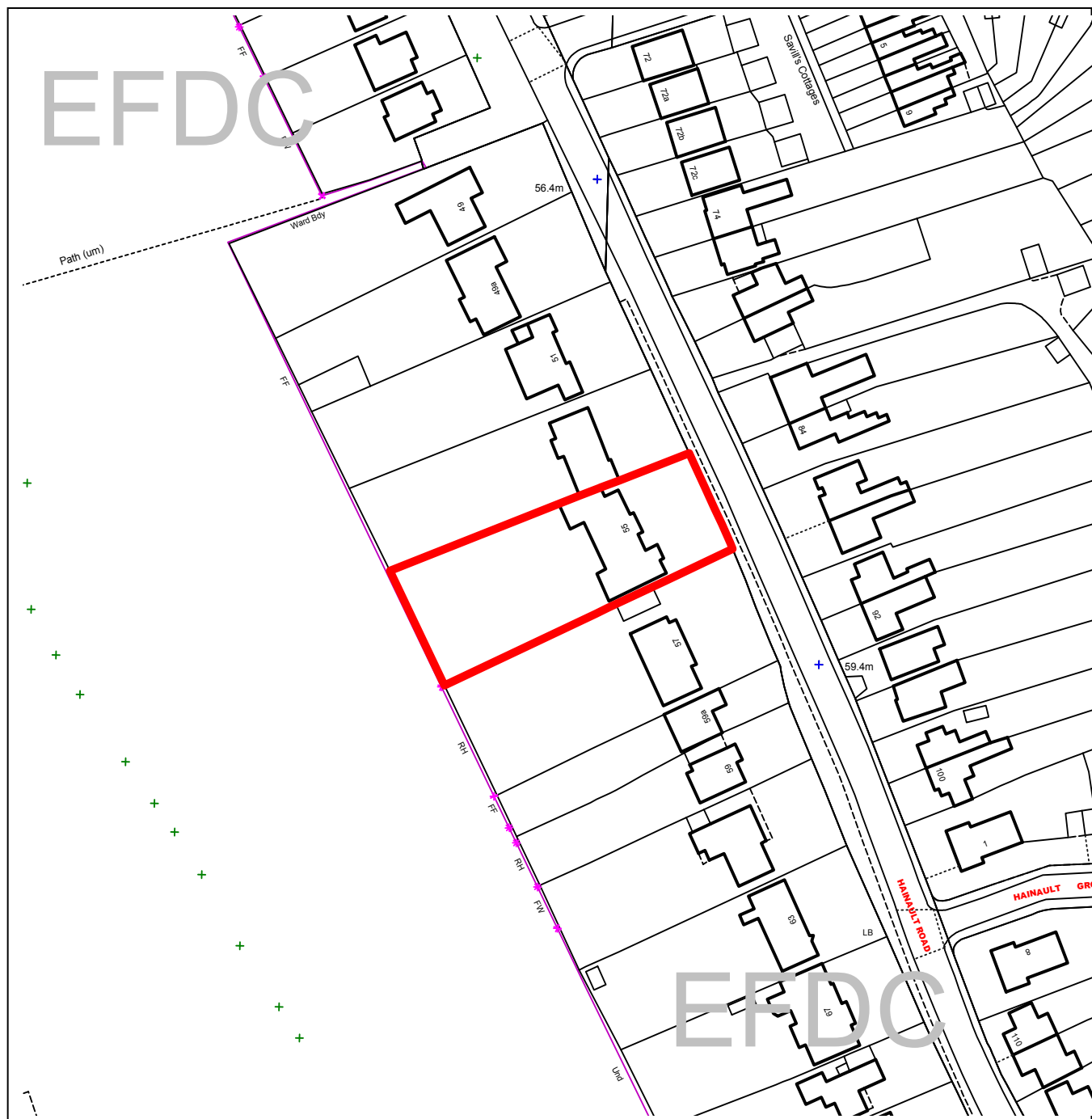
***Planning Application Case Officer: Sukhi Dhadwar
Direct Line Telephone Number: 01992 564597***

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Agenda Item Number 2



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Application Number:	EPF/0877/17
Site Name:	55 Hainault Road, Chigwell, IG7 5DH
Scale of Plot:	1/1250

Report Item No: 2

APPLICATION No:	EPF/0877/17
SITE ADDRESS:	55 Hainault Road Chigwell Essex IG7 5DH
PARISH:	Chigwell
WARD:	Chigwell Village Grange Hill
APPLICANT:	Mr A Taheam
DESCRIPTION OF PROPOSAL:	Front garden boundary walls and gates and new paving.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=593136

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 3 The vehicular access shall be constructed with an appropriate dropped kerb vehicular crossing of a maximum width of 4.5 metres. The width of the access at its junction with the highway shall not be less than 3 metres and shall be provided of the footway.
- 4 Prior to first use of the new access any redundant dropped kerbs shall be fully reinstated including the footway as necessary.
- 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)

The application has previously appeared before committee but deferred for more information regarding foundations of the wall and landscaping and these have been submitted and they indicate that there is sufficient space for meaningful landscaping and that the works can be carried out without harm to the neighbours hedge.

The original report is reproduced below.

Description of Site:

55 Hainault Road is a two storey detached dwelling located in Chigwell, the building is not listed, is not within a conservation area and is not situated within the Green Belt.

Description of Proposal:

Front garden boundary walls and gates and new paving. It is also proposed to adjust the position of one vehicular crossover.

Relevant Site History:

EPF/0394/14 – Front boundary wall, gates and railings (11/04/2014) – Grant Permission

EPF/1615/10 – Front boundary wall, gates and railings (01/10/2010) – Grant Permission (With Conditions)

Policies Applied:

Adopted Local Plan:

CP2 – Protecting the quality of the Rural and Built Environment

DBE9 – Loss of Amenity

DBE10 – Design of Residential Extensions

ST4 – Highway Safety

National Planning Policy Framework

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

Summary of Representation:

No. of neighbours consulted – 5

53 HAINAULT ROAD: Strong Objection – concern regarding incorrect information regarding an existing conifer hedge along the boundary at 53 Hainault Road and inadequate information regarding the proposed foundations for the proposed side wall along the boundary of 55 Hainault Road.

CHIGWELL PARISH COUNCIL – The council OBJECTS to this application because the overall height is deemed excessive and the absence of confirmation that the proposal would allow for adequate parking facilities is unacceptable.

Main Issues and Considerations:

There have been two previous applications of a similar nature on the site, which have been granted permission in 2010 and 2014 respectively.

