

Committee Agenda



Epping Forest District Council

AREA PLANNING SUB-COMMITTEE SOUTH **Wednesday, 4th February, 2015**

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

Roding Valley High School, Brook Road, Loughton, Essex IG10 3JA
on **Wednesday, 4th February, 2015**
at **7.30 pm** .

Glen Chipp
Chief Executive

**Democratic Services
Officer**

Adrian Hendry (Directorate of Governance)
Tel: 01992 564243 Email:
democraticservices@eppingforestdc.gov.uk

Members:

Councillors J Hart (Chairman), N Wright (Vice-Chairman), K Angold-Stephens, G Chambers, K Chana, L Girling, R Jennings, H Kauffman, J Knapman, A Lion, H Mann, L Mead, G Mohindra, S Neville, Mrs C P Pond, C C Pond, C Roberts, B Sandler, Mrs T Thomas, H Ulkun, Mrs L Wagland, Ms S Watson, S Weston and D Wixley

A PLAN SHOWING THE LOCATION OF RODING VALLEY HIGH SCHOOL IS ATTACHED TO THIS AGENDA. A BRIEFING WILL BE HELD FOR THE CHAIRMAN, VICE-CHAIRMAN AND COUNCILLOR SPOKESPERSONS OF THE SUB-COMMITTEE, AT 6.30 P.M. PRIOR TO THE MEETING

WEBCASTING/FILMING NOTICE

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

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

Therefore by entering the Chamber and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound

recordings for web casting and/or training purposes. If members of the public do not wish to have their image captured they should speak to the webcasting officer or otherwise indicate to the Chairman before the start of the meeting.

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

1. WEBCASTING INTRODUCTION

1. This meeting is to be webcast;
2. Members are reminded of the need to activate their microphones before speaking; and
3. the Chairman will read the following announcement:

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

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

This may infringe your human and data protection rights and if you wish to avoid this you should speak the webcasting officer.”

2. ADVICE TO PUBLIC AND SPEAKERS AT COUNCIL PLANNING SUBCOMMITTEES (Pages 5 - 10)

General advice to people attending the meeting is attached together with a plan showing the location of the meeting.

3. MINUTES (Pages 11 - 18)

To confirm the minutes of the last meeting of the Sub-Committee held on 7 January 2015 as a correct record. (attached)

4. APOLOGIES FOR ABSENCE

5. DECLARATIONS OF INTEREST

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

6. CONFIRMATION OF TREE PRESERVATION ORDER TPO/EPF/22/14 - LAND TO THE FRONTAGE OF ELECTRICITY SUB STATION, STANMORE WAY, LOUGHTON (Pages 19 - 22)

(Director of Governance) To consider the attached report.

7. ANY OTHER BUSINESS

Section 100B(4)(b) of the Local Government Act 1972, together with paragraphs 6 and 25 of the Council Procedure Rules contained in the Constitution requires that the permission of the Chairman be obtained, after prior notice to the Chief Executive, before urgent business not specified in the agenda (including a supplementary agenda of which the statutory period of notice has been given) may be transacted.

In accordance with Operational Standing Order 6 (non-executive bodies), any item raised by a non-member shall require the support of a member of the Committee concerned and the Chairman of that Committee. Two weeks' notice of non-urgent items is required.

8. DEVELOPMENT CONTROL (Pages 23 - 134)

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

Background Papers: (i) Applications for determination – applications listed on the schedule, letters of representation received regarding the applications which are summarised on the schedule. (ii) Enforcement of Planning Control – the reports of officers inspecting the properties listed on the schedule in respect of which consideration is to be given to the enforcement of planning control.

9. EXCLUSION OF PUBLIC AND PRESS

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

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

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

Confidential Items Commencement: Paragraph 9 of the Council Procedure Rules contained in the Constitution require:

- (1) All business of the Council requiring to be transacted in the presence of the press and public to be completed by 10.00 p.m. at the latest.
- (2) At the time appointed under (1) above, the Chairman shall permit the completion of debate on any item still under consideration, and at his or her discretion, any other remaining business whereupon the Council shall proceed to exclude the public and press.
- (3) Any public business remaining to be dealt with shall be deferred until after the

completion of the private part of the meeting, including items submitted for report rather than decision.

Background Papers: Paragraph 8 of the Access to Information Procedure Rules of the Constitution define background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) have been relied on to a material extent in preparing the report and does not include published works or those which disclose exempt or confidential information (as defined in Rule 10) and in respect of executive reports, the advice of any political advisor.

Inspection of background papers may be arranged by contacting the officer responsible for the item.

Advice to Public and Speakers at Council Planning Subcommittees

Are the meetings open to the public?

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

When and where is the meeting?

Details of the location, date and time of the meeting are shown at the top of the front page of the agenda along with the details of the contact officer and members of the Subcommittee.

Can I speak?

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

Who can speak?

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

Sometimes members of the Council who have a prejudicial interest and would normally withdraw from the meeting might opt to exercise their right to address the meeting on an item and then withdraw.

Such members are required to speak from the public seating area and address the Sub-Committee before leaving.

What can I say?

You will be allowed to have your say about the application but you must bear in mind that you are limited to three minutes. At the discretion of the Chairman, speakers may clarify matters relating to their presentation and answer questions from Sub-Committee members.

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

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

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

How are the applications considered?

The Subcommittee will consider applications in the agenda order. On each case they will listen to an outline of the application by the Planning Officer. They will then hear any speakers' presentations.

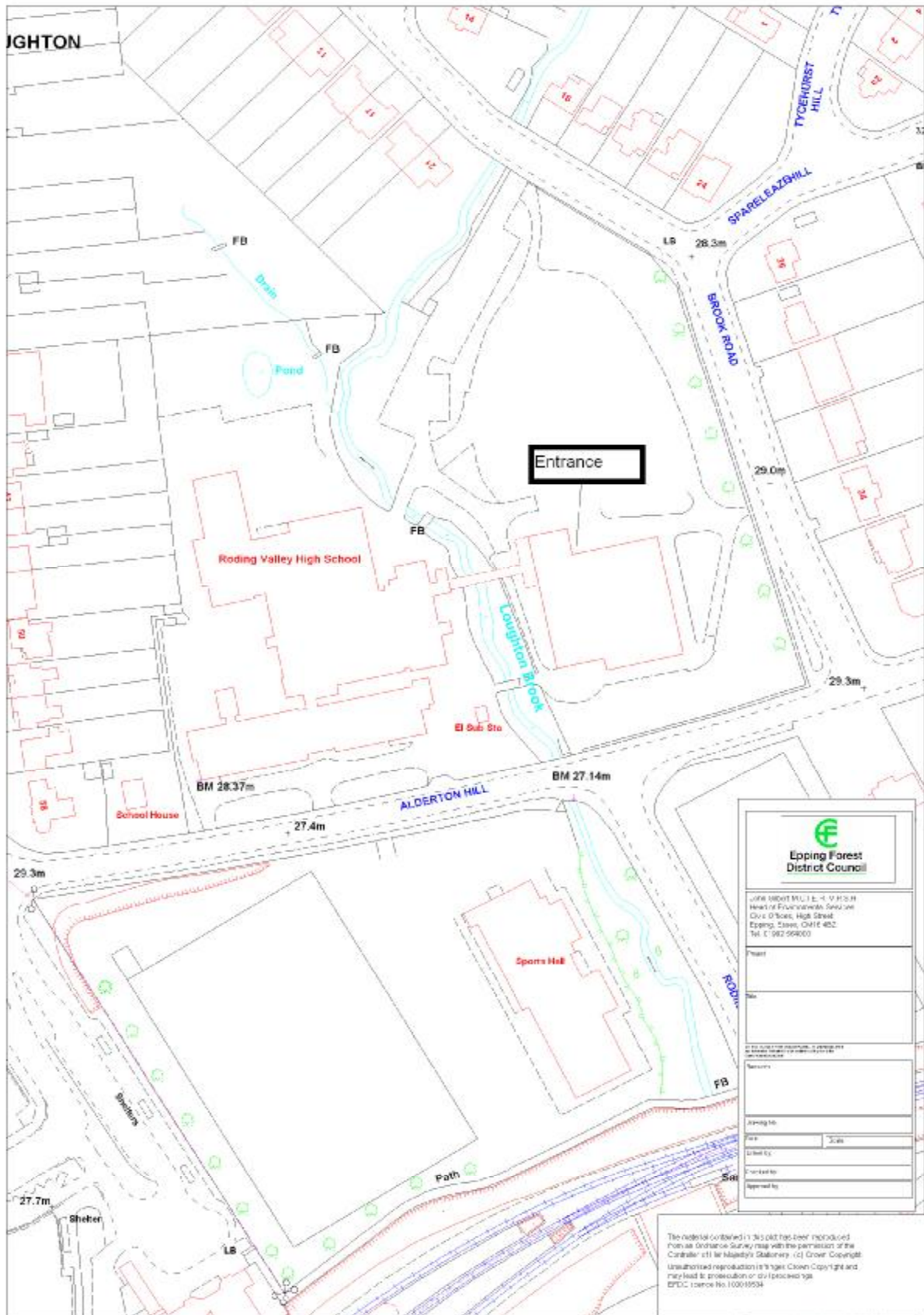
The order of speaking will be (1) Objector, (2) Parish/Town Council, then (3) Applicant or his/her agent. The Subcommittee will then debate the application and vote on either the recommendations of officers in the agenda or a proposal made by the Subcommittee. Should the Subcommittee propose to follow a course of action different to officer recommendation, they are required to give their reasons for doing so.

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

Further Information?

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

Area Plans Subcommittee South – Location Plan



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Area Planning Subcommittee South 2014-15
 Members of the Committee:



Cllr James Hart	Cllr Wright	Cllr Angold-Stephens	Cllr Chambers	Cllr Chana	Cllr Girling
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Cllr Jennings	Cllr Kauffman	Cllr Knapman	Cllr Lion	Cllr Mann	Cllr Mead
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Cllr Mohindra	Cllr Neville	Cllr C C Pond	Cllr C P Pond	Cllr Roberts	Cllr Sandler
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Cllr Thomas	Cllr Ulkun	Cllr Wagland	Cllr Watson	Cllr Weston	Cllr Wixley
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EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Sub-Committee **Date:** 7 January 2015
South

Place: Roding Valley High School, Brook Road, Loughton, Essex IG10 3JA **Time:** 7.30 - 9.10 pm

Members Present: J Hart (Chairman), N Wright (Vice-Chairman), K Angold-Stephens, G Chambers, K Chana, R Jennings, H Kauffman, J Knapman, A Lion, L Mead, Mrs C P Pond, C C Pond, C Roberts, B Sandler, Mrs T Thomas and D Wixley

Other Councillors:

Apologies: L Girling, H Mann, G Mohindra, S Neville and Mrs L Wagland

Officers Present: S Solon (Principal Planning Officer), P Pledger (Assistant Director (Housing Property)), M Jenkins (Democratic Services Assistant), A Hendry (Democratic Services Officer) and S Mitchell (PR Website Editor)

55. WEBCASTING INTRODUCTION

The Chairman made a short address to remind all present that the meeting would be broadcast on the Internet, and that the Council had adopted a protocol for the webcasting of its meetings.

56. MINUTES

RESOLVED:

That the minutes of the last meeting of the Sub-Committee held on 26 November 2014.

57. DECLARATIONS OF INTEREST

There were no declarations of interest made at the meeting.

58. ANY OTHER BUSINESS

There was no other business for consideration.

59. DEVELOPMENT CONTROL

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

RESOLVED:

That the planning applications numbered 1 – 4 be determined as set out in the attached schedule to these minutes.

60. PROBITY IN PLANNING

The Sub-Committee received a report regarding “Probity in Planning – Appeal Decisions 1 April to 30 September 2014.

In compliance with the recommendation of the District Auditor, this report advised the decision making committees of the results of all successful allowed appeals. The reason being to inform the committee of the consequences of their decisions in this respect and, in cases where the refusal was found to be unsupportable on planning grounds, an award of costs may have been made against the Council.

Since 2011/12, there had been two local indicators, one measured all planning application type appeals as a result of committee reversals of officer recommendations (KPI55) and the other which measured the performance of officer recommendations and delegated decisions (KPI54).

Over the six month period between 1 April and 30 September 2014, the Council received 36 decisions on appeals (29 of which were planning related appeals, the other 7 were enforcement related).

KPI54 and 55 measured planning application decisions and out of a total of 29, 10 were allowed (34.5%), broken down further KPI54 performance was 4 out of 18 allowed (22.2%) and KPI55 performance was 6 out of 11 (54.6%).

Out of the planning appeals that arose from decisions of the committees to refuse contrary to the recommendation put to them by officers during the 6 month period, the Council was not successful in sustaining the committee’s objection in the following cases from this sub-committee:

- (1) EPF/0942/14 69 Queens Road, Buckhurst Hill, retention of ground floor rear extension; and
- (2) EPF/2595/13 Chigwell Food and Wine, 10 Brook Parade, High Road, Chigwell, change of use from Class A1 to Class A5 takeaway use together with installation of extract duct on roof of cold room at the rear.

Therefore, the committees were urged to continue to heed the advice that if they were considering setting aside the officer’s recommendation it should only be in cases where Members were certain that they were acting in the wider public interest and where there was a good indication of success at defending the decision.

However, the Sub-Committee had been successful in the following 3 cases where an appeal had been dismissed following a committee reversal of officer recommendation:

- (a) EPF/0219/14 49 Southern Drive, Loughton, single storey side and rear extension with part second storey to side and rear;
- (b) EPF/2664/13 48 Church Lane, Loughton, re-development of site to create four detached dwellings, formation of vehicular access and car parking; and
- (c) EPF/0941/13 Land adjacent 20 Ollards Grove, Loughton, new semi-detached house and alterations to existing dwelling.

Of 7 enforcement notice appeals decided, 2 were allowed and 5 were dismissed. One of these appeals was within the Plans South area and was dismissed.

It was advised that there had been an award for costs against the Council during this period. Members were also advised that recent appeal changes allowed planning inspectors to award costs against a party that had behaved unreasonably even if neither the Council or the appellant had applied for costs.

Whilst performance in defending appeals had improved during the last couple of years, Members were reminded that in refusing planning permission there needed to be justified reasons that were not only relevant and necessary but also sound and defensible.

RESOLVED:

That the report regarding Probity in Planning Appeal Decisions 1 April to 30 September 2014 be noted.

CHAIRMAN

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Report Item No: 1

APPLICATION No:	EPF/2214/14
SITE ADDRESS:	Land and garages off Burton Road Debden Loughton Essex IG10 3TA
PARISH:	Loughton
WARD:	Loughton Broadway
DESCRIPTION OF PROPOSAL:	Erection of 52 affordable dwellings with 27 parking spaces, private gardens and amenity space.
DECISION:	Refused Permission

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=568330

REASON FOR REFUSAL

- 1 By reason of its bulk, design and density in terms of numbers of dwellings, the proposal would have an overbearing relationship with neighbouring land to the detriment of the visual amenities of the locality. Accordingly, the proposal is contrary to CP7 and DBE2 of the adopted Local Plan and Alterations., which are consistent with the national Planning Policy Framework.

WAY FORWARD

Members made clear they would be likely to view a less intense development more favourably, particularly if the flat blocks were reduced in height to three storeys.

Report Item No: 2

APPLICATION No:	EPF/2297/14
SITE ADDRESS:	32 Rous Road Buckhurst Hill Essex IG9 6BW
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill East
DESCRIPTION OF PROPOSAL:	Double storey side and part double storey rear extension with new porch to front entrance.
DECISION:	Granted 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=568791

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.

Report Item No: 3

APPLICATION No:	EPF/2300/14
SITE ADDRESS:	Loughton B B Q 169 - 171 High Road Loughton Essex IG10 4LF
PARISH:	Loughton
WARD:	Loughton Forest
APPLICANT:	Mr Hasan Dagdelen
DESCRIPTION OF PROPOSAL:	Change of existing temporary use of ground level of 169 High Road as a restaurant to permanent restaurant use.
RECOMMENDED DECISION:	Granted 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=568830

CONDITIONS

- 1 The use hereby approved shall only be carried out in connection with the use of no. 171 High Road as a restaurant and shall not be carried out as a separate planning unit.

