



Epping Forest District Council

Agenda Item Number 7



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Application Number:	EPF/0846/18
Site Name:	2 Connaught Avenue, Loughton, IG10 4DP
Scale of Plot:	1/1250

Report Item No: 7

APPLICATION No:	EPF/0846/18
SITE ADDRESS:	2 Connaught Avenue Loughton Essex IG10 4DP
PARISH:	Loughton
WARD:	Loughton Forest
APPLICANT:	Connaught Avenue Essex Ltd
DESCRIPTION OF PROPOSAL:	Application for variation of condition 11 'submission of window details' on planning permission EPF/3078/17 - Conversion of existing house (plus previously approved extension) to 5 flats, together with provision of 5 car spaces at the rear, alterations to boundary enclosures, and provision of amenity space.
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=607420

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:
MA10-2145-1001
MA10-2145-100
MA10-2145-101
MA10-2145-200
MA10-2145-201
MA10-2145-202
MA10-2145-200
MA10-2145-250
MA10-2145-205
MA10-2145-203
MA10-2145-102
MA10-2145-204
Evolve V.S. window style options extract specifying use of Center Bar Design.
Open Spaces Tree Protection Plan drawing number OS 1209-16.3 Rev B dated 01/06/2016
Open Spaces drawing numbers OS1209.16.1 Rev B and OS1209.16.2 Rev B dated 05/05/2016
2145-SK01
2145-SK02

Specification for Soft Landscape Works dated May 2016
Arboricultural Impact Assessment dated June 2016

- 3 The facing brick and roof tile to be used on the proposed development shall match those of the existing and original building, unless otherwise agreed in writing by the Local Planning Authority.
- 4 The development hereby approved shall not be commenced until details of proposed boundary treatment for the site are submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter permanently retained unless otherwise agreed in writing by the Local Planning Authority.
- 5 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 Open Spaces Tree Protection Plan drawing number OS 1209-16.3 Rev B dated 01/06/2016
- 6 Hard and soft landscaping shall be implemented as shown on Open Spaces drawing numbers OS1209.16.1 Rev B and OS1209.16.2 Rev B dated 05/05/2016 and the accompanying planting schedule unless the Local Planning Authority gives its prior written approval to any alterations
- 7 Prior to the first occupation of the development the access arrangements, vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The access, parking and turning areas shall be retained in perpetuity for their intended purpose.
- 8 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.
- 9 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 10 No development shall take place until 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.

- 11 The Evolve uPVC sash windows to be installed in the development shall be white in colour and shall be of a centre bar design as shown in the 'window design options' leaflet submitted with the application.
- 12 The bottom half of the proposed rear facing gable window and dormer window shall be obscure glazed and permanently maintained as such.

This application is before this Committee since the recommendation conflicts with a previous resolution of a Committee, and because the recommendation for approval is contrary to three 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:

Until recently the site contained a vacant Victorian two storey house located on a prominent and triangular corner site at the junction of Connaught Avenue and Ollards Grove. The house has now been part demolished since works are underway to implement a recent planning approval (EPF/3078/17) for the conversion and extension of the property to 5 flats. The property is not listed nor does it lie in a Conservation area.

Description of Proposal:

This application seeks a variation of condition 11 on EPF/3078/17 - which stipulated that timber windows be retained and restored in the development in accordance with details to be approved. However, the applicants now propose the use of UPVC sash windows, and hence have applied to vary the condition.

Relevant History:

EPF/3078/17 was an approval granted for conversion of the existing house (plus previously approved extensions) to 5 flats, together with provision of 5 car spaces at the rear, alterations to boundary enclosures, and provision of amenity space. Condition 11 required details to be approved (before works commenced) of proposals to restore, upgrade if necessary, and retain existing timber windows.

EPF/0440/18 was an approval for a two storey side extension to the previously approved EPF/3087/18, together with installation of an additional first floor kitchen window. Condition number 2 required use of facing brick, roof tile and window joinery to match the existing house. However the applicants also propose the use of UPVC sash windows in this extension - so in effect this current application proposes the use of UPVC windows in the main building approved by EPF/3078/18, and also in the two storey extension approved by EPF/0440/18.