The main issues to consider for this application are as follows:

Design
Impact on Living Conditions
Highway Safety and Parking

Design

The proposed walls would be constructed from brick with metal railings. The front boundary wall would be a maximum 2.0 metres high at the front with electronically operated sliding gates. The proposed side boundary walls would have a change in height from 1.5 metres to 1.8 metres. The maximum height of the brickwork to the side walls would be 1 metre, with 0.5 – 0.8 metres of metal railings fitted on top of the brick wall.

Chigwell Parish Council objected to the application, stating that the overall height is deemed excessive. However, it is worth mentioning that there are similar front boundary walls found along Hainault Road, with 51 Hainault Road and 61 Hainault Road notable examples. The proposed side walls have been redesigned so as to be more sympathetic to neighbouring properties, with revised plans submitted reducing the height of the side walls and lessening the visual impact to neighbouring properties.

Overall, the design of the proposal is considered to complement the setting of the house and respect the character and appearance of the locality.

Impact on Living Conditions

53 Hainault Road objected strongly to the application, with concern regarding the lack of information in relation to an existing conifer hedge situated along the boundary with 55 Hainault Road. While one of the side walls would be located close to the existing conifers, it is proposed that the side wall would be constructed with pad and beam foundations, with the foundation not exceeding more than 0.5 metres so as not to damage the existing trees. After consulting Council's Trees and Landscaping Team, it is considered these foundations are acceptable. Since the proposal can be carried out without causing significant harm to the neighbour's conifer hedge, the proposal would safeguard the living conditions of no. 53 Hainault Road.

In relation to no. 57 Hainault Road, that property is on slightly higher ground and in common with the application site, has a wide frontage. That relationship somewhat lessens the impact of any

boundary treatment on the boundary with no. 55. More significantly, the redesign of the side boundary walls to achieve a more open appearance by reducing the height of the brick component ensures the wall will not appear excessively overbearing or create an inappropriate sense of enclosure when seen from no. 57 Hainault Road. Accordingly, the proposal would safeguard the living conditions of no. 57 Hainault Road.

Highway Safety and Parking

Chigwell Parish Council also objected to inadequate parking shown within the proposal. The revised plans show that 4 no. parking spaces will be provided, thus resolving this particular concern.

Since the gates would be set back from the carriageway an appropriate distance the proposal would allow for their operation without causing obstruction to vehicular traffic. That is in the interests of safety as well as the free flow of traffic. Due to the alterations to the existing vehicular access caused by this proposal, Essex Highways Department have requested that the conditions dealing with the dimensions of the altered vehicular crossovers and reinstatement of footway are included in any planning permission given.

As these conditions relate to highway safety, it is considered that these conditions are relevant and necessary to the proposal.

Conclusion

As the design of the proposal is favourable and living conditions of neighbours together with the interests of highway safety are secured it is 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: Alastair Prince
Direct Line Telephone Number: 01992 564462

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

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Agenda Item Number 3



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Application Number:	EPF/1961/17
Site Name:	2 Connaught Avenue, Loughton, IG10 4DP
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/1961/17
SITE ADDRESS:	2 Connaught Avenue Loughton Essex IG10 4DP
PARISH:	Loughton
WARD:	Loughton Forest
APPLICANT:	Mr R Walker
DESCRIPTION OF PROPOSAL:	Amendment to approved applications EPF/2826/16 and EPF/0029/17 (for two storey side and rear extension, alterations to roof and elevations, including removal of garage and outbuilding at the rear) comprising the provision of a games room in the loft with 2 dormer windows on the front elevation, and one dormer window at the rear.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=597398

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 the recommendation for approval is contrary to a) an objection from a local council and b) to five or more objections received, which are material to the planning merits of the proposal, (pursuant to the constitution, part three: scheme of delegation, appendix 3.).

Description of Site:

A vacant Victorian two storey house located on a prominent and triangular corner site at the junction of Connaught Avenue and Ollards Grove. The property is not listed nor does it lie in a Conservation area. The property has been vacant and 'bricked up' for a number of years, and the site is bounded by a hoarding.

Description of Proposal:

Amendment to previously approved applications EPF/2826/16 and EPF/0029/17 (for two storey side and rear extensions, alterations to roof and elevations, including removal of garage and outbuilding at the rear) comprising the provision of a games room in the loft with 2 dormer windows on the front elevation, and one dormer window at the rear.

Relevant History:

EPF/1483/13 – approval granted for two 2 storey side and rear extensions to the existing house on the site, single storey side garage extension, alteration to roof and elevations, including removal of garage and outbuilding at the rear. This consent has not been implemented.

EPF/2826/16 – approval granted for renewal of the above consent EPF/1483/13 – to extend the existing house on the site.

EPF/0029/17 – approval granted for amendments to EPF/2826/16 - comprising the conversion of the previously proposed ground floor garage to a larger living room (with provision of car parking area to the rear), and provision of a small first floor extension to form an en suite bathroom to bedroom 4.

In addition to the above consents - for extending the existing dwelling on the site -four planning applications for redevelopment of the site (for blocks of 9, 8, 6, and 7 flats respectively) have been refused in the last 3 years with the 8 and 6 unit schemes also having been dismissed on appeal. The latest refusal for a 7 flat redevelopment scheme can still be appealed up to 5/1/18.

Policies Applied:

Adopted Local Plan:

DBE1 – Design of new buildings.
DBE9 – Loss of amenity.
DBE10 – 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 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:

Amended plans have been submitted on this application reducing the number of dormer windows on the front elevation from 3 to 2, and the following are comments received after re consultation was carried out:-

LOUGHTON TOWN COUNCIL – The Committee reiterated its previous comments which were - object to this application on the grounds that it would be overbearing and over dominant within the site. It was also out of character and would spoil the street scene. The proposal was therefore contrary to Local Plan and Alteration policies CP2 (iv), CP7, and DBE(i) which were consistent with the NPPF.

LRA PLANS GROUP - We still object to this application. As we said in our previous objection dated 20/08/17 – i) the current approved building is already massive in relation to the plot, and ii) the addition of the dormers at roof level will accentuate this appearance, and indeed will make it look more like a block of flats. These points remain the same despite the reduction in the number of dormers from 3 to 2. Several planning applications for flats on the site have been turned down.

NEIGHBOURS – 22 properties re notified on the amended plans and 4 replies have been received:-

12 CONNAUGHT AVENUE – object – proposed design comes very close to footpaths on Ollards Grove and Connaught Avenue, dormer windows will represent a 3 storey dwelling that has previously been turned down and would be out of keeping, the proposal will reduce light to houses on the other side of Connaught Avenue, it will be an overdevelopment.