Report Item No: 4

APPLICATION No:	EPF/2869/14
SITE ADDRESS:	Triangular green area to the front of Shrubs and Tubs Garden Centre High Road Chigwell, Essex, IG7 6NT
PARISH:	Chigwell
WARD:	Chigwell Village
DESCRIPTION OF PROPOSAL:	Telecommunications installation comprising of the erection of a 15m high Elara street pole, coloured green, together with 3 ground based cabinets and ancillary development.
DECISION:	Prior Approval Required and Refused

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=571951

REASON FOR REFUSAL

- 1 The proposed pole and cabinets, by reason of their position, height and bulk, would detract from the appearance of the adjoining garden centre. They would also obstruct views of the retrial frontage to the garden centre to the detriment of its business activity.
- 2 The proposed pole and cabinets, by reason of their height and bulk, and position next to a busy pedestrian route, would be a visually obtrusive development that would detract from visual amenity in the street scene.

Report to Area Plans Sub-Committee South

Date of meeting: 4 February 2015

**Subject: CONFIRMATION OF TREE PRESERVATION ORDER
TPO/EPF/22/14 – Land to the frontage of Electricity Sub
Station, Stanmore Way, Loughton**



**Epping Forest
District Council**

**Officer contact for further information: Melinda Barham (Ext 4120)
Democratic Services: Adrian Hendry**

**This item has been brought to this Committee for a decision at the request of
Councillor Jennings.**

Recommendation(s):

That tree preservation order TPO/EPF/22/14 be confirmed without modification.

1. Background

1.1 This Tree Preservation Order aims to protect a lime tree to the frontage of an electricity substation on Stanmore Way.

1.2 The TPO was prompted by enquiries regarding the legal status of the tree and its ownership. Investigations reveal that the land is not in the ownership, and therefore not the responsibility of, either ECC Highways or EFDC. In the past works have been undertaken by EFDC, however as it has now been established that this tree is not their responsibility, no future maintenance works will routinely be undertaken.

1.3 Additionally a land registry search was undertaken, this advised that the land is not registered.

1.4 The Council had been informed that the owner of 7 Garden Way intended to undertake a heavy reduction / felling of the tree. However they have been unable to demonstrate that they either own the land (and therefore tree) or have the land owners permission to undertake such works.

1.5 A structured visual assessment of the tree was undertaken. This established that the lime was a large, mature specimen, that appears structurally sound. It is highly prominent on the bend of this residential road and therefore has a very high public amenity value in particular those using Stanmore Way, The Beacons, Campions, Broodstrod and Garden Way. Following the inspection of the tree we could find no arboricultural reason for either a heavy reduction or felling. As such it was considered expedient to protect it by making a Tree Preservation Order.

2.0 Objections / Representations

2.1 Four objections have been received The reasons for the objection are as following ;

- A) Leaves falling into the garden need to be cleared up on a daily basis.
- B) Damage to a wall will be ongoing as the tree increases in size.
- C) Given the height of the tree, if it were to fall would damage at least one property.
- D) The tree does not contribute to the local greening, it is not an asset and its amenity value is negligible.
- E) The tree is not advantageous to the environment and does not benefit the residents

3.0 The Director of Governance comments as follows:

3.1 Taking each of the objections in turn ;

A) Leaf litter is a recognised seasonal unavoidable issue for all deciduous trees. Rarely is it considered that leaf fall is an appropriate reason to remove a tree, and given the visual importance of this tree, it is not considered appropriate in this instance.

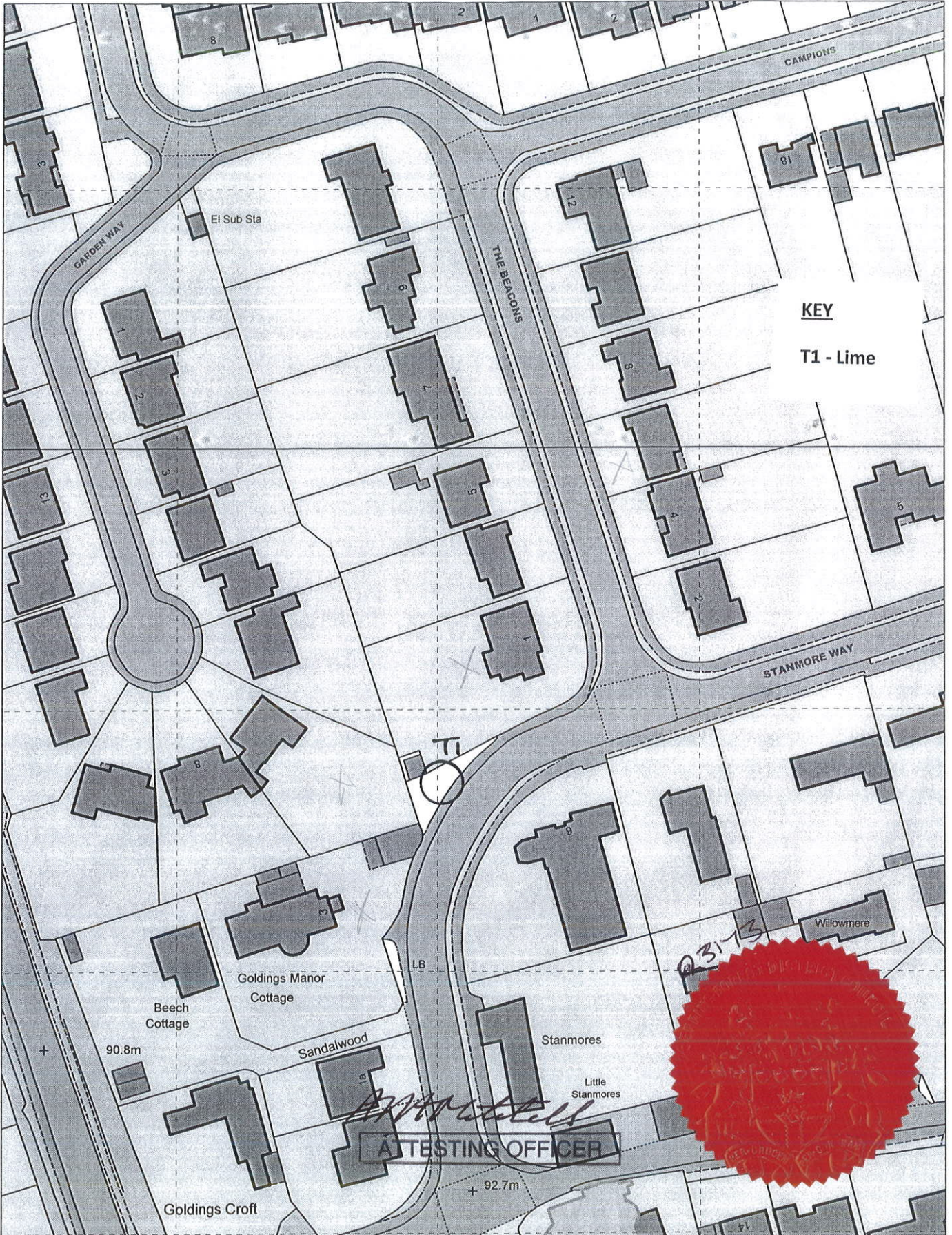
B) No information had been provided regarding which wall was being referred to or the level of damage. There is a small retaining wall c 30cm in height to the frontage of the tree however, given its low height, it would not be justified to remove such a prominent tree, because of the a future event which may or may not happen.

C) This tree is in good health, and the visual assessment undertaken did not indicate that the tree had a reduced life expectancy. If the tree were to suddenly fail and cause damage to an adjacent property, that would for the property to owner to make a claim through their own insurance company, and not an issue for the Council.

D and E) Given its height and position on the bend of the road, this tree makes a significant contribution to the street scene and therefore an extremely important asset to the local and visiting community.

4.0 Conclusion :

4.1 This order was made as a result of it being under a threat of being heavily reduced or removed. The TPO is necessary to ensure retention of this important tree. In confirming the order it will ensure that careful consideration is given prior to any tree works (including felling) being undertaken and that such works are undertaken for good arboricultural reasons. It is therefore recommended that the order is confirmed without modification.



KEY

T1 - Lime

[Signature]
ATTESTING OFFICER



Epping Forest District Council
 Planning Services
 Civic Offices
 High Street
 Epping CM16 4BZ

Land to frontage of electricity
 sub station, Stanmore Way, Loughton
TREE PRESERVATION ORDER
 TPO/EPF/22114

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 Centre Y: 197950.198
 Width : 180.000
 Angle : .000

Scale : 1:1000 Date : 20 Oct 2014 Time : 10:48:51 AM



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AREA PLANS SUB-COMMITTEE SOUTH

4 February 2015

INDEX OF PLANNING APPLICATIONS/ENFORCEMENT CASES

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2.	EPF/2284/14	2 Churchfields Loughton Essex IG10 1AG	Grant Permission	32
3.	EPF/2345/14	71 - 73 Queens Road Buckhurst Hill Essex IG9 5BW	Grant Permission (with Conditions)	38
4.	EPF/2429/14	20 Albion Hill Loughton Essex IG10 4RA	Grant Permission (with Conditions)	46
5.	EPF/2459/14	102 Manor Road Chigwell Essex IG7 5PQ	Grant Permission (with Conditions)	56
6.	EPF/2484/14	Albany Stud Epping New Road Buckhurst Hill Essex IG9 5UA	Grant Permission (with Conditions)	62
7.	EPF/2529/14	Loughton Clinic 115 High Road Loughton Essex IG10 4JA	Grant Permission (with Conditions)	72
8.	EPF/2558/14	113-115 Grange Crescent Chigwell Essex IG7 5JD	Grant Permission (Subject to Legal Agreement)	78
9.	EPF/2559/14	90 High Road Loughton Essex IG10 4QU	Grant Permission (with Conditions)	94
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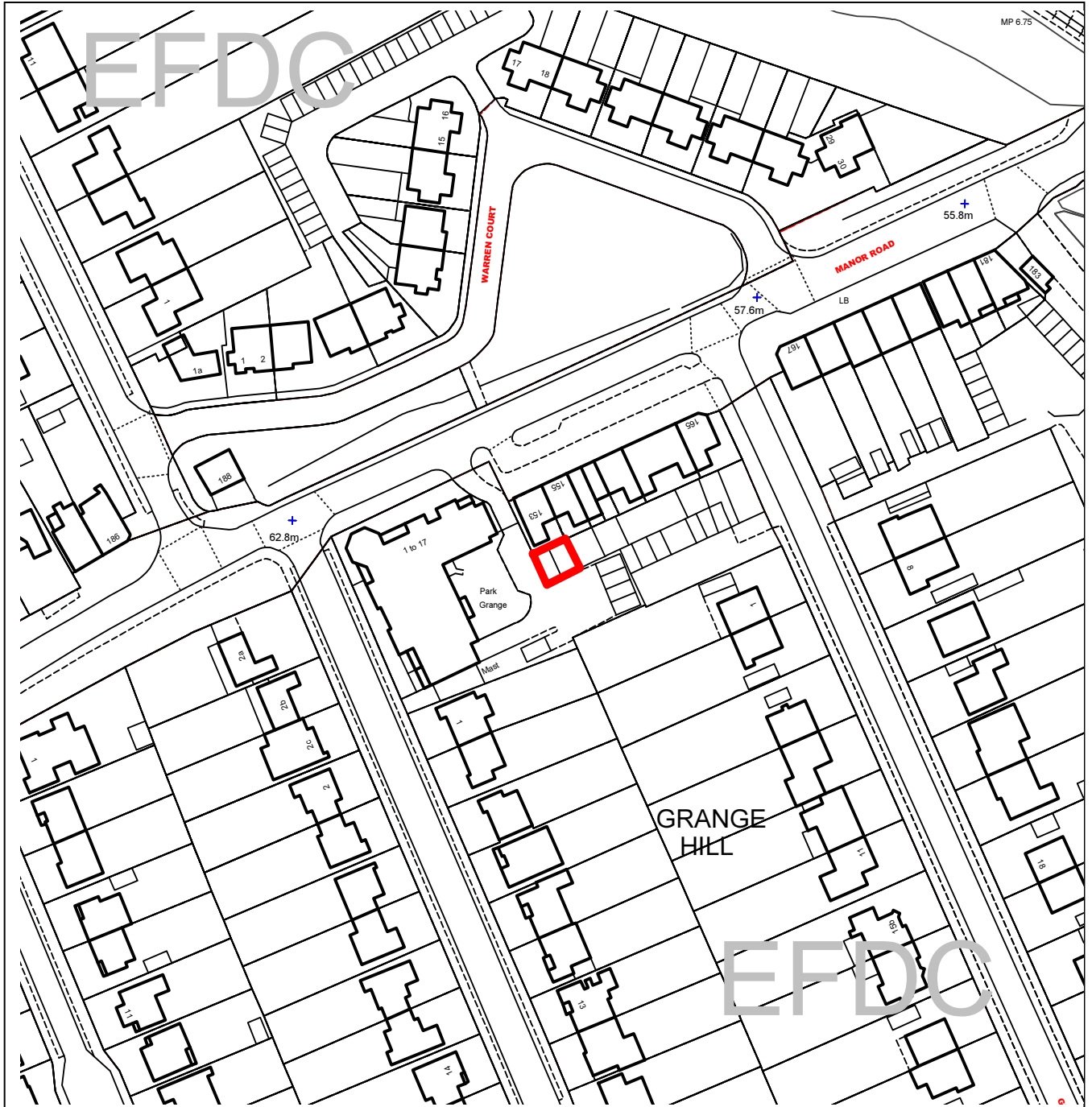
11.	EPF/2580/14	St. Marys Church 203 High Road Loughton Essex IG10 1BB	Refuse Permission	106
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Epping Forest District Council

AGENDA ITEM NUMBER 1



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Application Number:	EPF/2210/14
Site Name:	153 Manor Road Chigwell, IG7 5QA
Scale of Plot:	1/1250

Report Item No: 1

APPLICATION No:	EPF/2210/14
SITE ADDRESS:	153 Manor Road Chigwell Essex IG7 5QA
PARISH:	Chigwell
WARD:	Grange Hill
APPLICANT:	Mr Yiu Kuen Cheng
DESCRIPTION OF PROPOSAL:	Erection of new first floor flat to the rear of 153 Manor Road
RECOMMENDED DECISION:	Refuse Permission

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=568290

REASON FOR REFUSAL

- 1 By reason of its cramped appearance, poor siting and the potential to create an undesirable precedent for similarly harmful developments in the locality, the development will cause significant harm to the character of the area. As such it is contrary to policies CP2(iv), DBE1(ii) and DBE3(v) of the Adopted Local Plan and Alterations and the objectives of the National Planning Policy Framework
- 2 By reason of its first floor windows on the front elevation, in close proximity to the first floor rear elevation windows of no.153A Manor Road, the proposal will cause significant and harmful overlooking into private habitable areas of both no.153A and the proposed new dwelling. Consequently the application is contrary to policy DBE9 of the Adopted Local Plan and Alterations and the objectives of the National Planning Policy Framework.

This application is before this Committee for the following reasons:

- *since it has been 'called in' by Councillor Knapman (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(h))*
- *since more than four objections and four supports, material to the planning merits of the proposal to be approved are received (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(f).)*

Description of site

The application site is located in the rear courtyard behind no.153 Manor Road, which is three storeys high. The ground floor of 153 is used as a Fish and Chip shop and the two floors above are used as residential accommodation. The courtyard has an existing single storey flat roofed outbuilding which is used for storage purposes and covers the entirety of the site. There is a large block of flats to the west known as Park Grange which is separated from the application site by approximately 18m. 1 Oak Lodge Avenue backs onto the rear of the site, as does 1 Grange

Crescent. Planning permission has also been granted (EPF/1790/14) for a pair of semi detached houses on the land adjacent to the site and to no.1 Grange Crescent. Works have been commenced on this development. The application site is not located within the boundaries of the Metropolitan Green Belt and it is not in a Conservation Area.

Description of proposal

The proposed development is to erect a first floor above the existing single storey outbuilding to accommodate a new flat above.

Relevant history

None

Policies Applied

CP2 – Protecting the Quality of the Rural and Built Environment
CP7 – Urban Form and Quality
H2A – Previously developed land
DBE1 – Design of new buildings
DBE2 – Effect on neighbouring properties
DBE3 – Design in Urban areas
DBE6 – Car Parking in New Development
DBE8 – Private amenity Space
DBE9 – Impact on amenity
ST4 – Highway safety
ST6 – Vehicle Parking

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 214 states that due weight should be given to the relevant policies in existing plans according to the degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight

Consultation carried out and summary of representations received

26 Neighbours consulted and site notice displayed

155 MANOR ROAD – OBJECTION – The proposal is out of character and scale with the existing area. It will appear overbearing and cause loss of privacy and light to no.155.