In addition to the above recent history four planning applications for redevelopment of the site (for blocks of 9, 8, 6, and 7 flats respectively) have been refused in the last 4 years - with the 8 and 6 unit schemes also having been dismissed on appeal.

Policies Applied:

Adopted Local Plan:

DBE9 – Loss of amenity.

DBE1 - Design of new 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.

Epping Forest District Local Plan (Submission Version) 2017:

On 14 December 2017, full Council resolved that the Epping Forest Local Plan Submission Version 2017 be endorsed as a material consideration to be used in the determination of planning applications and be given appropriate weight in accordance with paragraph 216 of the NPPF.

Paragraph 216 of the NPPF provides that decision-takers may give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

In general terms it is considered that the Submission Version of the Plan is at an advanced stage of preparation and the policies are considered to be consistent with the NPPF. As regards unresolved objections, some policies within the Submission Version have more unresolved objections than others. All of these factors have been taken into consideration in arriving at the weight accorded to each of the relevant policies in the context of the proposed development listed below:

DM9 High Quality Design

Summary of Representations:

LOUGHTON TOWN COUNCIL – No objection to this application.

NEIGHBOURS – 60 properties notified on the amended plans and 6 replies have been received:-

PLANS GROUP, LRA – This development is the result of years of refused applications, which have eventually resulted in the retention of the current building (albeit with extensions), rather than a slab of flats, so that the building remains in keeping with its surroundings. It is therefore unfortunate that the developer, at this late stage, is trying to introduce an incongruous note by installing pvc windows rather than wooden ones. If the developer is concerned, as he says, about heat retention, then it is perfectly possible to obtain double-glazed wooden sash windows.

12, OLLARDS GROVE – object - This property is surrounded by substantial Edwardian houses that all retain very typical historical features most notably timber sash windows despite internal modernisation. I have timber sash originals in the front of my house and timber double glazed in my rear to remain in keeping with the house. Therefore I see no reason why the developer should not install double glazed timber sash windows in the whole property. If he had not pulled out all the windows and bricked them all up 3 years ago he may have even been able to salvage the originals. Please just get on with the building and lets all be put out of our misery.

5, CONNAUGHT AVENUE – object – This is a joke. The only reason that the existing windows and doors are in the condition they are is because of the actions of the developer. He deliberately breeze blocked up the windows and doors to make the property a complete eyesore in the hope that it would deter local residents from objecting to his proposals. He then used the plot as a building yard. He has known about the state of the windows and doors for some time. He should be made to stick to the conditions of the existing planning application.

6, CONNAUGHT AVENUE – object - we can assume that the condition of the windows would have been apparent to the developer at that time and no reference to uPVC was ever mentioned at any stage of the planning process. Using original materials, especially for doors and windows, to maintain the character of the building in keeping with those around it was a condition of permission. It was the developer's responsibility to suggest replacement of them in the many proposals that he put forward to the planning office, not as amendment at this late stage. The planning office, the planning committee and the planning inspectorate all agreed that "materials to be used for external finishes shall match those of the existing building". The application for uPVC cannot be allowed. It is quite inaccurate to say that the difference is only discernible on close inspection. uPVC windows will be at odds with ALL the houses that address no 2 and the mass bank of plastic at the front of the building will dominate the street scene. The application quotes the planning inspector to suggest that there was no supporting evidence from the council that the existing house is a *non-designated heritage asset*, this is deliberately taken out of context. In fact, the inspector commented that ignoring the heritage value of the property, however limited, would result in unacceptable harm to the character and appearance of the area. The Inspector's report highlights the importance of the "architectural richness and diversity of the Edwardian and Victorian dwellings in the area" and advises that the council implements "a planning condition to secure the type of materials to be used in the elevational treatment of the proposed building would ensure that they were appropriate in the context of material used in the construction of other buildings in the area." The supporting sources used by the developer in his letter 23/3/18 are from the promotional material of uPVC window suppliers! The *opposite* claims are made by the Wood Window Alliance who say:

- Wood is easier to maintain than uPVC as it can be repainted whereas uPVC degrades, discolours and becomes brittle with sun exposure
 - Timber windows add value to property whereas uPVC discourages buyers
 - Timber windows are available in double and triple glazing making them equally energy efficient
- The Planning Office has a duty to ensure conditions at approval are observed and that the re-building of this house remains within its own parameters. These were arrived at after lengthy debate at the Planning sub-Committee regarding this highly contentious development. Setting aside one aspect, out of context, would undermine the integrity of the whole planning process and further undermine the confidence of the local community in your ability to hold the developer to conditions imposed.