5, CONNAUGHT HILL – object – the two dormers on the central section of the roof would be bulkier than the 3 dormers and would truly introduce a 3 storey building. We reiterate our earlier objections – the scale and bulk of the extensions are excessive and dominate the simple form of the original dwelling, overlooking will be caused to no.6 Connaught Avenue, yet another application shows disregard to the views of the community and to the views of planning inspectors who rejected previous appeals.

3a, CONNAUGHT AVENUE – object on similar grounds as that above from 5, Connaught Hill – plus - if approved the proposal will form the basis of yet another application to be lodged for a block of flats which will include additional windows in a third floor.

6, CONNAUGHT HILL – object – whether there are 2 or 3 dormers in the roof this is a blatant attempt to establish third floor living accommodation in the property. The reduction in the number of dormer windows in the roof is irrelevant to the central issue, which is the overdevelopment of the site. The proposed amendment is contrary to Local Plan and Alterations policies CP2 (iv), and DBE1 (i) under the National Planning Policy Framework. In summary we object to the inclusion of dormer windows which is supported by the Inspector's conclusions (EPF2603/14 and EPF/1990/16).

Issues and Considerations:

It is most regrettable that this Victorian house has been empty, with a site hoarding around it's boundary, for several years now. It is also the case that several planning applications have been submitted to redevelop the site for flats and that these have been refused on grounds of excessive bulk, proximity to the side boundaries, and poor design. In addition an application was lodged in 2016 to renew the 2013 consent to extend the existing dwelling, and another lodged to make quite

minor amendments to it under EPF/0029/17. This current application proposes a second amendment to this previous approval to retain and extend the existing dwelling.

The amendment proposed is the creation of two dormer windows in the front main existing roof slope and one in the rear roof slope. The original proposal for 3 dormer windows at the front, including one on each of the proposed two storey side extensions, was felt to provide a poor appearance and would have given too much prominence to the proposed two storey side wings. These dormers are modest in size with gabled roof features over and there are other examples of this form of modest second floor dormers in the locality. The proposed house, as extended, would still be essentially a two storey building with limited roof space accommodation, and a full 3 storey appearance would not be created. On this basis the dormers are acceptable in terms of their size, position, and appearance.

In terms of overlooking the proposed rear dormer would be sited some 6.8m away from the boundary with no. 6 Connaught Avenue. It would also have any views over the front area of no.6 and a garage outbuilding. It will not give rise to any unacceptable loss of privacy.

It needs to be emphasised that this current application still proposes retention of the existing house - albeit with sizeable two storey extensions. However, the mass of the building is still smaller than any of the recent proposals for redevelopment of the site, and of course just one dwelling, and not a numbers of flats, would be created. In this context the retention and extension of the existing house, with the proposed dormer windows, would still form an acceptable development of a site which has an awkward thin triangular shape.

Finally, some objectors think that this application seeks to gain an implicit approval to accommodation in the third floor - so as to justify a third floor being provided in future applications to redevelop the site for flats. However, officers are obliged only to assess the planning merits of applications submitted to them. These merits have been improved with revised plans now showing a reduction and repositioning of the proposed dormers.

Conclusion:

For the reasons set out in the report above it is recommended that conditional 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: David Baker

Direct Line Telephone Number: 01992 564514

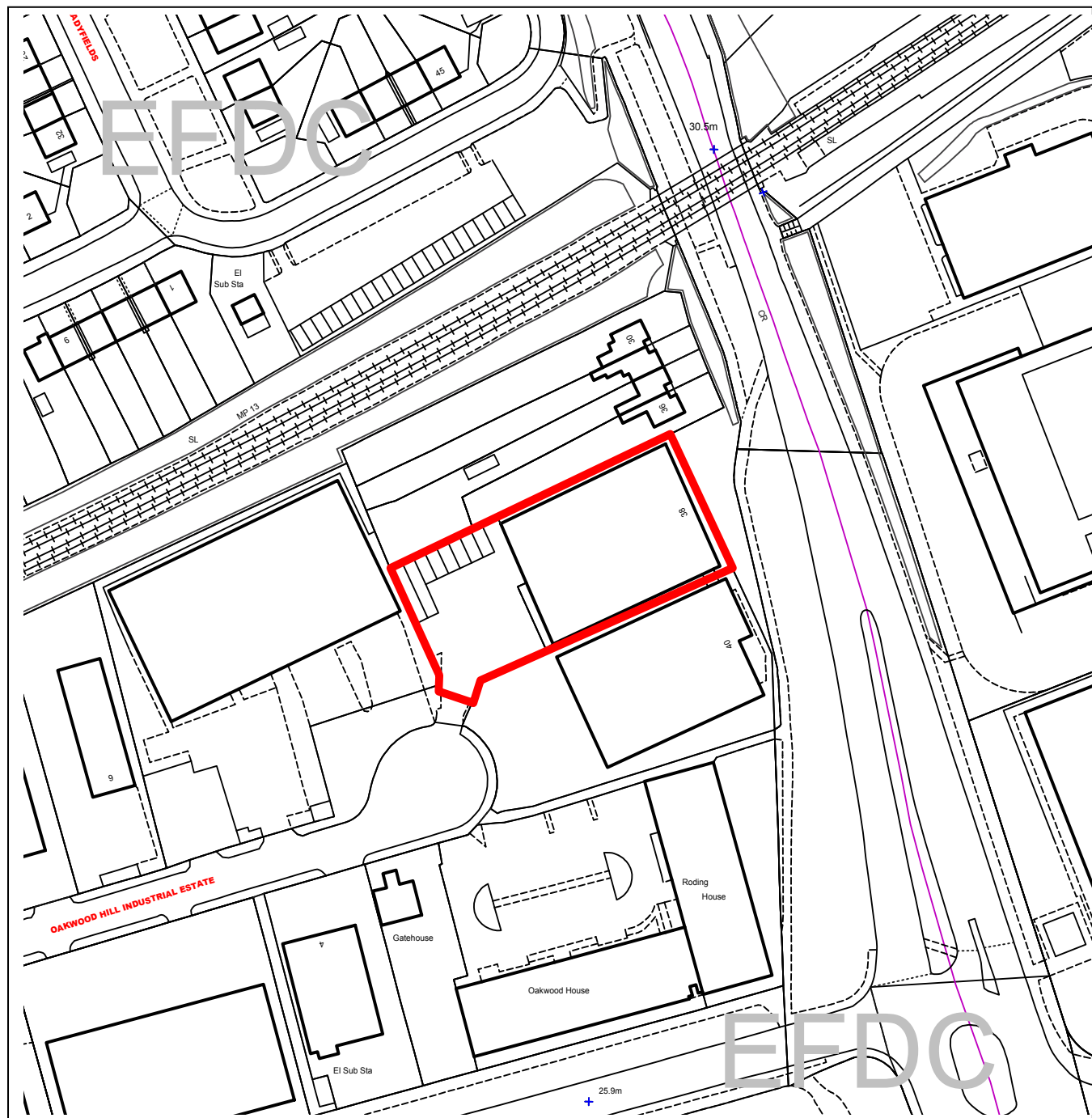
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Epping Forest District Council