PARK GRANGE – FLAT 1 – OBJECTION – out of character with the existing area, will appear overbearing and cause loss of light.

PARK GRANGE – FLAT 3 – OBJECTION - out of character with the existing area, will appear overbearing and cause loss of light.

PARK GRANGE – FLAT 4 – OBJECTION - out of character with the existing area, will appear too high, overbearing and cause loss of light.

PARK GRANGE – FLAT 6 – OBJECTION - out of character with the existing area, will appear overbearing and cause loss of light.

PARK GRANGE – FLAT 7 – OBJECTION - out of character with the existing area, will appear overbearing and cause loss of light.

PARK GRANGE – FLAT 9 – OBJECTION - out of character with the existing area, will appear overbearing and cause loss of light.

PARK GRANGE – FLAT 10 – OBJECTION - out of character with the existing area, will appear too high, overbearing and cause loss of light.

PARK GRANGE – FLAT 13 – OBJECTION - out of character with the existing area, will appear overbearing and cause loss of light.

PARK GRANGE – FLAT 16 – OBJECTION - out of character with the existing area

155 MANOR ROAD – SUPPORTS the application

157 MANOR ROAD – SUPPORTS the application

157A MANOR ROAD – SUPPORTS the application

159 MANOR ROAD – SUPPORTS the application

161 MANOR ROAD – SUPPORTS the application

163A MANOR ROAD – SUPPORTS the application

PARK GRANGE FLAT 1 – SUPPORTS the application

CHIGWELL PARISH COUNCIL – NO COMMENT – The parish council is unable to comment as it is unable to determine the impact on neighbouring properties from the plans submitted.

Comments on representations received

The letters of support received are in the form of pre printed letters, signed by residents, which the applicant submitted with the application. It appears that Park Grange flat 1 and 155 Manor Road have both objected and supported the application and there is no apparent explanation for this however the signatures in both cases appear to be different.

Issues and Considerations:

The main issues to consider when assessing this application are the effects of the proposal on the living conditions of neighbours and the design of the proposal in regards to the existing building and its setting. Other matters to consider include the highway and parking issues and the amenity space proposed.

Neighbouring living conditions

To accommodate the proposed flat, a first floor will be added to the existing single storey outbuilding, located to the rear of 153 Manor Road. The building will have a maximum height of 5m and be 18m from the side elevation of the adjacent three storey block of flats at Park Grange. As such it will not appear excessively overbearing or cause any loss of light to these neighbours. The side elevation will not have any first floor windows and therefore there will be no potential overlooking of Park Grange.

The extended outbuilding will be set approximately 5m away from the first floor windows serving the flat above the Fish and Chip shop, known as 153A Manor Road. The two first floor windows on 153A Manor Road are obscure glazed and serve a bathroom and there is a habitable room window at the first floor adjacent to these obscure glazed windows. However the height of the

proposed flat will only exceed the bottom of these first floor windows by 0.8m. Therefore it will not appear excessively overbearing or cause any significant loss of light to 153A Manor Road or its adjacent neighbours.

First floor windows are proposed in the front elevation of the dwelling, which would be 5m away from the neighbouring 153A Manor Road. Notwithstanding the difference in heights of the windows, the proposed window arrangement will allow direct overlooking into the clear glass window on the first floor of 153A Manor Road which serves a habitable room and thereby cause an unacceptable level of overlooking into private areas of no.153A. Indeed the proposed window arrangement will allow direct overlooking from 153A into private areas of the new flat.

The fact that the windows would be separated by a distance of only 5m will result in excessive overlooking into the obscure glazed windows serving the first floor of 153A Manor Road. The close proximity of the windows would negate the screening effect of the obscure glass and people using the bathroom of 153A Manor Road would be clearly visible when seen from the flat to cause an excessive loss of privacy. The proposal is therefore contrary to policy DBE9 of the Adopted Local Plan and Alterations.

The proposed windows on the rear elevation will be set directly adjacent to a car park used by residents of the adjacent Park Grange. As such there will be no overlooking into private areas of residential units.

Planning consent was given to a pair of semi detached properties adjacent to 1 Grange Crescent under EPF/1790/14.

The pair of dwellings granted planning consent under EPF/1790/14 will be sited some 25m from the proposed flat. The curtilage of the two dwellings is approximately 14m from the edge of the proposed flat, which is orientated away from this private area. As such it will not appear overbearing or cause excessive overlooking into private areas of the dwellings adjacent to no.1 Grange Crescent.

Design

The extended outbuilding will have a flat roof at first floor level, of which there are no examples in the locality. Although it is of very little architectural merit, the development will be located to the rear of 153 Manor Road and therefore will not appear overly prominent in the street scene.

However being located to the rear, it will have no relationship to any public area. A new flat located to the rear of an existing row of shops with dwellings above will create a more intensive form of development within this locality. The site is very constrained and the introduction of a first floor above an existing outbuilding and the use of it as a separate dwelling will cause a cramped form of development within the context of the site. Furthermore there are no other flats to the rear of this block and the introduction of this one could set an undesirable precedent for other ad hoc developments from neighbouring properties running to the rear of the main block. Although the Council would have control over any subsequent new dwelling proposed, a grant of planning permission is a material planning consideration and increases the chance of subsequent planning permissions being granted for similar developments in a similar context, which could worsen the situation. Although it is acknowledged that the need for housing in the district is high and it is important to maximise the use of land in sustainable locations, this proposal would result in a cramped and undesirable development, contrary to the wider pattern of development in the locality

As such the proposal fails to respect the character of the surrounding area and is contrary to policies DBE1 and DBE3 of the Adopted Local Plan and Alterations.

Highway and Parking Issues

The applicant has not provided any car parking spaces for this development. Given that Grange Hill Underground Station and a well serviced bus route are located within a two minute walk from the site, no spaces for cars to park is acceptable. No harm to highway safety would arise.

Amenity space

The flat does not provide any amenity space with the application, however there are a number of open spaces within walking distance of the site.

Conclusion

The proposal constitutes a back land development which fails to respect or enhance the existing street scene and could set a significant undesirable precedent in the locality. Furthermore it will cause significant harm to the residents of 153A Manor Road. As such it is recommended that the committee refuse planning permission

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

Planning Application Case Officer: James Rogers

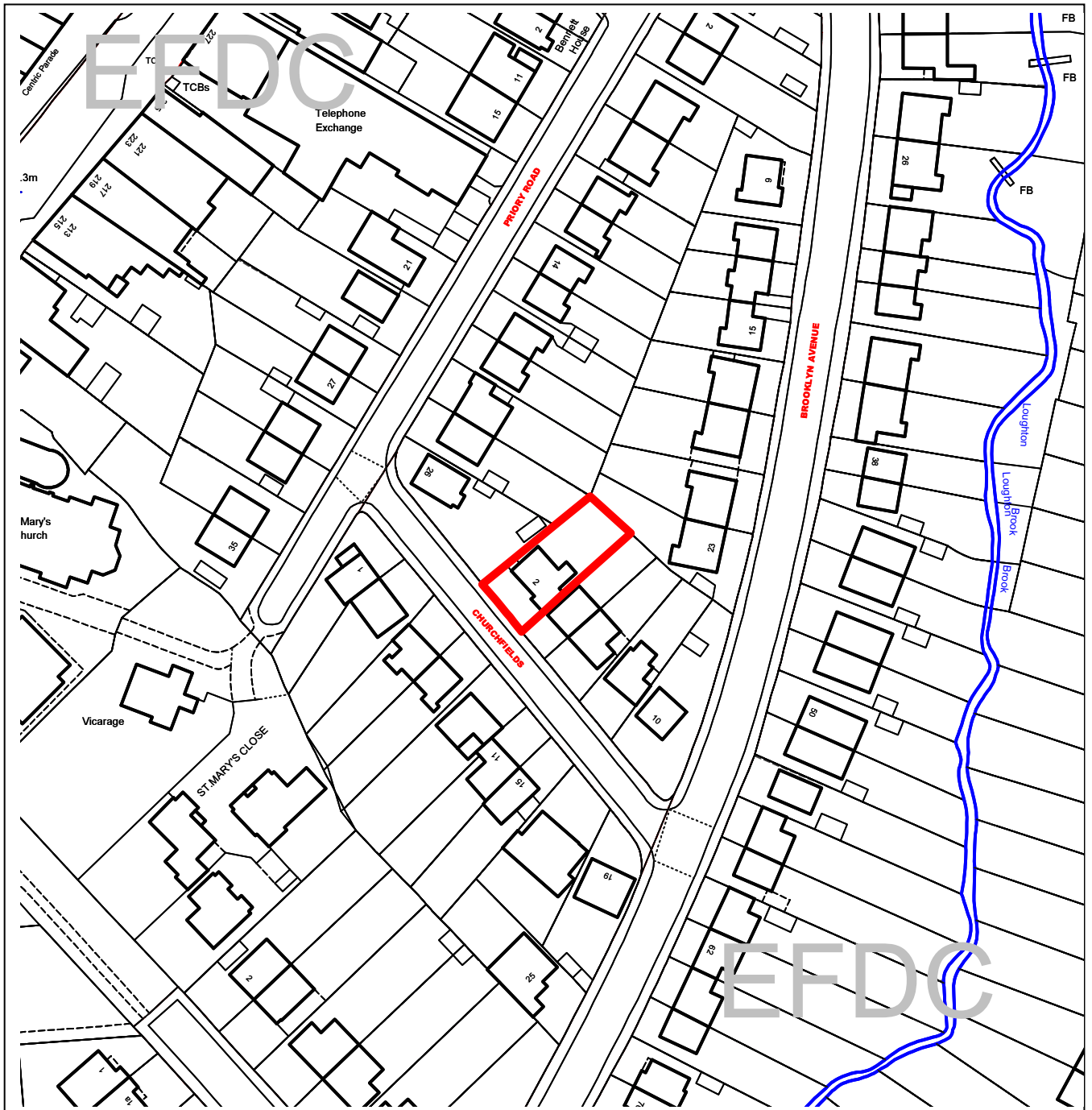
Direct Line Telephone Number: 01992 564 371

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



Epping Forest District Council

AGENDA ITEM NUMBER 2



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Application Number:	EPF/2284/14
Site Name:	2 Churchfields Loughton, IG10 1AG
Scale of Plot:	1/1250

Report Item No: 2

APPLICATION No:	EPF/2284/14
SITE ADDRESS:	2 Churchfields Loughton Essex IG10 1AG
PARISH:	Loughton
WARD:	Loughton St Marys
APPLICANT:	Mr Carl Hellen
DESCRIPTION OF PROPOSAL:	Rear extensions to 2 houses being erected at site at 2 Churchfields, Loughton.
RECOMMENDED DECISION:	Grant Permission

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=568712

CONDITIONS

NONE

This application is before this Committee because the recommendation for approval is a) contrary to an objection from a local council which is material to the planning merits of the proposal and b) contrary to more than two objections which are also material to the planning merits of the proposal, pursuant to the 'constitution, part three: planning services – delegation of council function, schedule 1, appendix A(f and g).

Description of Site:

Two new semi detached are close to completion on this site. The site was formerly occupied by a bungalow located in a short road containing a mix of two storey semi and detached houses and bungalows. The property is not listed or locally listed, and nor does it lie in a conservation area.

Description of Proposal:

Rear extensions to 2 houses being erected.

Relevant History:

EPF/1755/13 was a refusal of a proposal to demolish a bungalow and to erect a pair of semi detached dwellings with rear dormers, together with forecourt parking for 4 cars.

EPF/2707/13 was an approval of a revised proposal to erect 2 houses – the revisions to the previously refused EPF/1755/13 included provision of wider gaps between flank walls and the side boundaries to deal with a cramped appearance, and the removal of rear dormers to reduce bulk and overlooking.

Policies Applied:

DBE9 – Loss of amenity
DBE10 - Residential extensions.

These two policies are compliant with the NPPF.

Summary of Representations:

LOUGHTON TOWN COUNCIL – Object – the Committee reiterated its comments on previous applications EPF/2707/13 and EPF/1755/13 which were:– ‘members were concerned that the sub division of the plot would set a harmful precedent. The combined effect of a pair of 2 storey semi detached houses would result in a bulky overdevelopment of the site that would lack sufficient amenity space, and was considered to be inappropriate in the street scene.’ In addition the erection of the two rear extensions would clearly exacerbate the over development of the site and the already insufficient amenity space

Neighbours - 4 consulted and 6 replies received:-

18 PRIORY ROAD - the extensions are being built at the same time as the two new houses are being built – as such it looks as though the developer intended to build the extensions at the same time as the houses. Objections were made to the original first scheme on grounds of the scale of development, and it is questionable whether planning permission would have been granted for the second scheme if these extensions had been shown on the plans.

26, PRIORY ROAD – object – I question the validity of the application as it is not an extension to dwellings rather it is a change to the plans of 2 houses previously approved. There is not enough garden space to warrant the building of these extensions. The building of the 2 houses has caused damage to my property.

4, CHURCHFIELDS – object – light has already been taken away from my house by the building of 2 new houses close to my property - an extra extension would worsen the loss of light and cause overlooking – and loss of light is aggravated by my house being on lower land.

8, CHURCHFIELDS – object – a previous proposal was reduced in size before being approved and the current plans appear to restore a similar volume.
It is also surprising that the extensions have already been built as part of the construction of the two houses.

11, CHURCHFIELDS – object – these are not extensions but changes to the original planning permission for the two houses – and the approved plans have therefore been breached. The extensions make the development even more cramped which was a term used in the reasons for refusal of the first application.

31, PRIORY ROAD – object – the applicants have shown total disrespect to the planning permission granted – the extensions have been built as part of the construction of two new houses – yet they were not on the approved plans. The rear gardens are too small to accommodate the additional development.

Issues and Considerations:

Essentially this application seeks approval for a revision to EPF/2707/13 so as to incorporate rear ground floor extensions to the 2 new dwellings approved. However a site visit confirmed that the shell of the proposed ground floor rear extensions have already been built as part of the construction of the 2 new houses. The building of the extensions without planning permission is of

considerable concern and cannot be condoned, but enforcement action can only be taken if the unauthorised development has a clear and significant impact – for example on the amenity and outlook of neighbours. For the reasons explained below the extensions are considered to have a limited impact and are acceptable.

The proposed rear extensions have a depth of 3m, and would have been permitted development if the 2 dwellings had already been completed. To the north west of the site neighbouring houses at nos. 26 and 28 Priory Road lie at right angles to the application site so that their rear gardens adjoin the north-west side boundary of the site. These Priory Road houses stand on higher land at a distance of some 20m away from the extensions, and there is therefore a limited impact on their light and outlook.

More impact is caused to the rear of no.4 Churchfields, the neighbouring house to the south east, and which is in the same alignment as the two new houses. The 2 storey rear wall of the new houses lies 1m to the rear of the rear wall of no.4 and then the ground floor extensions subject of this application extend a further 3m into the garden making a combined depth of 4m beyond the line of the rear wall of no.4. This is not a huge extension in current terms where the government have introduced a larger home extension prior approval procedure to make it easier for householders to extend between 3m and 6m. Also there are gaps between the respective properties and the common side boundary and hence the extension lies 1.7m away from the line of the flank wall of no.4. No.4 is on slightly lower land but the nearest ground floor room is a kitchen, and these gardens face north east so sunlight is not affected. Overall, taking these factors into account, the impact of the proposed extension on the light and outlook of no 4 is not a significant one justifying a planning refusal. Also there are no side facing windows which could give rise to overlooking.

The building of the rear extensions, which are rendered white to match the houses, has reduced the rear garden space available to each house. The garden size left for each dwelling is 10m in depth by 6m in width. This can be regarded as small for a family dwelling but it does provide an amenity space that is rectangular and useable.

Comments on representations received:-

Most of the neighbour objections received raise the issue of the applicants circumventing planning regulations and building the 2 houses with rear extensions that were not shown on the previously approved plans. This has been put to the applicants who have referred to the fact that the extensions would be permitted development if they had been built after completion of the houses. As mentioned above enforcement action to secure the removal of buildings can only be proceeded with if it is expedient to do in order to rectify a clear and serious loss of amenity. In the view of officers this is not the case here.

Other objections received refer to the enlargement of the 2 houses when one of the concerns leading to the refusal of the first application (EPF1755/13) was that the building was excessive in size. This latter issue though, related to the bulk of the roof, including rear dormers at second floor level, and the fact that insufficient gaps were provided at the sides of the houses. Both these issues were addressed in the second application approved under EPF/2707/13. By comparison the ground floor extensions, subject of this report are more easily absorbed on the site.