The council must stand firm on its original planning condition 11 and dismiss this application.

24, OLLARDS GROVE – object – The character of the buildings in Ollards Grove and Connaught Avenue is of high quality, aesthetically attractive Victorian, Edwardian and early 20th Century architecture. All these buildings have wooden window frames, with many of the current owners even recently replacing them with the same quality wood. It would be a travesty to inflict iPVC on the future occupants of 2, Connaught Avenue, who deserve at least one attractive feature to their

crowded plot. There is no long term advantage to iPVC, the only benefit would seem to be that the developers can pocket even more money. We agree and support the arguments put forward by the residents of no. 6 Connaught Avenue, and will feel very let down if the council acquiesce to this further application.

Issues and Considerations:

The main issues raised by this application to vary this condition is whether it is feasible to retain and restore timber windows in this property, and if not, whether the windows to be installed in the development need to be timber sash windows or whether the installation of upvc sash window, as proposed by the applicant, would be acceptable.

As can be seen from the planning history on the site, and responses from neighbours set out above, this site has been the subject of many planning applications in the recent past which has given rise to local tensions. It is the case that just the front two storey wall and part of the side walls remain on site. Nevertheless the retention and restoration of this front elevation, (which includes 3 sash window openings at first floor, and a wide ground floor bay containing two large window openings with intervening porch,) is still important since it would maintain an attractive Victorian form of façade in the new development.

In terms of restoration of the timber windows and porch detail the submitted application has been accompanied by an Asbestos Contamination Report. Based on asbestos found in the property the applicants state that:-

As a consequence of the Health Risk posed by the Asbestos Fibres it will not be possible to salvage the windows to the front elevation because the hollow cavity box sashes are prone to contain Asbestos Fibres. Notwithstanding our previous representations made in support of our application we would ask that you take into consideration our inability to salvage the windows due to Asbestos Contamination and allow us to install a matching suite of Sliding Sash UPVC windows.

Bearing in mind the above issue relating to asbestos, and indeed the probable likely damaging effects of the use of block work to infill openings in the last few years, it is reluctantly accepted that it is not feasible to retain and restore the original sash timber windows and joinery around the porch.

The applicants proposed to install and use upvc windows and detail in this front façade, and also to use this type of sash window in other openings which have a vertical (Victorian) shape on the side and rear elevations. They have submitted details of the type of sash window to be installed and provide photographs of this form of window that they used in two new houses recently constructed at 15 and 15A Carroll Hill in Loughton. These photos will be included in the presentation of this application to Committee.

The sash window used in the Carroll Hill properties is of a design and form that would be acceptable to this site at 2A Connaught Avenue. While on close inspection these windows do differ from their timber equivalent there has to be clear heritage design issues to insist that only timber sash windows have to be used. The existing house at 2A Connaught Avenue is not listed, nor locally listed, and nor does it lie in a Conservation area. While there are divergent views about the planning inspectors report, dated 16/5/17, on the appeal to redevelop the site for 6 flats (EPF/1990/16) it is the case that the inspector concluded that the existing house 'could not reasonably be considered to be a non-designated heritage asset.' In this context while the use of timber sash windows may be a preferred course of action there is no planning justification to insist that the windows and associated detail in this development be made of timber. The alternative UPVC sash windows do provide an acceptable alternative and the design and form of the

proposed window openings are sympathetic to the appearance of the original house and nearby properties.

Conclusion:

For the above reasons it is recommended that the wording of condition no.11 is varied to ensure that the uPVC sash windows to be installed shall match the design shown in the submitted application. However all the other conditions, including compliance with approved drawings, and a requirement to use facing brickwork and roof tile to match the existing and original house, are still relevant and need to be retained.

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