Agenda Item Number 4



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Application Number:	EPF/2165/17
Site Name:	38 Chigwell Lane, Loughton, IG10 3NY
Scale of Plot:	1/1250

Report Item No: 4

APPLICATION No:	EPF/2165/17
SITE ADDRESS:	38 Chigwell Lane Loughton Essex IG10 3NY
PARISH:	Loughton
WARD:	Loughton Alderton
APPLICANT:	Mr Baljit Virk
DESCRIPTION OF PROPOSAL:	Warehouse extension with addition of windows to side elevations
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=598236

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 Prior to first occupation of the development hereby approved, the proposed window openings in the northern flank elevations shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 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.

The application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section CL56, Schedule A (g) of the Council's Delegated Functions).

Description of Site:

The site is an existing light industrial building situated within the Oakwood Hill Industrial Estate. The application building in question is three storeys high and is adjacent to number 40 Chigwell Lane to the south which is also a three storey high industrial building owned by the applicant. To the north are residential two storey semi-detached dwelling adjacent to the eastern end of the site

and vacant land in the Applicant's ownership elsewhere.. The site is considerably set back from the highway. To the west is Unit 8 of the Industrial Estate., it is a large three storey building.

Description of Proposal:

Warehouse extension with addition of windows to side elevations. The proposal would result in a first floor front extension which would be 6m high, 16.3m wide and 2.5m deep. Glazing would be proposed to the front and side elevation of the application building.

Relevant history

None

Policies Applied

Epping Forest District Local Plan and Alterations

CP2	Quality of Rural and Built Environment
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 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
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Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 1

Site notice posted: No, not required

Responses received: None received from neighbours.

LOUGHTON TOWN COUNCIL – OBJECT to the proposal on the basis of loss of amenity to nearby residential dwellings from the glazing proposed.

Issues and Considerations:

Design

The proposal would be limited in its scale and size, projecting only 2.5m along part of the street facing elevation. It would appear subservient to the application building and its surroundings.

Living Conditions of neighbours

The proposed glazing in north elevation of the existing warehouse would face vacant land which is in the Applicant's ownership. As a consequence, the proposed glazing would not result in a

significant increase in the level of overlooking of any dwellinghouse or garden. No material increase in overlooking of residential properties to the north of the site would arise from the windows since they would be positioned a sufficient distance beyond their rear garden boundaries to prevent that.

The proposed glazing to the west and south of the application building would not result in a material increase in overlooking to number 40 Chigwell Lane (Industrial Building) or Unit 8 at Oakwood Industrial Estate compared to the existing situation.

Conclusion

The proposal is appropriately designed and would safeguard the character and appearance of the locality, the amenities enjoyed by the occupants of nearby neighboring properties. Accordingly, it is recommended that conditional 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:

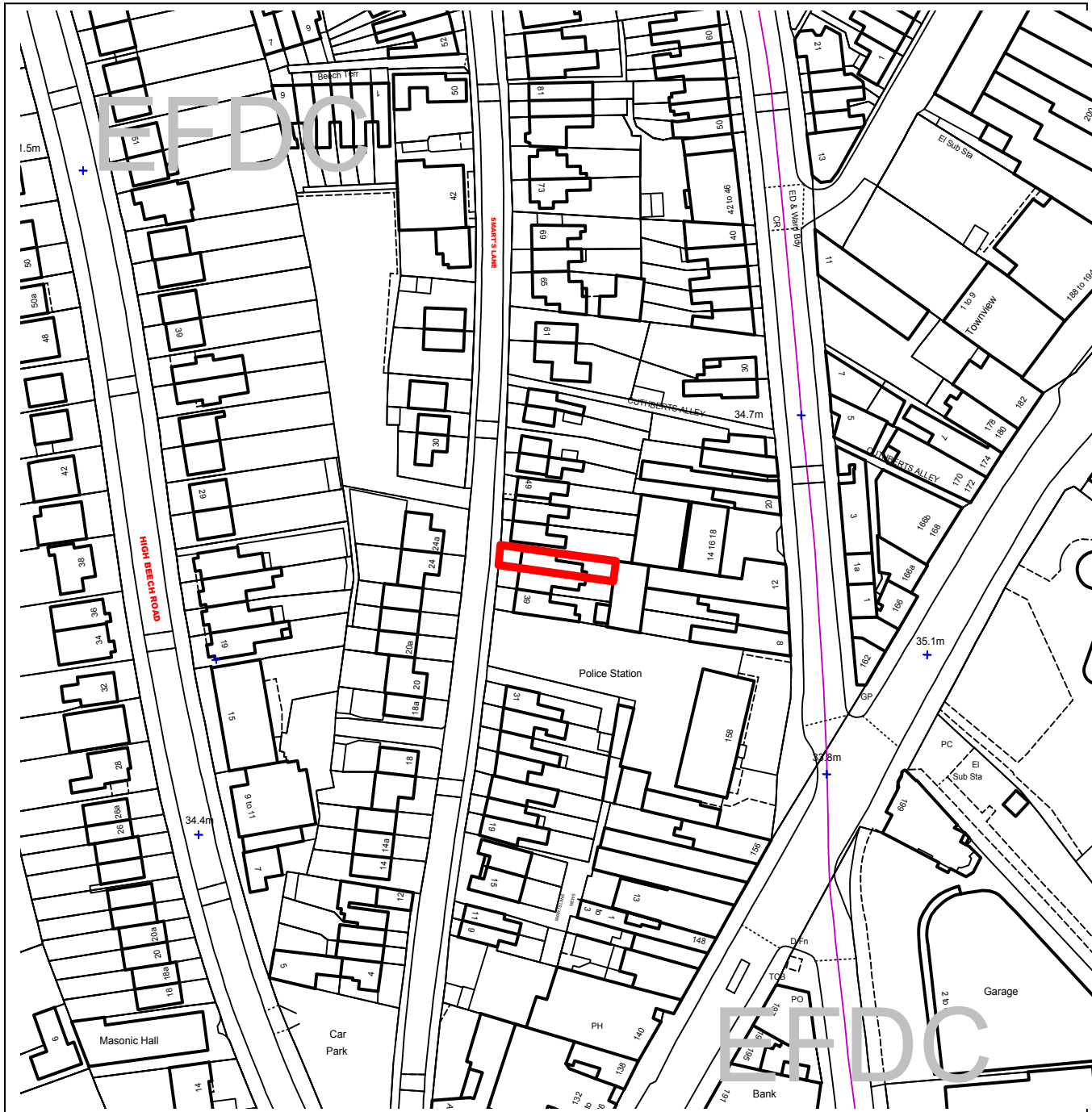
***Planning Application Case Officer: Sukhdeep Jhooti
Direct Line Telephone Number: 01992 564 298***