Other objectors, including the Town Council, raise objections on the grounds of overdevelopment. However, while it is acknowledged that this new development is more conspicuous than the former bungalow on the site it has made good use of land in a sustainable location near a town centre, and the addition of 3m rear extensions does not result in an overdevelopment of the site.

Conclusions:

The building of the rear extensions before the two new houses were completed, representing a departure from the approved plans, cannot be condoned. However, for the reasons outlined above the extensions do not result in a serious loss of amenity, and therefore 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

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Epping Forest District Council

AGENDA ITEM NUMBER 3



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Application Number:	EPF/2345/14
Site Name:	71 - 73 Queens Road Buckhurst Hill IG9 5BW
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/2345/14
SITE ADDRESS:	71 - 73 Queens Road Buckhurst Hill Essex IG9 5BW
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
APPLICANT:	Mr Safraz Ali
DESCRIPTION OF PROPOSAL:	Extension of existing building involving retention of existing A1 units at ground floor level together with the creation of 6 flats on upper floors and at 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=569077

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:
Site Plan, QR/301, QR/302, QR/500, QR/202A, QR/200B, QR/201A.
- 3 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 4 Prior to first occupation of the development hereby approved, the proposed window openings in the flank elevation facing 69 Queens Road shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 5 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 1. The parking of vehicles of site operatives and visitors
 2. Loading and unloading of plant and materials
 3. Storage of plant and materials used in constructing the development
 4. The erection and maintenance of security hoarding including decorative displays

- and facilities for public viewing, where appropriate
5. Measures to control the emission of dust and dirt during construction, including wheel washing.
 6. A scheme for recycling/disposing of waste resulting from demolition and construction works.
- 6 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
 - 7 Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council.
 - 8 An assessment of flood risk, focussing on surface water drainage, shall be submitted to and approved by the Local Planning Authority prior to commencement of the development. The assessment shall demonstrate compliance with the principles of Sustainable Drainage Systems (SuDS). The development shall be carried out and maintained in accordance with the approved details.

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

Description of site

The site is a pair of end of terrace shop premises with a pair of flats above. The site is on the northern side of Queens Road, close to the junction with Kings Avenue. The residential accommodation at first floor is recessed from the front elevation of the ground floor retail units by some 4.5m. The side of the building is enclosed for storage and access and is linked to a small yard area and informal parking spaces and the rear accessed from an adjacent open lane.

Description of Proposal:

The application seeks permission to extend to the side and rear for two storeys plus loft development and to build over the existing ground floor retail units.

The additional space would retain the existing ground floor retail units and provide 6 flats above in lieu of the existing two flats.

The proposal is similar to that permitted in 2004, but seeks to provide more generous accommodation in the current application.

Relevant History

EPF/1260/04 – Extension of existing building involving retention of existing A1 units at ground floor level together with the creation of 6 flats on upper floors and at rear – Approved
EPF/0153/14 - Extension of existing building involving retention of existing A1 units at ground floor level together with the creation of 6 flats on upper floors and at rear – Withdrawn

Policies Applied:

Local Policies:

CP1 to CP7 – Sustainable development objectives/ urban form and quality
DBE1 – Design of New Buildings
DBE2 – Effect of New Buildings on surroundings
DBE3 - Design in urban areas
DBE5 – Design and layout
DBE8 – Provision of Private Amenity Space
DBE9 – Amenity Considerations
H1A - Housing provision
H2A – Residential Development on Previously Developed Land
ST1 to ST6 – Sustainable transport/ vehicle parking
TC3 – Town Centre Function

The National Planning Policy Framework (NPPF).

Summary of Representations:

16 neighbouring properties were consulted and a site notice was erected. Responses were received as follows:

Objections:

2 and 2A KINGS AVENUE:

Rear appearance is out of character with wraparound extensions.
Loss of light to 2 Kings Avenue including kitchen, bathroom and bedroom areas and garden.
Inadequate parking provision
Noise and disturbance arising from 6 flats
Traffic and pedestrian safety issues
Loss of privacy and overlooking
Construction issues.

Support:

Leaseholder at 73 QUEENS ROAD:

Wishes to expand business but requires the premises proposed as part of this application to do so.
Has secured lease with the freeholder and hopes for a positive outcome.

BUCKHURST HILL PARISH COUNCIL:

Objection. Overdevelopment of the site. Loss of amenity and privacy to neighbours including those on Kings Avenue. Concern regarding means of emergency escape from flats on second floor. Before approval is contemplated would ask that a Transport Statement is considered.

Main Issues

The main planning issues are considered to be:

Principle of development
Design and appearance
Impact to neighbouring properties
Living conditions for future occupiers
Highways and parking issues

Principle of development

The site is in an urban area and the redevelopment in this location is in principle acceptable. The existing ground floor business unit would be retained and the footfall along the parade would be

unchanged, therefore in principle the proposals are in accordance with the thrust of objectives underpinning policy TC3.

In addition a broadly similar scheme was proposed in 2004 and approved, however those proposals had a lesser depth of extension at the rear and resulted in works akin to a rebuild of the unit, whereas the proposals as now set out could be achieved through various extensions to the building. Whilst lapsed, this permission is a material consideration with significant weight. Since 2004 the planning has undergone significant reform to be more flexible for new development. Members would need to be able to demonstrate that the current application results in a harm that would not have previously arisen.

Design and appearance in the street scene

The proposed development has been designed to appear from the street largely unchanged from the scheme approved in 2004. The main change being to the articulation of the entrance for the flats and the retail units. The first floor and roof proposals when viewed from the street are unchanged from those previously approved fronting Queens Road except for the detailing of the windows. The application site is the only property in this terrace that has first floor accommodation recessed from the road.

In respect of other changes to design away from the main frontage, the roof has been altered to provide a crowned, flat top, and dormer windows have been provided on the rear. The extensions previously approved to the rear have also been increased in width and depth. This in part reflects more generous tolerances for extensions in more recent years. The result of the alterations being that the original scheme in 2004 provided 3x 2-bedroom flats and 3x 1-bedroom flats with units being quite tight internally. The revised scheme permits 4x 2-bedroom flats and 2 x 1-bedroom flats in the loft but far more generous internal spaces. Whilst there are no policy standards regarding internal floor areas in new dwellings in the District, a more generous provision of space is needless to say desirable, resulting in more functional homes for future residents.

The proposed width of extensions to the boundary of the site is as per the previous scheme, however, the rear extensions also project behind the side additions. At ground floor the extensions would square off areas around the existing projection, which is just over 5m in depth. In addition on the boundary with 69 Queens Road at ground floor the projection increases in depth to 7m, this element of the extension has a flat roof.

The first floor extensions are proposed over the ground floor, at just over 5m in depth. Members should be aware that the attached terrace has an established depth and character considered in the previous application and that the design of the revisions incorporates an offset from the attached boundary of 1.5m first floor and above. In comparison, to the boundary with the access, the depth of development is significantly longer than that currently proposed as the separate terrace has a much deeper footprint.

In summary, design to the rear is considered acceptable in policy terms, the internal design of units is improved from the 2004 scheme and the policy context upon which this application is judged is more relaxed in respect of larger additions than it was in 2004 when this scheme was first assessed. For these reasons Officers have no concerns regarding design.

Impact to neighbouring properties

The retention of the ground floor retail and provision of 6 flats has already been considered acceptable in respect of noise and disturbance in the previous application.

The concerns regarding construction are noted and could be a reason to affix a condition regarding a construction method statement.

Considering window openings, at first floor two windows are proposed serving a bedroom and a secondary light source for a kitchen. The previously approved scheme provided four side windows at first floor, serving 3 bedroom areas and a kitchen/diner. Comparing the two schemes, the amount of overlooking of the side access and flank of 75 Queens Road has reduced. In the loft space light is provided by rooflights which do not raise concerns for neighbouring amenities.

Openings that face to the rear are largely unchanged from previously assessed and would not give rise to a significant degree of overlooking from that which currently exists.

The side dormer facing towards 69 Queens Road would look out over the flat roof of the adjacent unit only and as a secondary light source, could be obscure glazed by condition if Members required.

Overlooking and privacy concerns raised by 2 and 2A Kings Avenue are noted, however these properties are situated at right angles with the application site and separated by the remaining terrace from the application site. The garden area however backs immediately onto the application site. Whilst concerns regarding overlooking are noted, 6 flats have historically been accepted and this level of overlooking is both unchanged and not uncommon in a high street location. Indeed overlooking already exists to a greater degree from 65, 67 and 69 Queens Road. In terms of overshadowing and loss of light, due to separation distances, whilst there may be some impact on the rear garden area, the dwellings in Kings Avenue would suffer no direct impact. Officers consider the proposals do not represent a significant adverse impact sufficient to justify refusal.

Amenities for Future Occupiers

The scale of accommodation is suitable for modern living standards, the units relate well to one-another in terms of internal layout and access. The absence of garden areas is noted, however this is not uncommon in High Street locations and again is unchanged from the previously approved scheme. Officers are satisfied that potential future occupiers would be afforded a satisfactory residential environment.

Suitable refuse storage is provided.

Concerns regarding safe emergency access to residential units are noted, however this is dealt with by separate legislation under Building Regulations.

Highways and Parking

Officers note the absence of parking provision for future owners of the flats. Policy does seek to make provision for parking, however it is clear the constraints of the application site do not make this possible. Neighbouring plots are faced with similar problems. The existing parking is to be retained in association with the retail uses.

This area of Buckhurst Hill is well served by public transport with the tube station close by, a frequent bus service and a good range of services and facilities along Queens Road. In this context Officers are satisfied that whilst not ideal, the proposals would be acceptable without parking.

The Highways Officer has considered the scheme and raises no objection subject to a condition regarding Residents Travel Packs.

Contamination

The Council's Contamination Officer has considered the site and the proposals. On this occasion no conditions are requested.

Drainage

The Councils land drainage team have requested a condition regarding surface water drainage.

Conclusion

The proposed scheme provides 6 units of residential accommodation in a sustainable location, close to services. The design and scale of the proposals is acceptable in the surrounding context and the amenities offered for future occupiers would be similar to those existing in flats elsewhere along Queens Road and in the District. Impacts to neighbouring properties have been considered but are not sufficient to justify refusal. Officers are satisfied the application accords with current policy and recommend approval.

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

***Planning Application Case Officer: Jenny Cordell
Direct Line Telephone Number: 01992 574481***

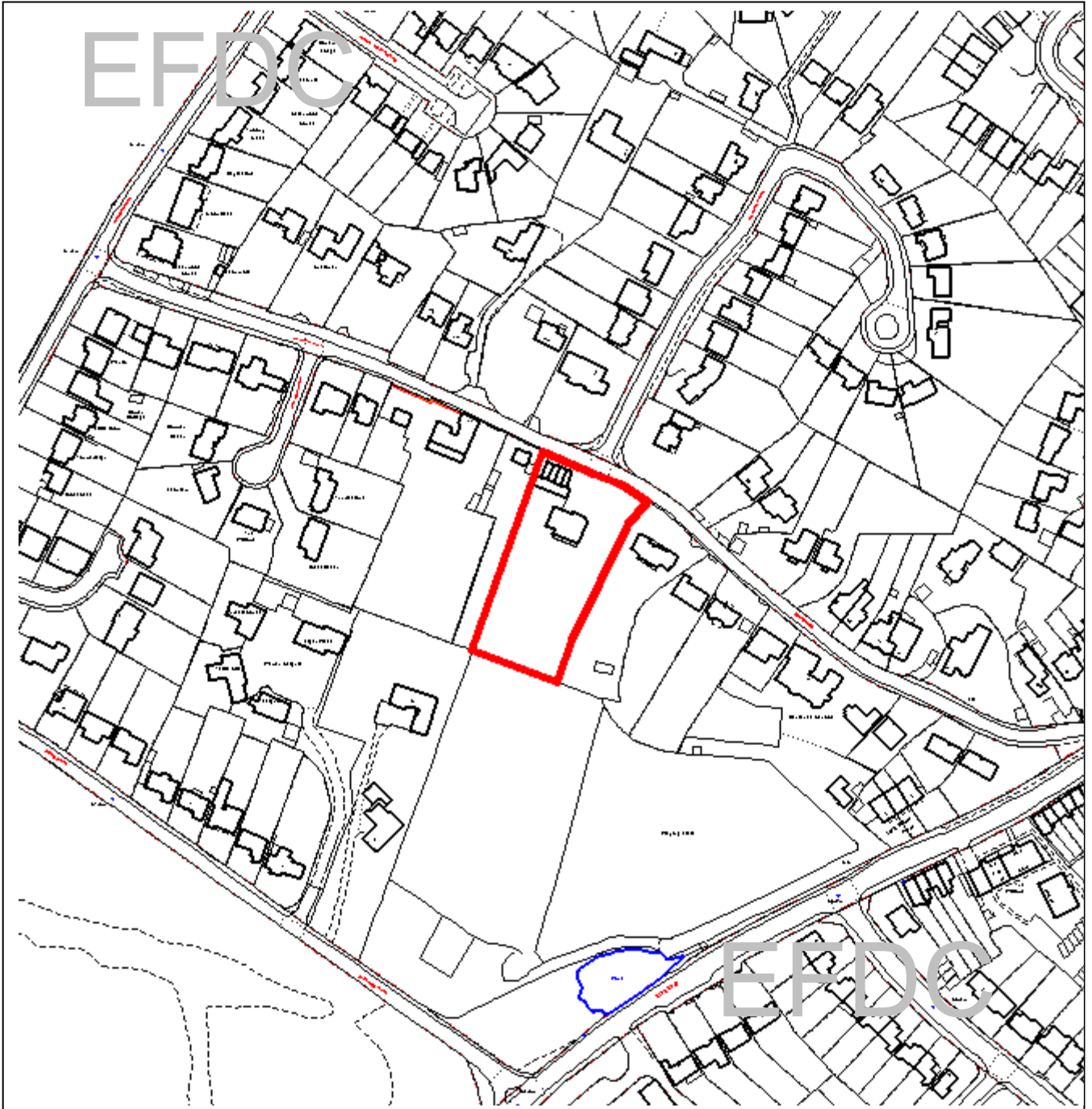
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AGENDA ITEM NUMBER 4



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Application Number:	EPF/2429/14
Site Name:	20 Albion Hill, Loughton IG10 4RA
Scale of Plot:	1/2500

Report Item No: 4

APPLICATION No:	EPF/2429/14
SITE ADDRESS:	20 Albion Hill Loughton Essex IG10 4RA
PARISH:	Loughton
WARD:	Loughton Forest
APPLICANT:	Mr Phillip Leigh
DESCRIPTION OF PROPOSAL:	Three new detached dwellings, part single, part two storey with green roofs and including new private access road off Albion Hill. Re-submission following withdrawal of EPF/0250/14
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=569551

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:
ESX 100, ESX 110, ESX 210 C, ESX 300 B, ESX 310 B, ESX 320 B, ESX 30 C, ESX 340 B, ESX 350 A, ESX 360 A, ESX 400 A, ESX 410 A, ESX 420 A, ESX 430 A, ESX 440 B, ESX 450 B, ESX 460 A, ESX 470 A, ESX 480 A, ESX 490 A, ESX 500 B, ESX 510 A.
- 3 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 4 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other Order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Class A-E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 5 No development shall take place, including site clearance or other preparatory work, until full details of boundary treatments and both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved and the boundary treatments shall be erected prior to the commencement of works. The hard landscaping details shall include, as appropriate, and in addition to details of existing

features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 6 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 7 The carriageway of the proposed estate road shall be constructed prior to the commencement of the erection of any dwelling proposed to have access from such a road. The footways commensurate with the frontage of each dwelling shall be completed prior to occupation of the dwellings they are to serve.
- 8 Gates shall not be erected on the vehicular access to the site without the prior written approval of the Local Planning Authority.
- 9 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tool. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.
- 10 An assessment of flood risk, focussing on foul and surface water drainage, shall be submitted to and approved by the Local Planning Authority prior to commencement of the development. The assessment shall demonstrate compliance with the principles of Sustainable Drainage Systems (SuDS). The development shall be carried out and maintained in accordance with the approved details.
- 11 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 12 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 1. The parking of vehicles of site operatives and visitors
 2. Loading and unloading of plant and materials

3. Storage of plant and materials used in constructing the development
 4. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 5. Measures to control the emission of dust and dirt during construction, including wheel washing.
 6. A scheme for recycling/disposing of waste resulting from demolition and construction works.
- 13 No development shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
 - 14 The development shall be carried out in strict accordance with the mitigation and enhancement details supplied in section 5 of the Greenlink Ecological Scoping Survey (March 2014), unless otherwise agreed in writing by the Local Planning Authority.
 - 15 No development or preliminary groundwork's of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority.
 - 16 Prior to commencement of the development, the access at its centre line shall be provided with a clear to ground visibility splay, as shown on drawing no.ST-2140-1-B, with dimensions of 2.4m metres by 43 metres to the west and 2 metres by 25 metres to the east. Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of any obstruction at all times.
 - 17 Prior to first occupation of the development the proposed private drive shall be constructed to a width of 5 metres for at least the first 6 metres from the back edge of carriageway and provided with an appropriate dropped kerb crossing of the footway.
 - 18 Prior to first occupation of the proposed development the existing vehicular access to the site shall be fully reinstated with full height kerbing and footway construction with all details being agreed with the Highway Authority.
 - 19 Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council.
 - 20 Prior to commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.
 - 21 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

This application is before this Committee:

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

Description of site

The site is a detached two storey property in generous grounds fronting Albion Hill. The surrounding area is characterised by large residential properties set in generous grounds, some neighbouring plots have been recently redeveloped. Albion Hill has a steep incline up a reduced width highway which is frequently obstructed by kerbside parking, particularly around the school.

The application site has varying ground levels, being situated part way up the hill, with ground to the rear of the property dropping away significantly towards the playing fields at the rear. The application site is located opposite the junction of Albion Hill with Albion Park and the boundary to number 16 is open, with no clear boundary erected.

There is a group Tree Preservation Order (TPO) on trees in the playing fields at the rear of the site and a single TPO Oak tree in the neighbouring site at 16 Albion Hill, close to the road and shared boundary.

The site is not in the Green Belt and benefits from no other planning designation.

Description of Proposal:

The application seeks permission to erect three detached dwellings off a new access road, to the rear of the property. The proposed dwellings have been designed around changing ground levels to be cut partially into the slope. This results in properties that would appear single storey from the access road and Albion Hill, but to the rear would appear two storey with accommodation as a partial basement/lower floor. The dwellings are designed to have a flat, green roof, parking on hardstanding to the front and within an integral garage and garden areas to the rear.

Internally the ground floor would provide a garage, bedroom areas and kitchen/living areas. On the lower floor three further bedrooms, a TV room and integral gym would be provided.

The proposals would retain parking and garden areas for the donor property.

Relevant History

CHI/0404/71 - Six Detached Houses and garages – Refused

EPF/0576/13 – Three new detached dwellings, part single, part two storey including new private access road off Albion Hill – Withdrawn

EPF/0250/14 – Three new detached dwellings, part single, part two storey with green roofs and including new private access road off Albion Hill - Withdrawn

Policies Applied:

Local Policies:

CP1 to CP7 – Sustainable development objectives/ urban form and quality

DBE1 – Design of New Buildings

DBE2 – Effect of New Buildings on surroundings

DBE3 - Design in urban areas
DBE5 – Design and layout
DBE8 – Provision of Private Amenity Space
DBE9 – Amenity Considerations
H1A - Housing provision
H2A – Residential Development on Previously Developed Land
ST1 to ST6 – Sustainable transport/ vehicle parking
LL10 – Adequate provision for landscape retention
LL11 – Landscaping Schemes
ST1 – Location of development
ST2 – Protecting the quality of the Rural and Built Environment
ST4 – Road Safety
ST6 - Parking

The National Planning Policy Framework (NPPF).

Summary of Representations:

32 neighbouring properties were consulted with the following responses:

Objections from:

3, 7, 9, 12, 25, 28, 29 and 30 ALBION PARK
14, 16, 28, 38 and 45 ALBION HILL
THURLSTONE, POLLARDS CLOSE
ONE RESIDENT WHO PROVIDED NO ADDRESS.

Objections were raised as follows:

Out of character with other houses
Not in keeping with a quiet area
Cramped development, loss of open character and garden grabbing
Access is unsuitable and dangerous and would be used for parking by users of Albion Hill
Issues with access, traffic, pedestrian safety and parking along Albion Hill
Drainage and sewer issues
Potential pressure for future works to protected trees
Loss of privacy to neighbouring properties
Inaccuracies / misleading statements made in application documentation
Refusal of similar schemes in the District, namely in Church Hill

In particular in relation to number 16 Albion Hill the following issues have been raised:

Boundary disputes
Loss of privacy
Restrictive covenants on the land
Noise, air and light pollution
Loss of view
Loss of light to garden areas
Construction issues and a request that if allowed, any fencing be provided before works start for security.

LOUGHTON RESIDENTS ASSOCIATION PLANS GROUP: Object to a backland development, with adverse impacts to neighbouring amenities, access issues, the 1881 Arbitration (yellow buffer land covenants with the City of London), recent appeal decisions in Church Hill. If allowed conditions are sought regarding working hours, wheel washing and suitable planting to the boundaries with neighbouring properties.

LOUGHTON TOWN COUNCIL: The Committee reiterated its comments previously made for planning application EPF/0250/14 and EPF/0576/13 which were: The Committee OBJECTED to the proposal which it considered to be a notable example of garden grabbing. The development provided insufficient private amenity space and was likely to involve a loss of amenity to adjacent properties. The creation of an additional access road in a road with existing parking and congestion problems also raised highway safety concerns.

This road was also one of several promoted by the Town Council as suitable for Conservation Area status.

Main Issues

The main planning issues are considered to be:

- Principle of development
- Design and appearance
- Impact to neighbouring properties
- Living conditions for future occupiers
- Highways and parking
- Landscaping
- Other matters

Principle of development

The site is in an urban area, outside of the Green Belt and the redevelopment in this location is in principle acceptable subject to issues relating to siting, design, neighbouring impacts, highways matters and other issues explored below. Members will be aware that development pressure in the District is significant and that sites for residential development in the Loughton area are sought after.

Design and appearance in the street scene

The proposed development has been designed to reflect the topography of the site, making best use of changing ground levels, and providing a flat, green roof to replicate the existing outlook from the donor and neighbouring properties. The design intention is that views from existing properties would continue, across the green roof to the landscape behind. Issues relating to neighbour impacts will be explored in more detail below but it is important for Members to understand that the design has arisen from the desire to minimise neighbour impacts.

The design is modern in nature, but designed to appear minimalist. Whilst this objective is commendable, the result is a stark contrast with the existing built form in the local area, which is predominantly traditional design, large properties in generous plots. The proposals are of a differing scale, provide a denser form of design and are located to the rear of the existing settlement pattern in Albion Hill. This contrast with the existing built character is not disputed, however the issue to be considered is whether this differing nature of development impacts on the existing character of Albion Hill and the surrounding locality and if so if any impact is harmful.

20 Albion Hill benefits from extensive mature landscaping along the frontage with the vehicular access providing the only visual break. This access would be relocated and views along the proposed new access into the development would be possible. Notwithstanding this the views would be at a distance, with the new dwellings clearly separate from the existing built form and down hill to a significant degree. The result being that whilst visible, Officers consider this impact on streetscene would be acceptable. The new dwellings would form a visually separate enclave of development of a character that would not appear dominant or overbearing when viewed from Albion Hill. On this basis whilst Officers consider the proposed development would be visible, it is not considered that this would be harmful to the street scene due to its recessed and subservient nature. This development differs from others that have recently been considered at Appeal as the

scale of the proposals is less in terms of height and bulk and the separation distance from neighbouring properties and the street is greater.

Impact to neighbouring properties

The proposed new dwellings would be located downhill of neighbouring plots, the result being (as intended by design) that the existing properties along Albion Hill would retain views of the playing fields and beyond over the top of the proposed new properties. This is not to suggest the new dwellings would not be visible, as they would, but the scheme retains existing outlook from the properties (due to degree of separation) and also achieves a retention of the existing view, which is not required by policy.

Loss of privacy is raised as a concern, however the distance to neighbouring properties would be the same or greater than the distance to the donor property. At the narrowest point between the donor and the most forward new dwelling the separation distance is 15m, this increases to 25m for the remaining properties which are set back. The neighbour at number 16 is separated by 32m from the front of the proposed new properties. When Officers consider the change in ground level and landscaping that both exists and could be required by condition, this separation is considered to accord with policy. For reference the Essex Design Guide usually seeks a separation of 25m, unless other considerations are available. In this instance the frontage is only single and not two storey and the ground level change and landscaping in place makes a closer relationship to the donor property acceptable.

Issues are raised regarding the use of a new access and vehicle movements on the boundary. Movements on the boundary with the neighbour would undoubtedly be audible, however the noise and pollution generated would not significantly exceed that which already exists on Albion Hill itself. In addition the access is being moved off the boundary at the entrance and there is provision for a landscaped strip along the boundary with number 16 and fencing. Officers consider this would suitably mitigate any potential adverse impacts that may arise.

Construction concerns are noted, but these could be addressed by conditions regarding working hours, construction method statement and the provision of boundaries prior to works taking place.

Amenities for Future Occupiers

The scale of accommodation is suitable for modern living standards, the units relate well to one-another in terms of internal layout. The outlook from units is good and the separation distance from the existing properties, as explored above is acceptable.

Adequate provision of parking, garden areas and refuse storage is available.

Highways and parking

Significant concern has been raised locally regarding highway matters. Albion Hill is frequently used for on street parking and the highway has narrow pavements that are often used by parked cars. Notwithstanding the undesirable parking preferences of users of the highway, Albion Hill itself and the access proposed to the site meets the standards required. The Highway Authority has raised no concerns regarding the proposals subject to the provision of conditions.

Landscaping

The tree officer objects to the proposals as the scheme as submitted does not adequately demonstrate that harm will not arise to the Oak adjacent the existing access and there would likely be pressure to prune the trees on the site at the rear. The application is accompanied by an Arboricultural Report but this report is based upon the previous layout. Officers would agree the information submitted does not reflect fully the position of the revised scheme, however the documentation supplied relates to the proposals when the access was not moved away from the protected Oak at the front, and when the dwellings were proposed closer to the protected trees. The conclusions of the report for this layout were that the development could be achieved without

significant harm to protected trees. Now the development is further from protected trees this relationship would also be improved and officers consider that subject to conditions, the proposals remain achievable and deliverable without harm to protected trees.

In respect of future pressure for tree pruning, the group TPO in place to the rear of the site covers a large area. Not all the trees and hedging within the group are worthy of retention and it is more than likely that were pressure to arise for trimming to reduce shade in the future, then specific works could be considered to particular trees without significant harm arising to the specimens of most importance. For this reason Officers disagree on this occasion with the tree officer's recommendations. This view is reached when considering the access moves away from the current location beneath the protected tree and the distance from the trees at the rear is increased from that previously provided.

Other matters

Drainage

Neighbouring comments have raised drainage as a concern. The Council's land drainage team have been consulted on the application and have raised no objection subject to conditions requiring a surface water flood risk assessment and relating to foul and surface water drainage.

Ecology:

The Council's Country Care team have assessed the application and have no objections subject to the recommendations of the Ecology Report submitted with the application being followed.

Archaeology:

The County Archaeology team have commented on the application and sought conditions due to the site historically being a pottery site.

Covenants:

Two issues have been raised in respect of protective covenants on the land. The neighbouring homeowner suggests covenants are in place between the neighbours. This is for the parties involved to resolve as the matter may be resolved by way of negotiation and this is not for the Council to be involved in.

Issues relating to the 1881 Arbitration raised by the City of London are noted, however whilst land ownership and covenants are usually beyond the control of planning, being a civil matter between the parties involved, on this occasion the Council has sought legal advice regarding this issue.

The view offered is that whilst the covenant should be considered, the weight that may be attached to it is not significant for the purposes of planning. The covenant has no basis in planning policy and is in fact based upon separate legislation. The City of London suggest it is not within their authority to waive or agree deviation to the covenant which raises the question of if consent is given, does the development have any opportunity to be built out? In this instance, whilst the difficulties in amending the legislation are clear, what is less clear is whether the covenant would be enforced. Most meaningfully however, the Council has been advised of another similar issue elsewhere, where an amendment to legislation was passed in relation to a scheme for the Olympics. This suggests a mechanism for variation or alteration to the covenant exists, namely with an amendment by Parliament. On this basis there is a means for the applicant to seek any other permissions necessary to implement a planning permission if given consent. Whether variation to the covenant would be permitted is a matter for the parties involved to resolve, but procedurally it would be possible to implement the permission if the alteration to the covenant were agreed by Parliament.

Land Ownership and Boundary Disputes:

Such matters are regrettable, but beyond the control of planning.

Conclusion

Mindful of the above appraisal Officers recommend approval of the scheme. The design of the scheme is such that it would be subservient to the main development along Albion Hill, and be well screened from the road by mature vegetation. Neighbour outlook would be maintained and Highways are satisfied with the access. Suitable landscaping could be secured by condition. Mindful of the above appraisal Officers are satisfied that in this instance the proposals accord with policy and approval is recommended.

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

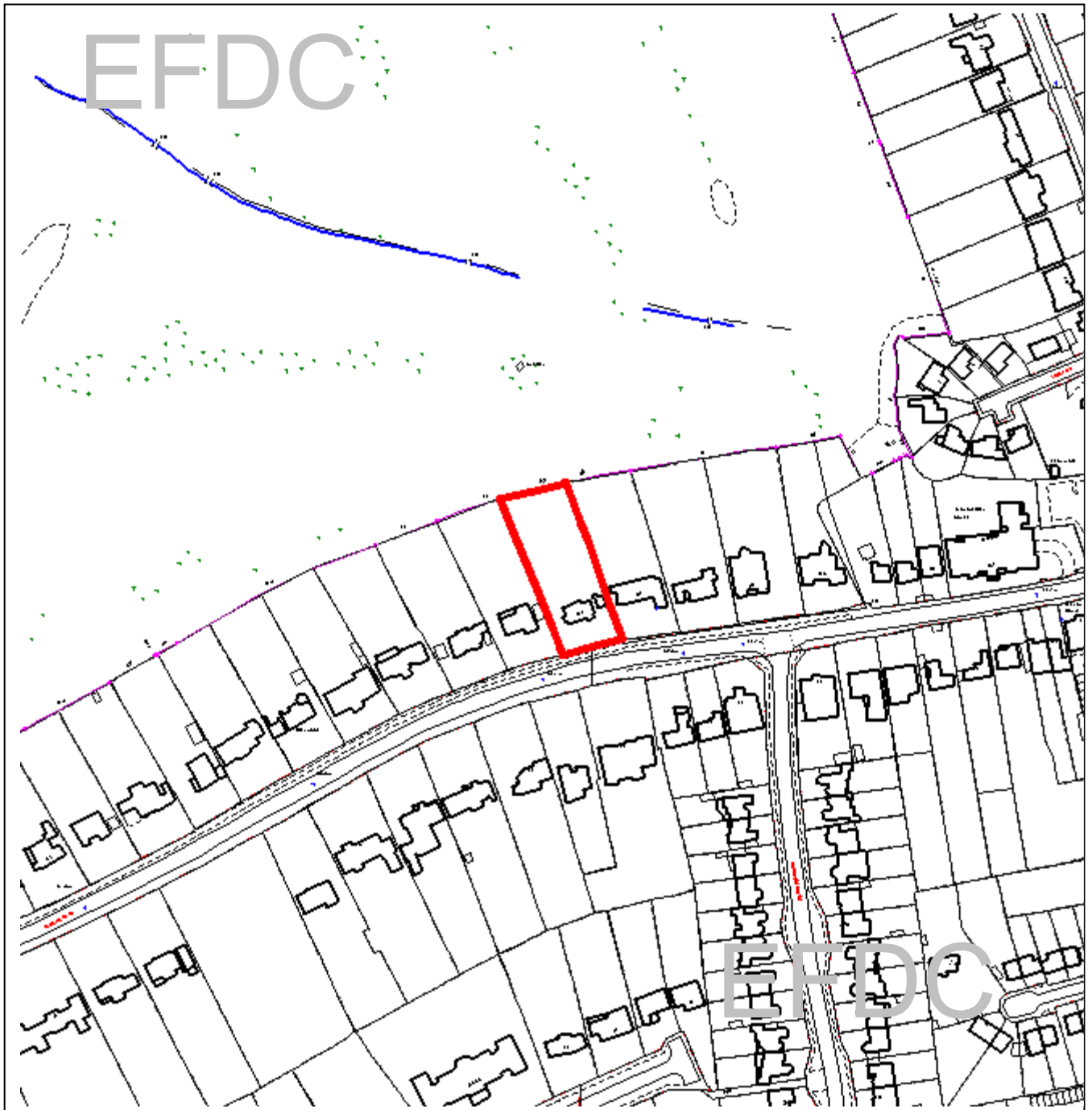
***Planning Application Case Officer: Jenny Cordell
Direct Line Telephone Number: 01992 574481***

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/2459/14
Site Name:	102 Manor Road, Chigwell IG7 5PQ
Scale of Plot:	1/2500

Report Item No: 5

APPLICATION No:	EPF/2459/14
SITE ADDRESS:	102 Manor Road Chigwell Essex IG7 5PQ
PARISH:	Chigwell
WARD:	Chigwell Village Grange Hill
APPLICANT:	Mr Major Chima
DESCRIPTION OF PROPOSAL:	Minor material amendment. Variation to Condition 2 (plan numbers) of EPF/1808/13 (Demolition of an existing dwelling and garage, with the erection of an 8 bedroom family house, with undercroft garage and indoor leisure facilities -revised application) to permit increase in depth of wings to building and ground floor of main property, alterations to landscaping and removal of underground parking and design changes.
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=569730

CONDITIONS

- 1 The development hereby permitted must be begun not later than 1st October 2016.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: Location Plan, 01A, 02A, 03A, 04A, 05A, 06A,07A, 08A, 09A, 10A.
- 3 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 4 Prior to first occupation of the development hereby approved, the proposed window opening(s) in the east and west flank elevations shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 5 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.