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



Epping Forest District Council

Agenda Item Number 5



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Application Number:	EPF/2187/17
Site Name:	43 Smarts Lane, Loughton, IG10 4BU
Scale of Plot:	1/1250

Report Item No: 5

APPLICATION No:	EPF/2187/17
SITE ADDRESS:	43 Smarts Lane Loughton Essex IG10 4BU
PARISH:	Loughton
WARD:	Loughton Forest
APPLICANT:	Craig Fennings
DESCRIPTION OF PROPOSAL:	Modification & extension of existing ground floor rear extension, with flat roof.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=598337

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 existing fencing at the boundary with 45 Smarts Lane shall be retained.
- 3 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 vent, grill or other opening shall be inserted in the side elevations of the rear extension without the prior written permission of the Local Planning Authority.
- 4 Access to the roof over the extension hereby approved shall be for maintenance or emergency purposes only and the roof shall not be used as a seating area, roof garden, terrace, patio or similar amenity area.
- 5 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.
- 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:

House on the end of a terrace of three. The style of the houses, with front bay windows, suggest that the terrace dates from at least 1900 but numerous alterations have been made to the fronts. The terrace has a front parapet hiding a butterfly roof (an inverted pitched roof).

Not listed or in a conservation area.

Description of Proposal:

Modification & extension of existing ground floor rear extension, with flat roof.

The single storey extension would wrap around a rear corner to the footprint of the house. The extension would partially infill between the rear bay, the outrigger, of this turn of the century terrace house and a side boundary. However, an area open to the sky would be left to create a small courtyard/large light well type area by the rear elevation to the main body of the house.

The extension would have a depth with no. 41 of 2.0m and a depth with no. 45 of 6.6m. The extension would have a maximum width of 4.5m, infilling between both side boundaries. The roof of the extension would effectively be flat with a maximum height of 2.6m. A lantern style roof light with a maximum height of 3.7m would be set on the flat roof.

Relevant History:

EPF/2642/16 - Ground floor side extension and enlargement of roof to form gable ends and provision of three front dormer windows and two at the rear. –

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: 6

Site notice posted: No, not required

Responses received: No response received from neighbours

LOUGHTON TOWN COUNCIL: The Committee OBJECTED to this application on the ground that it would leave too little private amenity space. The proposal would have a detrimental impact on neighbours. It was an overdevelopment in relation to the character of neighbouring properties. This was contrary to Policies DBE8 and DBE2 of the Epping Forest District Council's adopted Local Plan & Alterations.

Main Issues and Considerations:

The main issue in this case is the impact to neighbours.

Two neighbours could be affected by this proposal; no. 41 to the south and no. 45 to the north.

The extension would be some 2m deeper than the adjoining rear elevation of no. 41. Given the limited height on the boundary, where a parapet wall would be some 3m in height, and the orientation in relation to the neighbour, it is considered that no material adverse impact sufficient to adequately justify refusal would result to the occupiers of no. 41.

Based on a site visit to the application property and Council records (EPF/1555/86) it is understood that the property to the north, no. 45, has a circular window and a standard window on the side elevation facing the position of the proposed extension. The circular window would seem to be to a staircase and the other side window to a kitchen. The side window to the kitchen appears to be obscure glazed. The kitchen also has a window on the rear elevation. There is glazing on another rear elevation by an internal corner in the footprint of no. 45, where a rear bay meets the original house. This glazing would seem to be to a dining room.

The circular window is to a non-habitable room. The other side window is to a room which also has a rear window. The glazing to the dining room already receives no direct sunlight due to the position of the existing built form of the application property. The window is set away from the boundary with the application property by the width of a walk way, of some 1m width. This window takes light in the form of diffused light and the proposal would make no significant alteration to the existing situation.

The boundary fence, which is some 1.8m in height with trellis panels above, would be retained and this would make the appearance of the side elevation of the extension acceptable in terms of the view from no. 45.

The comment of the Town Council regarding a detrimental impact to neighbours is noted but for the reasons set out above is not supported.

The property has a useable private amenity area some 4m wide by 5.5m deep. The proposal would reduce the depth of the amenity area by some 2m. The property would retain an outside amenity area which is considered to be sufficient and clearly an area adequate for the needs of the

applicant, who is the occupant of the house. Therefore, and notwithstanding the comment of the Town Council, it is considered that the limited degree of remaining private amenity space could not adequately justify refusal.

Conclusion:

The particular circumstances of the site and its setting are such that no adverse impact of a sufficient degree to reasonably justify refusal would result. An adequate open area to form a private amenity area would remain. The proposal would result in a house in a sustainable location to be to a modern standard by its arrangement of accommodation.