- 6 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 7 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 8 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 9 No development shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 10 All material excavated from the below ground works hereby approved shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.
- 11 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
1. The parking of vehicles of site operatives and visitors
 2. Loading and unloading of plant and materials
 3. Storage of plant and materials used in constructing the development
 4. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 5. Measures to control the emission of dust and dirt during construction, including wheel washing.

6. A scheme for recycling/disposing of waste resulting from demolition and construction works.

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

Description of Site:

The application site comprises a two storey dwelling located on Manor Road, close to its junction with Bracken Drive. Vehicular access to the site is via an 'in/out' drive with electric gates. There is a significant fall in levels towards the rear of the site and the existing dwelling has a raised patio area, which is almost a storey in height. The rear of the site is open to Chigwell Golf Club (which is located within the Green Belt). There are several trees located on the site.

Description of Proposal:

This application seeks planning permission for a replacement dwelling on the application site. An application for a similar proposal was approved after overcoming this committee's previous concerns.

This amended application proposes an increased height of part of the roof, increased footprint at the side and rear, deletion of a proposed below ground-floor parking area and instead provision for a pool, sauna and entertainment use, more classical design of the front elevation and contemporary glazed appearance to the rear elevation.

Relevant History:

EPF/1489/09 Demolition of an existing house and erection of a new house and ancillary works. Retention of existing gates and frontage planting - Approved

EPF/2469/12 Demolition of an existing house and garage and erection of a new five bed house with garage parking and leisure facilities within basement level – Withdrawn due to inaccurate description and conflicting drawings.

EPF/0635/13 Demolition of an existing dwelling and garage and erection of an 8 bedroom family house, with undercroft garage and indoor leisure facilities – Refused

EPF/1808/13 Demolition of an existing dwelling and garage and erection of an 8 bedroom family house, with undercroft garage and indoor leisure facilities – Granted 2/10/13

Policies Applied:

Adopted Local Plan and Alterations

- CP2 - Protecting the quality of the rural and built environment.
- DBE1 - New developments required to respect their setting.
- DBE2 - Effect of new buildings on neighbourhood.
- DBE3 - Enclosure of spaces.
- DBE8 - Provision of private amenity space.
- DBE9 - Amenity considerations on neighbouring residents.
- LL10 - Retention of trees
- LL11 - Landscaping.
- ST4 - Road safety
- ST6 - car parking.

GB7A - Development conspicuous from the Green Belt

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 214 states that due weight should be given to the relevant policies in existing plans according to the degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

Summary of Representations:

6 neighbouring properties were notified – no comments have been received.

CHIGWELL PARISH COUNCIL: Objects due to poor design. The side dormers and decorative spherical ornaments are especially out of keeping with the existing street scene. However, the Council is willing to waive these objections should an alternative design proposal be presented.

Issues and Considerations:

The main issue to be considered in this application is the size, design and appearance of the proposed house and whether there will be undue harm caused to the neighbours in terms of loss of amenity from overlooking or light.

Design

The scale and design of the proposal was altered on the last planning application (EPF/1808/13) which overcame deficiencies of the refused scheme on EPF/0635/13. Those changes were replacement of a proposed mansard style roof with a more traditional hipped shaped design and reduction in the size of dormer windows. Both of these applications were considered by this planning committee.

In terms of building size, the central height remains the same with the lower wings increased by 0.7m and a pair of small dormers each side. The scale relationship with the neighbouring houses is generally similar to the previous approval and the small dormers will sit neatly on the roof slope. The side elevations will have more bulk because of the proposed increase in depth by about 3m at the front and 3m at the rear. Further windows are proposed on the side, which will be obscure glazed. The houses on each side are either further forward or level such that it will not appear over-dominant in the street scene or on the appearance of these houses.

The rear elevation will provide more glazing and larger windows, particularly across its ground floor elevation, and overall have a more contemporary appearance. Despite the increase of the middle ground floor element by 0.75m beyond that already approved, the rear elevation faces towards the golf course and green belt to the rear and will not harm the visual amenities of this open area and will have an acceptable appearance on the locality.

The comments from Chigwell Parish Council have been carefully considered by Officers and the front elevation will be more ornate in its detail of the proposed predominantly brick finished classical design compared with the previous approved scheme which had a heavier proportioned roof height and mix of brick and render walls. There are other examples of similar styled houses in Manor Road, one almost opposite in fact. Taking these factors into account and given the road contains a mix of house types, the balanced judgement is that this proposal would not appear harmful to the street scene.

Neighbouring Amenity

Both immediate neighbouring dwellings project to the rear of the existing dwelling on the application site. There is a window in the side of no. 100 at ground floor level which appears not to be to a habitable room. No windows are visible in the flank of no. 104. Due to the rearwards projection of these two dwellings, it is not considered that the proposed replacement dwelling

would cause any material loss of light or outlook to the occupiers of these properties, despite the increase in depth, particularly as there is vegetation along the boundaries.

As with the last approval, some large terraces/balconies are proposed at ground and first floor level, but rather than enclosed by aluminium balusters and plate glass panels as previously approved, they are brick walls. The view from the rear of these balconies would not result in a detrimental loss of privacy to the occupiers of neighbouring dwellings and balconies are not an uncommon feature in this area, thus no concerns are raised.

Because the depth of the dwelling is reasonable in relation to neighbouring dwellings and having regard to the size of the plot, it is not considered necessary to remove permitted development rights which would permit later additions without the need for planning permission.

Trees and Landscaping

There are a lot of trees within the site, as shown on the submitted plan. The intention is to retain many of these, though none are of a preservable quality. The committee accepted conditions regarding tree protection and full details of hard and soft landscaping on the last approved scheme and it would be reasonable and necessary to have the same conditions if this application is approved.

Highway and parking

The existing vehicle access would remain and is considered to be acceptable, as would the proposed parking arrangements.

Conclusion

In light of the above appraisal, it is considered that the amended design of the proposed dwelling is more classical and ornate which will give it a greater presence and prominence in the street scene. Arguably, the design is a matter of taste, but the key factor for consideration is whether it will improve the street scene or not harm it. On balance, Officers consider there is merit to its appearance beyond the previous approval. It would not be detrimental to the amenities of the occupiers of neighbouring dwellings. Some loss of trees on the site is anticipated, but this is not considered to be detrimental. The application is recommended for approval.

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

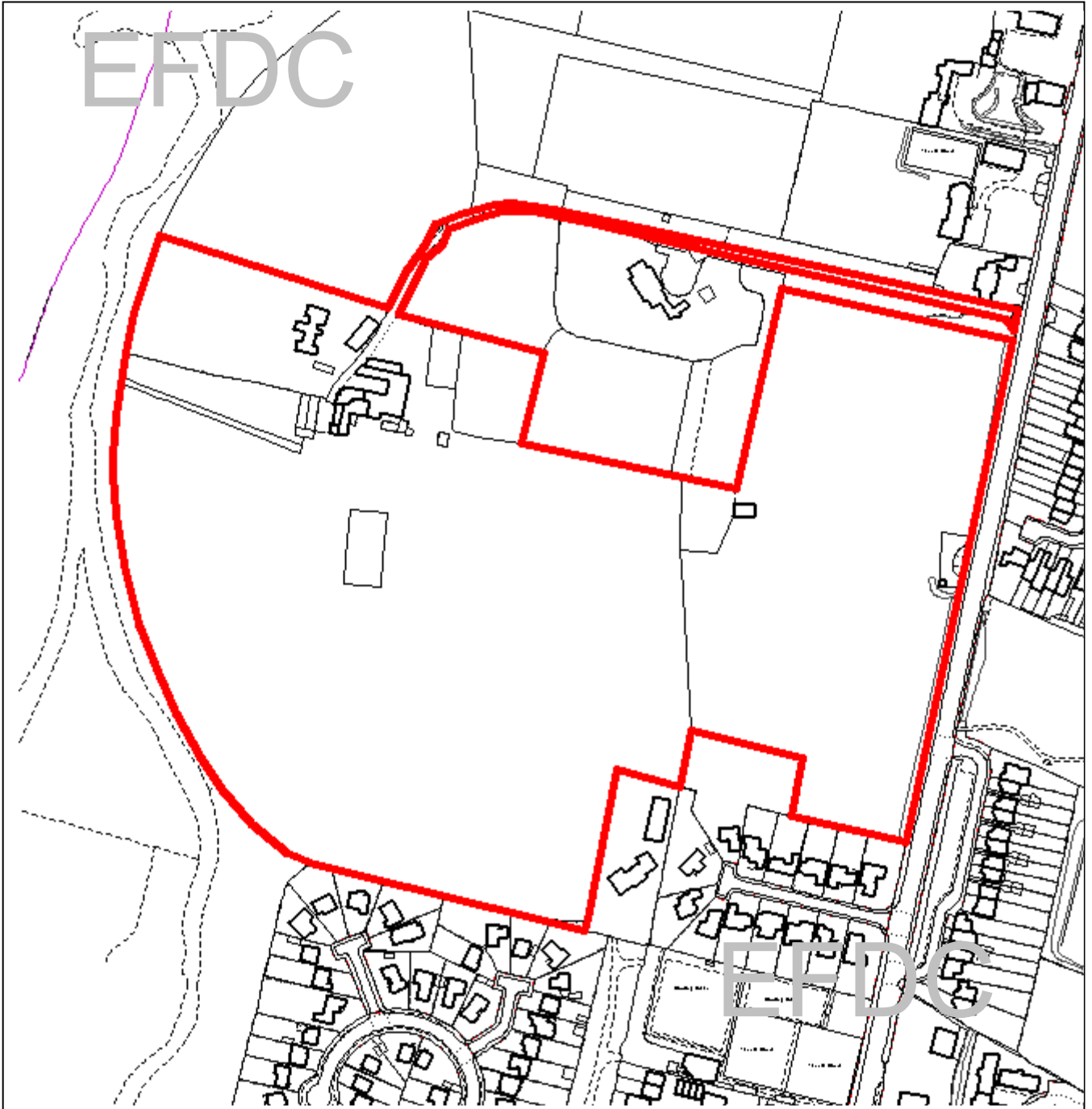
***Planning Application Case Officer: Jenny Cordell
Direct Line Telephone Number: 01992 574481***

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



Epping Forest District Council

AGENDA ITEM NUMBER 6



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Application Number:	EPF/2484/14
Site Name:	Albany Stud, Epping New Road Buckhurst Hill IG9 5UA
Scale of Plot:	1/3000

Report Item No: 6

APPLICATION No:	EPF/2484/14
SITE ADDRESS:	Albany Stud Epping New Road Buckhurst Hill Essex IG9 5UA
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
APPLICANT:	The Anderson Group
DESCRIPTION OF PROPOSAL:	Redevelopment of site by erection of a single family dwelling house and replacement of stables and stores in association with the established stud farm.
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=569872

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:
1306_0100 F, 1306_0101 D, 1306_0102 D, 1306_0103 D, 1306_0110 G, 306_0111 G, 1306_0112 G, 1306_0120 D, 1306_0121 D, 1306_0140 A, 306_0141 A, 1306_0142 A, 1306_0143 A, 1306_0210 A, 1306_0211 C, 306_0212 C, 1306_0213 C
- 3 The occupation of the dwelling hereby approved shall be limited to a person solely or mainly working, or last working or owning, the equestrian enterprise known as Albany Stud on the application site, or a widow or widower of such a person, and to any resident dependants.
- 4 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.

Reason:- To ensure a satisfactory appearance in the interests of visual amenity, in accordance with the guidance contained within the National Planning Policy Framework and policy DBE1 + DBE4 of the adopted Local Plan and Alterations.

- 5 Prior to the commencement of works, all the recommendations in section 5 of the ecological report submitted by D F Clark Bionomique ltd should be followed. This includes a bat and barn owl survey, a great crested newt habitat suitability index and

biodiversity enhancements. Any further surveys or mitigation strategies recommended in these surveys should also be undertaken. The findings of these surveys shall be submitted to and approved in writing by the Council.

- 6 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 7 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 8 All material excavated from the below ground works hereby approved shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.
- 9 No development shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 10 Prior to the commencement of works the developer shall provide details of the proposed floodlighting for the menage, namely the manufacturer's specification of the lighting to be used, the height and location of fixing, number of lights to be used, direction of lighting and amount/direction of overspill lighting. The details shall be approved in writing by the Local Planning Authority and the lighting shall be carried out in accordance with the approved details and maintained thereafter.
- 11 The floodlighting for the menage hereby approved shall be in use only until 21:00 daily unless otherwise agreed in writing by the Local Planning Authority.
- 12 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other Order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Class A-E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.

- 13 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 14 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
1. The parking of vehicles of site operatives and visitors
 2. Loading and unloading of plant and materials
 3. Storage of plant and materials used in constructing the development
 4. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 5. Measures to control the emission of dust and dirt during construction, including wheel washing.
 6. A scheme for recycling/disposing of waste resulting from demolition and construction works.
- 15 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]
- 16 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows]

- 17 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows]
- 18 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
- 19 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.

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

Description of Site:

The site is located to the western side of Epping New Road and the existing main buildings and stables are set back significantly from the road along a private access. The access is gated and serves the application site, Dell House and Oak Hall.

The existing buildings on site comprise a two storey 'U' shaped building divided into two flats and storage. Various single storey stables blocks and storage buildings, a horse walker, ménage and then a number of paddocks. There is a central hard surface serving as an informal parking area.

The site has varying ground levels and the landscape generally drops away from Epping New Road. The site is generally open and surrounded by grazed paddocks. The site currently operates as a livery.

The site is in the Green Belt, an area of general open landscape and whilst some buildings have an architecturally historic appearance, there is no protective designation in place. Existing structures and buildings on site have a volume of 4613m³.

The surrounding area is agricultural, forest land and low density residential development of varying character in a ribbon along Epping New Road.

Description of Proposal:

The applicant seeks full planning permission for the demolition of the existing structures in association with the equestrian uses, the demolition of the 'U' shaped building containing two flats and overall site clearance. In lieu the proposals seek to erect replacement stables and facilities with a single dwelling on site in association with the use.

The proposed building and replacement equestrian buildings would result in a proposed volume of 3945m³.

Relevant History:

An extensive history relates to the site namely in relation to the provision of the equestrian facilities and existing dwellings on and around the site. No single application appears to have significant bearing on the application.

Policies Applied:

CP1 Achieving Sustainable Development Objectives
CP2 Protecting the Quality of the Rural and Built Environment
CP3 New Development
CP6 Achieving Sustainable Urban Development Patterns
CP7 Urban Form and Quality
GB2A Development in the Green Belt
DBE1 Design of New Buildings
DBE2 Affect on Neighbouring Properties
DBE3 Design in Urban Areas
DBE6 Car parking in new development
DBE7 Public Open Space
DBE8 Private Amenity Space
DBE9 Loss of Amenity
LL11 Landscaping Schemes
ST1 Location of Development
ST2 Accessibility of development
ST4 Road Safety
ST6 Vehicle parking
RST4 Horse Keeping
RST5 Stables
GB7A Conspicuous Development

Summary of Representations:

BUCKHURST HILL PARISH COUNCIL: Objection. In the Green Belt with no exceptional circumstances for a residential dwelling.

4 neighbouring properties were notified and a site notice was erected. No neighbouring responses have been received.

CITY OF LONDON: Object to the proposals due to the provision of a restrictive covenant on the land, relating to the designation of yellow land which prohibits development. The City of London has made clear they do not have the ability to release or modify the covenant. In a subsequent letter the City of London seek to ensure the Council upholds the covenant in place, emphasising its basis in legislation.

Issues and Considerations:

The main issues that arise with this application relate to the principle of a replacement dwelling and buildings (stables) in the Green Belt, design issues, neighbouring impacts and impacts to the wider landscape.

Green Belt

The principle of replacement buildings on a site in the Green Belt is acceptable as long as the replacement provided is not materially larger than those replaced as set out in the NPPF, subject to design, appearance, impact to neighbouring properties and parking matters.

In this instance the site also includes a number of stables and equestrian related structures. The site has an historic use for stables and equestrian facilities. The buildings and structures on site have evolved over time with new buildings erected to meet needs as they arise. Many buildings appear to have been erected without consent, but these are single storey and small scale in nature and clearly have been in place well beyond 4 years. As a result these buildings are immune from enforcement.

The proposals seek to provide a more uniform facility on site, with a lesser volume than the existing structures. This is achieved in part through the use of a modern flat roof design which by nature has a lesser volume and in part through the loss of redundant structures.

The existing volume of buildings on site is 4613m³, the proposed volume is 3945m³, thus a reduction. In addition the proposals are located towards the lower ground levels on site and the new dwelling would be cut into the landscape further reducing impact to openness. The result being a dwelling and structures, whilst generous, would have less of a visual impact on openness than the existing buildings on site.

Design

The application site is well separated from Epping New Road by a long private access, however the boundary treatment to the highway is relatively open and ground level drops from the roadside significantly across the site, resulting in the proposed development being visible, albeit at a distance from Epping New Road. Although the proposals would be visible, at this distance the proposal would have less of a visual impact than the existing built form due to its lower height, lesser bulk and design that is more sympathetic to the landscape, assisted by the proposed green roofs. The same assessment is applicable to the visual impact nearer the proposal, since it would be lower lying and more subordinate to the surrounding land.

The proposed design is modern and simple in form. That achieves a much reduced bulk compared to a more conventional design with a pitched roof. The two-storey bulk of the house would only be visible from the south and from all other vantage points would appear as a single-storey structure. The stables would also be low lying and spread across a much reduced area compared to the existing development. They would complement the design of the house. External materials and landscaping are critical to achieving a high quality development and the submission indicates that would be the case. Timber boarding is proposed for the exterior of the stables and upper floor of the house would contribute to a soft appearance that would be complemented by the green roof of the house. Those materials would be contrasted with large glazed areas and a light coloured brick to the exterior of the lower floor. In certain views the

design and choice of materials would contrast with neighbouring Dell House but not unpleasingly and certainly not such that any visual harm would arise. Landscaping is discussed below.

On the matter of design, the proposal is considered to be sensitive to its landscaped setting and of high quality.

Neighbouring amenity

The proposals are well separated from neighbouring properties with the exception of Dell House. The relationship between the two properties is such that outlook from Dell House would include the proposed new dwelling and stables, but suitable landscaping around the site could prohibit the relationship in the reverse. No harm to outlook and no excessive overlooking between the proposal and Dell House would arise.

Aside from construction activity, the proposals would not generate any additional vehicle movements on site, resulting in a similar level of occupation and equestrian activity to that which presently exists. The proposals would replace existing stabling onsite, but as this already exists on the boundary with Dell House, the proposals would not likely result in any significant additional impact beyond that which may presently exist. In addition Officers note no objection from the neighbouring property.

Amenity of future occupiers

The property would, like those flats currently on site, endure an element of noise and disturbance arising from the equestrian use. Notwithstanding this, a dwelling on site is desirable where the occupants are involved in the business as it permits supervision of the site. A condition to restrict occupancy is suggested to ensure occupiers are always tied to the enterprise on site, thus do not suffer from adverse impacts arising from its use. In addition it would prevent the dwelling being sold off independently, potentially creating future pressure for a further dwelling.

Highways and parking

Highways have been consulted and have raised no objections. Parking provision on site is informal and would exceed that which is currently in place for a similar scale of operations.

Landscaping

The application is accompanied by documentation that demonstrates the development can be carried out without harm to trees. The Council's landscaping team have requested standard conditions be applied. The applicant's agent has expressed concern regarding the conditions sought, however this is the Council's standard approach and it is considered necessary, reasonable and enforceable to attach these conditions.

Other matters

Covenants

The City of London is clear in expressing objection to the scheme as covenants on site prohibit the development from taking place. Officers have considered the issues raised and whilst land ownership and covenants are usually beyond the control of planning, being a civil matter between the parties involved, on this occasion the Council has sought legal advice.

The view offered is that whilst the covenant should be considered, the weight that may be attached to it is not significant for the purposes of planning. The covenant has no basis in planning policy and is in fact based upon separate legislation. The City of London suggest it is not within their authority to waive or agree deviation to the covenant which raises the question of whether if consent is given, does the development have any opportunity to be built out? In this instance, whilst the difficulties in amending the legislation are clear, what is less clear is whether the covenant would be enforced, particularly as development is already on the site. Most meaningfully however, the applicant has advised of another similar issue elsewhere, where an amendment to

legislation was passed in relation to a scheme for the Olympics. This suggests a mechanism for variation or alteration to the covenant exists. On this basis there is a means for the applicant to seek any other permissions necessary to implement a planning permission if given consent. Therefore on this basis Officers consider the covenant a matter for the parties involved to resolve as opposed to the planning process.

Contamination

The contamination of the site has been considered. Officers recommend that subject to standard conditions this matter could be resolved.

Horse keeping

The proposed use of the site for horse keeping is established already. The proposed stables and land surrounding the application site adheres to guidance issued by the British Horse Society.

Lighting

The proposed ménage would include external lighting to make the area useful throughout the year. This in itself is not unacceptable, however conditions regarding hours of use and details of lighting are suggested by Officers to negate any adverse impact.

Conclusion:

Mindful of the above appraisal Officers recommend approval of the scheme. The scale and volume has been demonstrated to be acceptable in the Green Belt, to make good use of topography and to be well screened by landscaping from neighbouring properties. The proposals amount to a high quality design that would improve the existing enterprise on site and, although not demonstrated, are likely to assist with the longer term function of the business. Officers have identified no significant adverse impacts and thus recommend approval subject to conditions.

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

***Planning Application Case Officer: Jenny Cordell
Direct Line Telephone Number: 01992 564481***

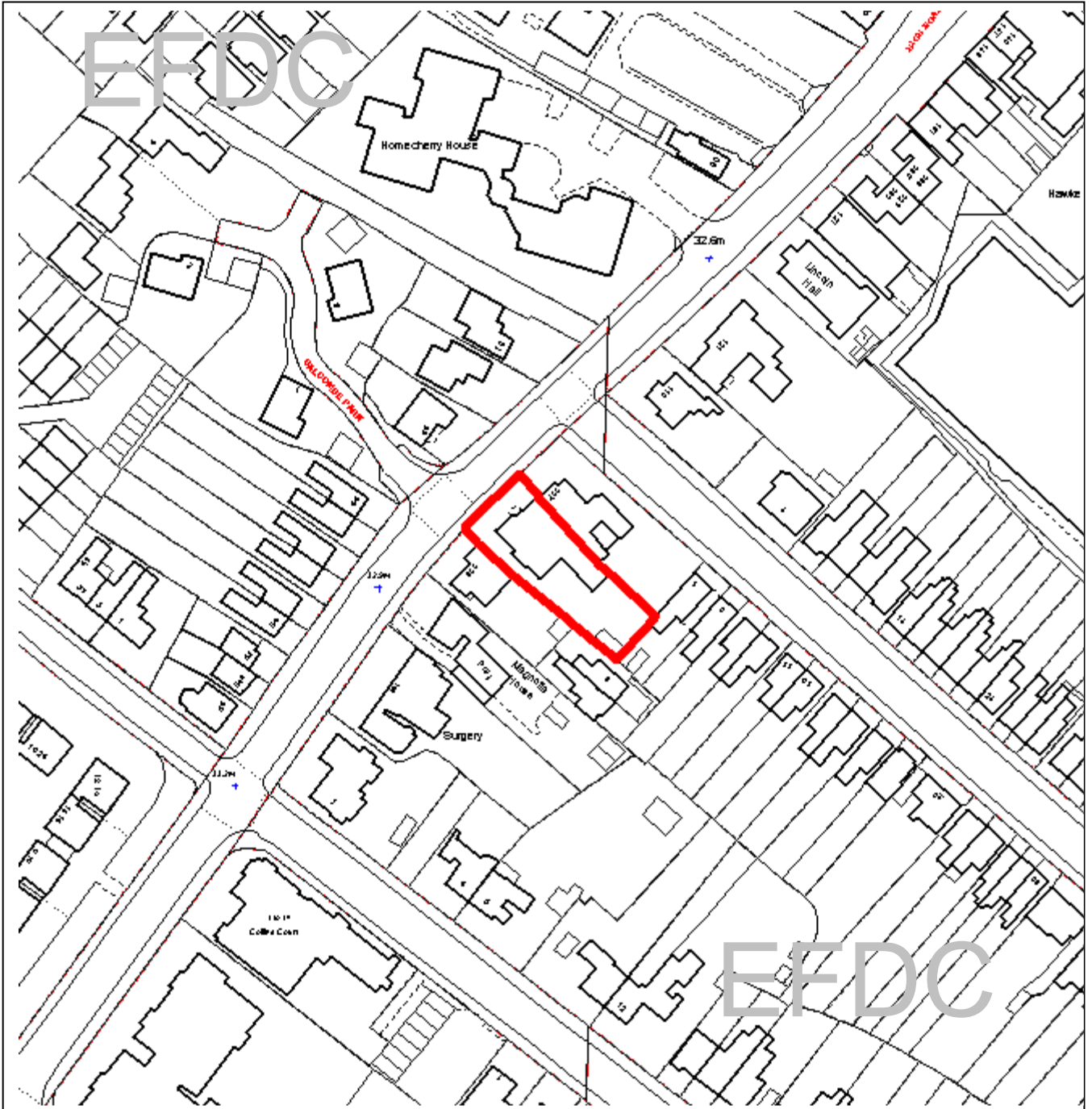
or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

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Epping Forest District Council

AGENDA ITEM NUMBER 7



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Application Number:	EPF/2529/14
Site Name:	Loughton Clinic, 115 High Road Loughton IG10 4JA
Scale of Plot:	1/1250

Report Item No: 7

APPLICATION No:	EPF/2529/14
SITE ADDRESS:	Loughton Clinic 115 High Road Loughton Essex IG10 4JA
PARISH:	Loughton
WARD:	Loughton Forest
APPLICANT:	Dr David Dighton
DESCRIPTION OF PROPOSAL:	Extension and change of use of building from former beauty studio to form two 2 bedroom dwellings with ancillary parking, cycle storage and landscaping/amenity space (amended scheme from EPF/2216/13).
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=570075

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: MDP.HRL/01, 20, 40B and 41A.
- 3 Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.

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

Description of Site:

Traditional two storey semi-detached property with Tudor detailing and loft accommodation in a third floor roof area. The property is elongated and contains Loughton health clinic on the ground floor, 2 x 2-bedroom maisonettes on the upper floors and at the rear, a two storey 1970's built extension. Vehicular access along one-side of the building serves an existing rear car parking area.

The site is not in a Conservation Area, designated employment area or Green Belt. Loughton Town Centre, as identified in the Proposals Map of the Local Plan Alterations, is located 60m to the northeast of the site.

Description of Proposal:

The application is a revision to a 2013 permission for the change of use of a beauty salon at the rear of the premises to 2 flats. It seeks consent for an extension to form a second floor above a former beauty studio that until recently occupied the two storey rear extension and convert it into 2 x 2-bedroom maisonettes.

The parking provision remains unchanged from that which currently exists at the front and the rear.

Relevant History:

In 2011, the upper floors of the main building were converted from dental practice to 2 x 2 bedroom maisonettes.

EPF/2216/13 – Change of use of rear section of building from beauty studio to one, one bed residential unit and one, two bed residential units with associated external alterations, ancillary parking, cycle storage and landscaping/amenity space – Granted 16-12-2013

Policies Applied:

CP1	Achieving Sustainable Development Objectives
CP2	Quality of Rural and Built Environment
DBE1	Design of new buildings
DBE8	Private Amenity Space
DBE9	Loss of Amenity
DBE11	Subdivision of properties
ST2	Location of development
ST6	Vehicle Parking

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 214 states that due weight should be given to the relevant policies in existing plans according to the degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 22 – 1 response received:-

117 HIGH ROAD - No Objection, but concerned that the current construction has a gutter that overhangs the boundary into my property, therefore I would like to ensure the new construction/new guttering doesn't overhang my property as part of my non objection to the said planning application.

TOWN COUNCIL – Object: insufficient parking particularly as the narrow access road would not allow the majority of modern cars to reach the parking spaces shown at the rear of the property. The smaller houses in Meadow Road would also be overlooked by this development.

Main Issues and Considerations:

The principle of the change of use has been accepted on the previous planning permission which can still be implemented. The reason for this current application is that Loughton Clinic wishes to retain more of the existing ground floor, part of which was going to be part of the two flats approved under EPF/2216/13.

To still provide for two flats, the proposal has been redesigned to include a steep sloping mansard-type designed roof as a second floor at the rear with windows facing rearwards and sideways into

the site. This extension also means that the proposed flats can each provide two separate bedrooms.

Design

The addition to the two-storey rear extension would be visible from neighbouring properties at the rear and from Meadow Road. It will add bulk to the building but it will not have a detrimental visual impact on the character of the immediate area or the street scene given its position and set back from the road. It will not be visible from the High Road.

Impact on Neighbours Amenity

The addition of a new second floor will increase the height of the rear extension by 1.2 metres and fill out the existing shallow sloping roof such that it will have greater bulk and visual impact on the amenities of the adjacent residence at 117 High Road, the residential property with which it shares a common boundary. There is an adjacent rear extension at no.117 which does not extend as far as the application site's own rear extension, falling short by 3.5m. The extra floor will have some visual impact on the rear garden area of this neighbour's property and result in some loss of afternoon sunlight to a small part of their garden. However, policy DBE9 strives to resist serious loss of amenity to neighbours and whilst there will be some impact, it is not considered to be excessive enough to justify a refusal in this case, given the large size of their rear garden.

No.117 has a bedroom window at second floor level close to the boundary and the proposed extension. The extension will project approximately 9 metres beyond it. There will be some afternoon sunlight loss to the bedroom but this is a large 6-bedroom house and this bedroom is not a major habitable room compared with more important rooms in the house. There will still be a good outlook from this room as well as daylight and remaining sunlight, such that on balance the amenity loss to this neighbour is not significant. The gutter issue has been overcome on amended plans which show no encroachment.

The new second floor will have two side bedroom windows which at a distance away of about 8.5m from the common boundary with 113 High Road, could potentially overlook. However, this is a commercial premises and therefore there will be no loss of residential amenity.

There is also potential to overlook and result in loss of privacy to the occupants of 1 Meadow Road south-east of the site, but there is a rather large tree on the rear boundary, which offers some screening and the separation distance is greater than the other neighbours referred to above, such that the amenity loss in the case of no.1 is not significant.

Amenity Space

In respect of garden areas, the proposed dwellings would have none. This is not uncommon for flats in Town Centres and is the case for the existing residential units on the front of the site. The absence of private amenity space in a town centre location is not sufficient reason alone to justify refusal. Loughton is an urban area, and the District's largest Centre. Whilst not benefitting from many urban open spaces, the area is close to the District's largest open recreational area known as Epping Forest and the associated grounds owned by the Corporation of London, for which there is significant amenity value. This is not immediately accessible, but the area is surrounded by open spaces a generous walk away or alternately, accessed by car or by public transport.

Highway Safety and Parking

In terms of highways, the parking provision onsite and access remains unchanged from that which presently exists. The loss of the beauty clinic will free up 3 spaces which would be available for the development. The Town Council comments have been noted, but the access along the side

already exists and cars already park here. The parking movement compared between the two new flats and the previous clinic is also likely to result in less comings and goings for vehicular traffic. This is considered acceptable in highway terms.