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***

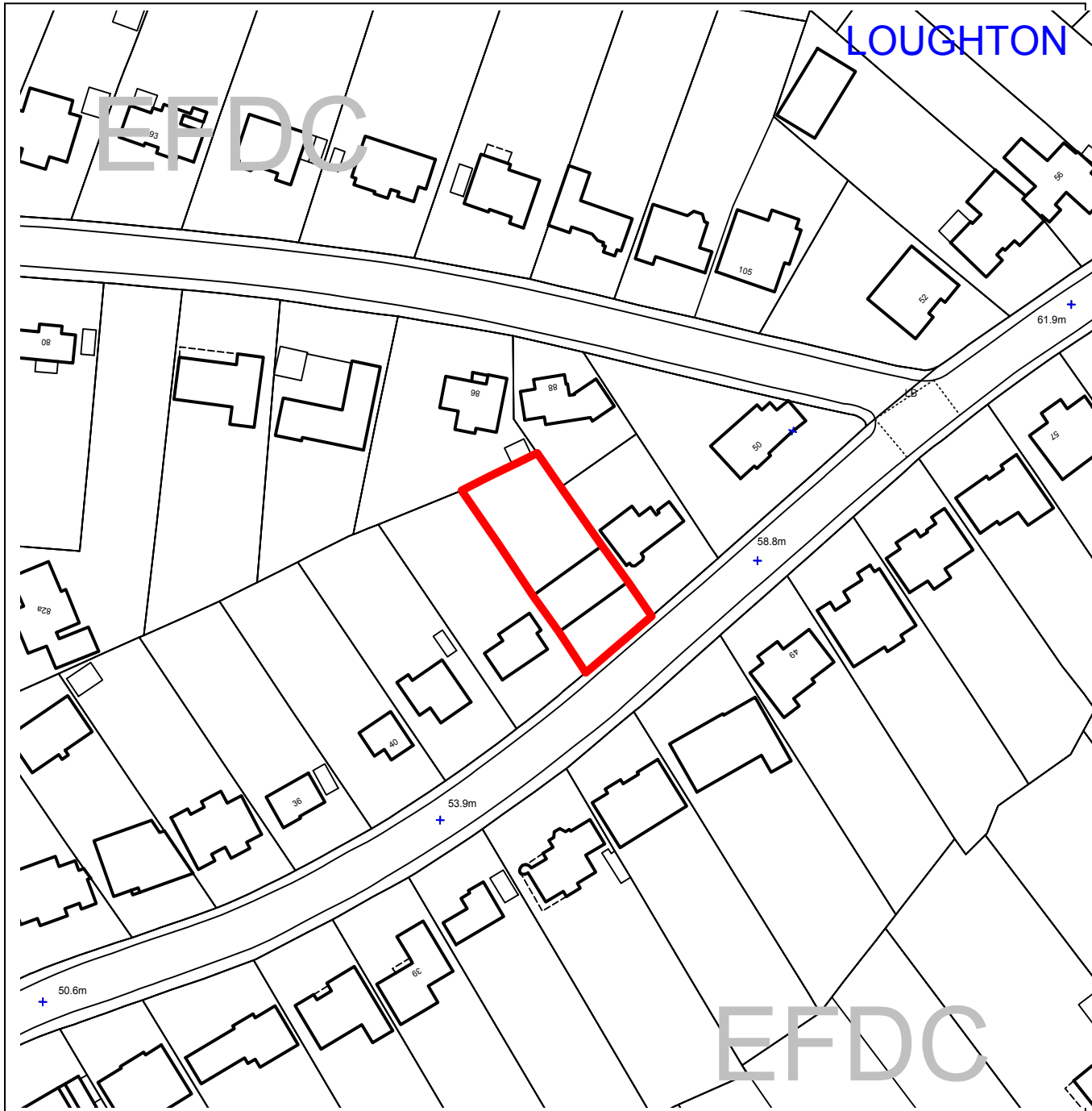
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Epping Forest District Council

Agenda Item Number 6



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Application Number:	EPF/2226/17
Site Name:	46 Spareleaze Hill, Loughton, IG10 1BT
Scale of Plot:	1/1250

Report Item No: 6

APPLICATION No:	EPF/2226/17
SITE ADDRESS:	46 Spareleaze Hill Loughton Essex IG10 1BT
PARISH:	Loughton
WARD:	Loughton St Marys
APPLICANT:	Mrs Shirley Lane
DESCRIPTION OF PROPOSAL:	Demolition of an existing house and erection of a replacement 6 bed dwelling
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=598513

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:
314-EX-01
314-PL-01
314-PL-02
314-PL-03
314-PL-04
Design and Access Statement
- 3 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 4 No development shall take place until details surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 5 Notwithstanding the provisions of the Town & 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 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.

- 6 No development shall take place until details of the landscaping of the site, including the vehicular double gates and pedestrian gate and including the proposed times of proposed planting (linked to the development schedule), have been submitted to and approved in writing by the Local Planning Authority. The approved landscaping shall be carried out in accordance with the approved details and at those times.
- 7 No development shall take place until details of tree planting, as indicated on drawing 314-PL-02, including positions or density, species and planting size and a timetable for implementation (linked to the development schedule) have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. If within a period of five years from the date of planting any tree, or replacement, is removed, uprooted or destroyed or dies or becomes seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place unless the Local Planning Authority gives it's written consent to any variation.
- 8 No development shall take place until details of the proposed surface materials for the driveway and front path have been submitted to and approved in writing by the Local Planning Authority. The agreed surfacing shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property. The agreed surface treatment shall be completed prior to the first occupation of the development or within 1 year of the substantial completion of the development hereby approved, whichever occurs first.
- 9 The parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents and visitors vehicles.
- 10 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tools. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.
- 11 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.

- 12 Concurrently with the construction of the house hereby approved and prior to first occupation of the house hereby approved a sight screen of a solid and opaque material of 1.7m in height relative to the surface of the terrace shall be erected along the side edge of both terraces nearest the properties on adjoining plots, as indicated on drawing 314-PL-02 and side elevations to drawing 314-PL-04. The sight screens shall thereafter be retained as such.
- 13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Class A of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 14 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 window or other opening shall be created in a flank elevation above ground floor level without the prior written permission of the Local Planning Authority.
- 15 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.
- 16 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed at the site. The installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.

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:

Detached house on the north-western side of Sparelease Hill.

The existing house on the site has a footprint which completely fills the width of the plot. However, this is at ground floor only. At first floor there is a space of some 2m between the form of the house and the right hand boundary when viewed from the road, to the left hand side a space of some 3.5m. Mature landscaping at the front of the site and along the sides hide these gaps at first floor level. The existing property appears to have had extensions and does not have a good appearance.

Surrounding land rises to the right hand side, to the northeast, and falls to the left hand side, to the southwest. Ground rises somewhat to the rear, to the north.

The site is not in a Conservation Area and the property is not a Listed Building.

Description of Proposal:

Demolition of an existing house and erection of a replacement 6 bed dwelling.

The replacement house would have a width of 15.4m, leaving an isolation space of at least 1m from both side boundaries, and have a maximum depth of 16.5m. The house would have a height to the top of its roof of 9m.

The front elevation would have a contemporary appearance with three bays each with a gable above. An unusual feature of the design would be a rain screen, an arrangement of horizontal timber bars, to a large window above the canopied entrance. Timber rain screen cladding would also be set on parts of the side bays. The side bays would be of white coloured render and the central bay would have a darker tone of brickwork. The roof would be of dark grey roof tiles.

On the rear elevation of the proposed house two single storey rear bays to either side would form sitting out areas or terraces at first floor level; the roof areas of these bays would be enclosed by a glass balustrade. The rear elevation would have three gables, the two to the sides containing glazing.

Relevant History:

EPF/1129/16 - Erection of a five-bed detached replacement dwelling, with the demolition of the existing house. – Granted 14/12/2016

Policies Applied:

Adopted Local Plan:

CP2	Protecting the quality of the rural and built environment
DBE1	Design of New Buildings
DBE2	Effect on Neighbouring Properties
DBE6	Car Parking in New Development
DBE8	Private Amenity Space
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 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
DM10	Housing Design and Quality

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 7

Site notice posted: 25/08/2017

Responses received: No response received from neighbours

LOUGHTON TOWN COUNCIL: The Committee OBJECTED to this application on the grounds that it was out of keeping with the street scene. Contrary to Policies CP2 (iv) and CP7 of Epping Forest District Council's adopted Local Plan & Alterations.

Main Issues and Considerations:

The proposed house is a significantly different proposal to that previously approved in 2016. Main changes from the previously approved design, EPF/1129/16, are:

- The basement, which contained a parking space, has been deleted. The house as now proposed would have an integral garage.
- Double gates to front boundary
- Change to roof form, from a crown roof with front and rear dormers to a roof with three gable ends on the front and three gable ends on the rear. This achieves a more convincing two-storey form, especially in the front elevation, and a slight reduction in overall height.
- An open fronted canopy above a single door with glazing to both sides to replace front bay with glazed corners and double doors
- Use of rain screens to a number of windows, mostly prominently to the first floor window of the central bay.

The garage and driveway would provide two parking spaces and as such the proposal is considered acceptable with regard to parking. Double gates on the frontage are not a feature of this part of Sparelease Hill though two pairs of double gates are on the frontage of no. 45, on the opposite side of the street. The property now has an in and out drive arrangement. The proposed parking provision would change this arrangement with the plans showing new trees in the left hand corner of the frontage when viewed from the street. Taking parking and landscaping in balance it is considered that the proposal would be advantageous to the streetscene and therefore acceptable subject to conditions to ensure landscaping, including the detailed appearance of the double gates at the frontage.

Houses along Sparelease Hill vary in the roof forms used though the townscape is generally characterised by the main roof form being hipped. Nevertheless a number of properties have gables to front bays. This element of the proposal is considered as part of the overall appearance of the proposed house addressed below.

The plot is some 18m wide and the built form would take some 16m of this width. This width of built form would be two-storey with roof of front gables above.

As with the design of the replacement house previously approved, the proposed house would have a marked contemporary appearance. The replacement house would be set in a street scene of relatively mixed appearance, where more recent replacement houses now mix with houses of

more traditional roof forms and external materials. Given the setting it is considered that the contemporary design would not jar with houses around it, despite being set within a pleasant suburban streetscene of houses to traditional designs. However, to a considerable extent, mature vegetation in the locality would ameliorate visual contrasts of the proposed house with older houses. In terms of setting and height the proposed house would respect existing development in the vicinity. It is considered that the design could be accommodated within the character of the setting.

In comparison with the approved design, which remains capable of being implemented, the proposal is considered to be a more refined scheme. The replacement of the crown roof with a fully pitched structure together with providing a simpler form to the front and rear elevations based on three gables achieves an improved degree of visual coherence. Officers therefore conclude the revised design contrasts favourably with that approved, which remains a fall back position for the Applicant and consequently is a material consideration.

It is considered that; the proposal would safeguard, if not enhance, the setting as is required by policy CP2.

With regard to the impact of the proposal on the amenities of occupiers of neighbouring property, ground rises to the rear and a rear garden depth of some 22m would be retained. Given this distance it is considered that neighbours to the rear, at 86 and at 88 Tycehurst Hill would not be materially adversely effected in terms of loss of outlook.

The house at 44 Sparelease Hill is orientated to the southwest of the application property and on lower ground. Given the orientation it is considered that the proposal would lead to no material loss of light and given the distance by which the house is set off the side boundary, the ground floor plan shows a distance of 1.1m, it is considered that the impact to outlook would be acceptable.

48 Sparelease Hill is orientated to the northeast of the application property and set on slightly higher ground. The ground floor plan shows the flank wall of the proposed house 1.3m from the side boundary. It is considered that the proposal would have no material adverse impact to the occupiers of no. 48 with regard to light and outlook that could reasonably constitute a reason for refusal.

Subject to the imposition of a condition requiring side sight screens, the rear terraces are considered acceptable with regard to any overlooking of neighbours to the sides, 44 and 48 Sparelease Hill. The terrace would be some 23m from the rear elevation of 88 Tycehurst Hill and some 27m from the rear elevation of 86 Tycehurst Hill. The terrace would be only some 10m from a corner at the rear boundary of 88 Tycehurst Hill. Such a distance would normally be acceptable on a site with level surrounding land. Furthermore, surrounding properties have mature gardens with trees and vegetation giving good screening and 88 Tycehurst Hill appears to be on slightly higher ground than the application property. It is considered that no material adverse impact that could reasonably form a reason for refusal would result to the occupiers of 88 Tycehurst Hill.

Two gable end windows, each to a bedroom on the second floor, would be some 20m from the rear boundary. It is considered that any overlooking from these rear gable windows of the proposed house would be not be materially greater than already exists from existing first floor windows.

Conclusion:

Notwithstanding its contemporary appearance, the proposal would adequately protect the quality of the built environment considered in the context of its setting and not have a detrimental impact on the amenities of the residents who live in close proximity of the site. Indeed, the proposal

would have a similar impact to the approved scheme in relation to the living conditions of neighbours but would achieve an enhancement of the appearance of the site and, as a consequence, enhance the character and appearance of the locality.

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:

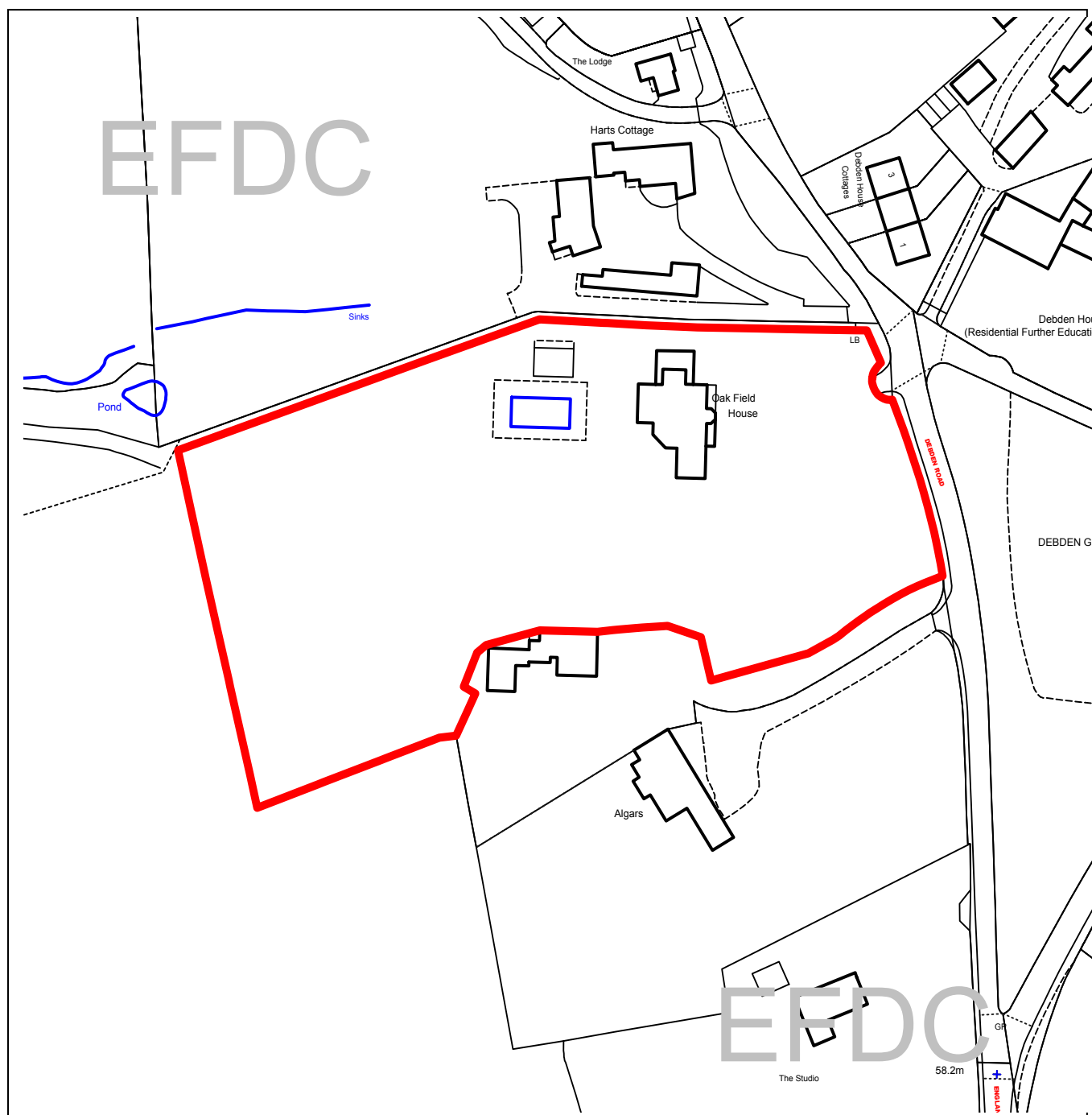
***Planning Application Case Officer: Jonathan Doe
Direct Line Telephone Number: 01992 564103***

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



Epping Forest District Council

Agenda Item Number 7



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Application Number:	EPF/2252/17
Site Name:	Oak Field House, Debden Road, Loughton, IG10 2NY
Scale of Plot:	1/1250

Report Item No: 7

APPLICATION No:	EPF/2252/17
SITE ADDRESS:	Oak Field House Debden Road Loughton Essex IG10 2NY
PARISH:	Loughton
WARD:	Loughton St Johns
APPLICANT:	Mr Tony Lomas
DESCRIPTION OF PROPOSAL:	Erection of a general-purpose outbuilding, in the south east part of the grounds, constructed from oak timber with a pitched, slate-tile roof, designed to match the existing structure on the northern boundary (which is used to garage cars and to provide separate swimming pool plant and changing rooms).
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=598614

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 No development, including works of demolition or site clearance, shall take place until details of the retained landscaping (trees / hedges) and their methods of protection (in accordance with BS5837:2012 -Trees in relation to design, demolition and construction Recommendations) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details unless the Local Planning Authority gives its written consent to any variation.

This application is before this Committee since the recommendation for approval is 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:

Large dwelling house located in extensive grounds in the Green Belt close to the north of Loughton. The house is not listed nor does it lie in a Conservation area.

Description of Proposal:

Erection of a general-purpose outbuilding, in the south east part of the grounds, constructed from oak timber with a pitched, slate-tile roof, designed to match the existing structure on the northern boundary (which is used to garage cars and to provide separate swimming pool plant and changing rooms).

Relevant History:

EPF/1427/17 – The same outbuilding as now applied for was refused permission - because in the absence of a tree survey and tree protection plan the proposal could have had a detrimental impact on the health and well being of trees close to the proposed outbuilding.

Policies Applied:

Adopted Local Plan:

DBE1 – Design of new buildings.

DBE9 – Loss of amenity.

LL10 - Adequacy of provision for landscape retention

GB2A – Development in the Green Belt

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
- DM5 – Green Infrastructure: Design of Development
- SP5 - Green Belt and District Open Land

Summary of Representations:

LOUGHTON TOWN COUNCIL – The Committee objected to this application on the grounds that it would be an intrusion to the neighbour's amenity.

NEIGHBOURS – 3 properties notified but no replies received.

EFDC TREES SECTION – A tree survey and trees constraints plan for trees in the immediate vicinity of this proposal have been submitted. These demonstrate that the location of the outbuilding is outside the calculated rooting area of these trees. We have no objection subject to an appropriate tree protection condition being imposed on any consent.

Issues and Considerations:

This is a minor householder development. A timber outbuilding measuring 7m in length by 6m in width, and 2.4m to eaves and 3.9m to ridge, is proposed in these very extensive grounds in the southern section of the site. The outbuilding would be positioned a considerable distance of 30m away from the front elevation of Algiers, the neighbouring house to the south. Moreover, there are many mature trees in the applicants garden that lie between the proposed outbuilding and Algiers. A tree survey and tree protection details have been submitted and the Councils tree section are

satisfied that these trees will not be adversely affected. Consequently, the modest size of the outbuilding, plus the very effective tree screen alongside it, will ensure that there is a very limited or minimal impact on the amenity and outlook of residents of the neighbouring Algars. In this context therefore the proposal will not be an intrusion to the neighbour's amenity as indicated by the Town Council.

The outbuilding will have timber walls and a ridge roof covered with slate tiles. Its appearance is typical of a domestic outbuilding and is acceptable.

The site lies in the Green Belt. The very modest size of the building, plus the extensive tree screening on the site, including trees and vegetation on the front boundary, will mean that the proposed outbuilding will have a negligible impact on the openness of the Green Belt.

Conclusion:

The proposal complies with relevant policies, and for the reasons set out in the report above it is recommended that conditional 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: David Baker

Direct Line Telephone Number: 01992 564514

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