Conclusion:

The principle of the proposed development and parking issue is acceptable. Whilst acknowledging that there will be some limited amenity impact on the residential properties that surround the rear garden of this property, Officers, conclude that the harm likely to arise is not significant and therefore the proposal complies with policies DBE9 and DBE11 of the Local Plan, which consider amenity impact.

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: Ms Jenny Cordell
Direct Line Telephone Number: (01992) 564481***

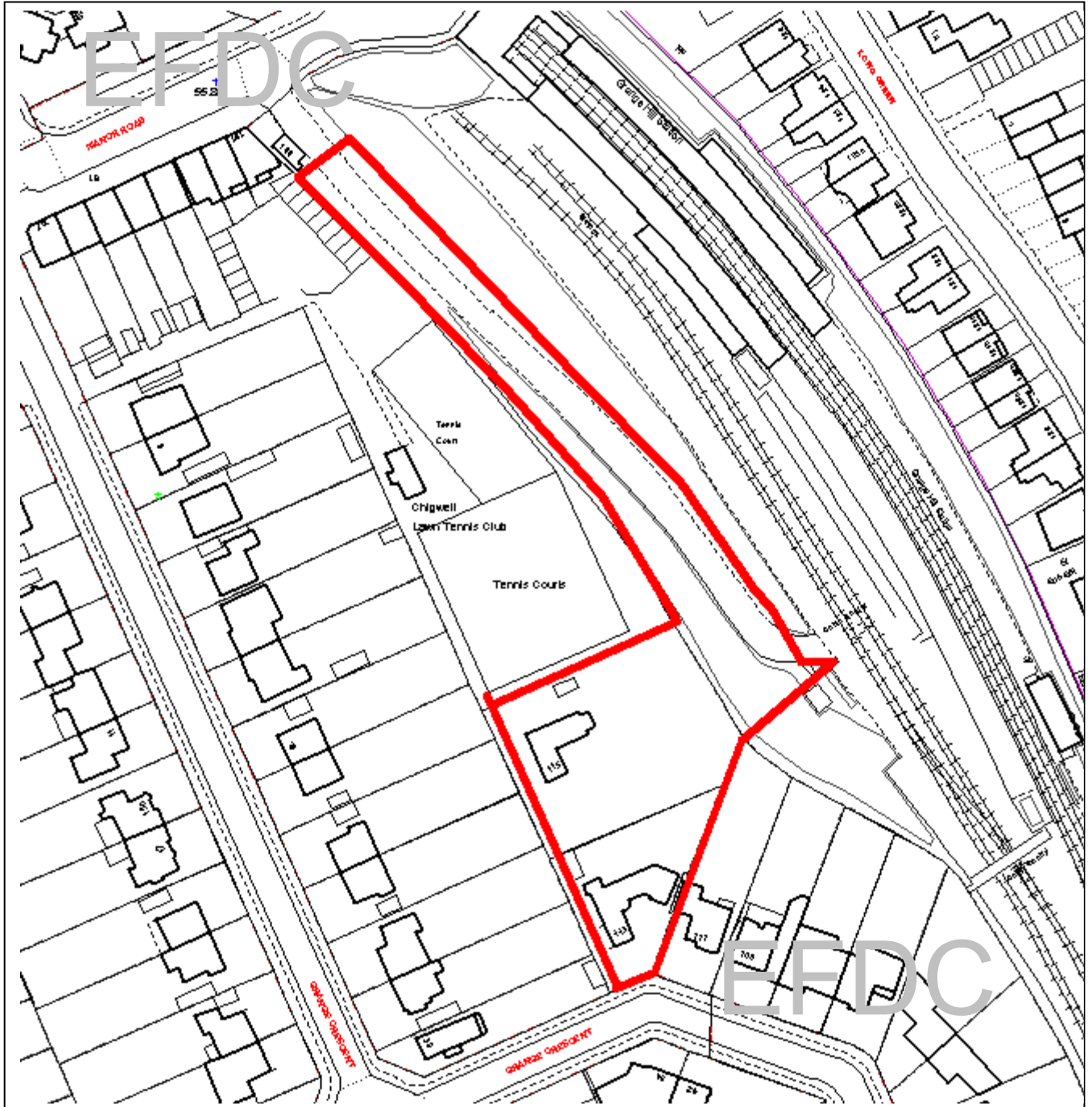
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AGENDA ITEM NUMBER 8



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Application Number:	EPF/2558/14
Site Name:	113-115 Grange Crescent Chigwell, IG7 5JD
Scale of Plot:	1/1250

Report Item No: 8

APPLICATION No:	EPF/2558/14
SITE ADDRESS:	113-115 Grange Crescent Chigwell Essex IG7 5JD
PARISH:	Chigwell
WARD:	Grange Hill
APPLICANT:	The Grange Development (Essex) Ltd
DESCRIPTION OF PROPOSAL:	Minor material amendment to 14 flats previously permitted under EPF/0495/14 and EPF/0320/10. Amendments comprising changes to levels and provision of basement including pool, provision of light wells, rooflight to pool, provision of storm drain, bi-folding doors and changes to Block 'A' elevations.
RECOMMENDED DECISION:	Grant Permission (Subject to Legal Agreement)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=570231

CONDITIONS

- 1 The development hereby permitted will be completed strictly in accordance with the approved drawings nos:
FBP-002 C
FBP-003 B
FBP-004 H
FBP-005 G
FBP-006 B
FBP-007 B
FBP-008 B
FBP-009 B
FBP-010 B
FBP-011 C
FBP-012 D
- 2 The development shall proceed in accordance with the details of materials submitted under application reference EPF/2471/14 unless otherwise agreed in writing by the Local Planning Authority.
- 3 The development shall proceed in accordance with landscaping details submitted under application reference EPF/1994/13, unless otherwise agreed in writing by the Local Planning Authority.

If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand, and in writing.

- 4 The development shall proceed in accordance with the Tree Protection details approved under application reference EPF/1769/13, unless otherwise agreed in writing by the Local Planning Authority.
- 5 Prior to the commencement of development details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected before the occupation of any of the dwellings hereby approved and maintained in the agreed positions.
- 6 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed prior to the commencement of any building works on site, and shall be used to clean vehicles leaving the site.
- 7 The development shall proceed in accordance with Flood Risk details approved under application reference EPF/1769/13, unless otherwise agreed in writing by the Local Planning Authority.
- 8 All construction/demolition works and ancillary operations (which includes deliveries and other commercial vehicles to and from the 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.
- 9 The development shall proceed in accordance with surface water details submitted under application reference EPF/1994/13, unless otherwise agreed in writing by the Local Planning Authority.
- 10 The development shall proceed in accordance with turning circle details submitted under application reference EPF/1994/13, unless otherwise agreed in writing by the Local Planning Authority.
- 11 All material excavated from the below ground works hereby approved shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.
- 12 Notwithstanding the detail shown on the approved plans, details of the parking layout proposed along Manor Road and at the side of the proposed access road shall proceed in accordance with the details approved under application EPF/1828/14 unless otherwise agreed in writing by the Local Planning Authority.
- 13 The proposed access onto Grange Crescent shall be laid out in accordance with the details shown on drawing no 09.07.1633. The vehicular access shall only be made available for use by emergency services vehicles and shall not be used by any other motorised vehicle.
- 14 The off-street parking areas shown on drawing nos. JGEF/10/02 and JGEF/10/10 shall be provided prior to the occupation of the development hereby approved and thereafter only be used for the parking of vehicles of the occupants, visitors and callers at the development.
- 15 Prior to first occupation of the building hereby approved the proposed window openings in the first and second floors of the west facing flank walls shall be fitted with obscured glass and have fixed frames up to a height of 1.7 metres above the finished floor level, and shall be permanently retained in that condition.

- 16 The basement communal areas serving as swimming pool and residents' lounge/media room shall be used solely by residents and their friends and family only with no external hire at any time whatsoever.
- 17 There shall be no amplified music from within the communal basement areas that is audible at the boundaries of the site.

Subject to the applicant entering into a Section 106 Legal Agreement for the developer contributing in respect of the following:

- 1. Financial education contribution of £23,913.00 (Calculated using April 2010 cost multiples and index linked from this date using PUBSEC index)**
- 2. The legal agreement to secure the applicant's right to access land in the ownership of London Underground (within red line application site) to allow continued vehicle and pedestrian access to the site.**
- 3. Financing alterations to the public highway in Manor Road involving a redesigned/improved priority junction, works taking place in public highway including any area to become public highway, details of a junction protection scheme (Traffic Regulation Order), imposed visibility at the junction for all highway users including a suitable pedestrian crossing point.**
- 4. The provision of vouchers to the future occupiers of the proposed dwelling, providing free access to public transport services for an agreed period of time.**

This application is before this Committee for the following reasons:

- *since it is an application for development of a significant scale and/or wider concern and is recommended for approval (Pursuant to Section P4, Schedule A (c) of the Council's Delegated Functions); and*
- *since it is an application for residential development of 5 dwellings or more and is recommended for approval (Pursuant to Section P4, Schedule A (d) of the Council's Delegated Functions).*
- *since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(g))*
- *since it is for a type of development that cannot be determined by Officers if more than two objections material to the planning merits of the proposal to be approved are received (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(f).)*

Description of Proposal:

This application seeks a minor material amendment to an approved development of 14 flats within the site.

The amendments to the scheme comprise:

- Provision of three light wells on northern elevation and one on west elevation

- Revisions to basement layout to create a pool and function room
- Obscure glazed walk-on roof light over pool
- Revisions to finished levels of basement (increased depth of 0.8m)
- Provision of attenuation tank for storm water drainage
- Provision of bi-folding doors on ground floor level of south elevation (to living area of flat A1)
- Change to alignment of lift core and entrance in of block A (position further from boundary)
- Omission of 45 degree splay on east elevation of Block A at the second floor

Description of Site:

The application site was formerly occupied by two detached dwellings. The application site comprises an area of approximately 0.235m² and is accessed from Grange Crescent, however the site extends to the rear and an access onto Manor Road.

Relevant History:

EPF/0320/10. Demolition of two houses and erection of a two storey building comprising of 14 two bed flats and 35 car parking spaces. Approved 08/02/2011. **This consent has been commenced and therefore remains capable of implementation, despite the passage of time that has lapsed since its approval.*

(adjacent site) EPF/2156/13. Demolition of existing Taxi Office and erection of new three storey end of terrace building comprising of a lock up shop (for purposes within Use Class A1, retail), and 2 no. one bedroom flats over, and erection of new boundary wall and gate serving development to the rear. Approved 09/12/2013.

EPF/0495/14. Non material amendment to EPF/0320/10 (Demolition of two houses and erection of a two storey building comprising of 14 two bed flats and 35 car parking spaces) Non material amendment seeks the addition of a planning condition requiring development to proceed in accordance with the previous approved plans). Approved 27/03/2014.

EPF/0763/14 – Minor Material Amendment application to permit enlargement of the basement to provide storage areas to flats and omission of entrance at ground floor - Approved

Policies Applied:

Adopted Local Plan and Alterations

H2A – Previously Developed Land

H3A – Housing Density

H4A – Dwelling Mix

H5A – Provision for Affordable Housing

H6A – Site Thresholds for Affordable Housing

H7A – Levels of Affordable Housing

CP1 – Achieving Sustainable Development Objectives

CP2 – Protecting the Quality of the Rural and Built Environment

CP3 – New Development

CP4 – Energy Conservation

CP5 – Sustainable Building

DBE1 – Design of New Buildings

DBE2 – Impact of New Buildings

DBE8 – Amenity Space Provision

ST4 – Highways Considerations

ST6 – Car Parking Standards

LL10 – Adequacy of Provision for Retention
LL11 – Landscaping Schemes

Summary of Representations:

Notification of this application was sent to Chigwell Parish Council and to 64 neighbouring properties. A public notice has also been displayed.

The following representations have been received:

15, 22, 26 AND 84 GRANGE CRESCENT:

A function room is not appropriate in a residential area

Parking issues and congestion

Noise and disturbance from use of pool and function room

Out of keeping with local area

Lack of benefit to the local area

Extra flats resulting in more parking pressure.

Please ensure that the roots are adequately safeguarded for oak TPO/EPF/95/10.

CHIGWELL PARISH COUNCIL. The Council OBJECTS to this application because of concerns about design and notes that residents have raised issues about structural engineering methods employed to date on the site. The Council would also like to understand why reported land subsidence has already occurred in the area of the tennis courts and its implications for this particular application.

London Underground have also responded to confirm the developer is liaising with London Underground Engineers and should continue to do so.

Issues and Considerations:

When planning permission was given for this development the main issues that were given consideration were:

1. The acceptability of the principle of residential development on this site;
2. The impacts of the proposed development on the amenities of the occupiers of neighbouring dwellings;
3. The impacts of the proposed extensions on the character and appearance of the area;
4. The provision of affordable housing;
5. The acceptability of the proposed parking and access;
6. Landscaping;
7. Refuse; and
8. Education contribution

Accordingly, it is now necessary to consider the impacts of the proposed changes to the development on those material planning considerations. Please do refer to the full appraisal of material planning considerations contained within the original appended report.

Changes proposed

The proposed alterations would reconfigure the basement already previously approved. The changes to basement layout would permit the main basement to be used as a pool area and a media room/lounge. The intention being for this room to be a communal space, possibly for residents functions but the room is not intended for external hire. The revisions include increasing the depth of the basement by 0.8m.

The provision of the light wells to the basement areas would permit use of the basement space as rooms with a function such as study or play areas as opposed to generous areas of storage

without the benefit of natural light. This change requires the provision of a 'bridge' feature to each unit to form access.

The provision of a pool is a new feature, however not one that would result in external change.

Minor changes to the footprint of the basement and block 'A' are required to provide a more accessible layout, as are some alterations to ground level around the access into the basement relative to the increased depth (resulting in a subtly steeper gradient into the basement).

Principle

The proposed changes result in very little external alteration and only more generous internal accommodation, thus the principle of the proposed changes in an urban area is unchanged. The height of the development is unchanged.

It is noted that the proposals would not provide a benefit for local residents, there is no policy requirement for a development to provide any such benefit.

Design

Externally the proposed changes would not have any greater impact on local character and appearance than already considered acceptable in previous applications.

Impact to neighbouring amenities

The proposed revisions do not increase the visual scale of the building, would not result in a greater degree of overlooking or over shadowing than already considered. Thus the proposed revisions are not considered to give rise to any greater impact than already considered acceptable.

Neighbouring concerns regarding the function room are noted, and subsequently the naming of this room has been revised. The applicant has confirmed the intended users of this space would be residents only and there is no intention to hire this space to external users. The applicant is happy to accept a condition to this effect. The applicant has confirmed that this space would be used in association with the pool, as a communal lounge and leisure area.

Neighbours have expressed a concern regarding noise being generated from the use of these areas, however a pool is not an uncommon residential feature in the area, the communal spaces are internal and would not be expected to generate any greater degree of noise than any other residential space. Were a singular event to take place giving rise to any concerns, then residents would be able to exercise usual rights with regards to nuisance and contact the Council's Environmental Health team. Officers consider it would not be reasonable to refuse permission on the basis of speculation of future issues, however should it be required, Officers could attach a standard condition preventing the use of amplified music in the communal rooms.

Parking and Access

In terms of parking and access, parking for 35 vehicles would be retained (31 within the basement and 4 at surface level). This provision remains as previously proposed and the Council's normal standard is met in terms of the size of spaces and the distances between them. Vehicular access would remain as previously proposed.

There have been some revisions to levels within the basement and the layout of parking to accommodate access ramps into the entrance lift and hall area.

Neighbouring properties have expressed concern regarding the lack of parking and this is noted, however the parking provision has been established as acceptable and does accord with policy. The provision of a pool area for residents does not increase the parking requirements.

Landscaping

Landscaping proposals are unchanged from those previously considered acceptable. Concern has been made by the occupiers of 26 Grange Crescent regarding the impact of the enlarged basement on the protected oak tree at the rear of that property. However the enlargement of the basement proposed as an amendment to the approved scheme is adjacent to 111 Grange Crescent. The Council's Tree and Landscape Officer has been consulted on this proposed development and raises no objection.

Refuse

Provision is made for the storage of 6 x 1100 litre, 2 x 340 litre and 5 x 190 litre bins at surface level adjacent to the site entrance.

Construction issues

Neighbouring properties and the Parish Council have noted that during construction a subsidence event has taken place. Officers have contacted the applicant in respect of this issue and sought further information. The developer has confirmed that this event occurred in relation to an unexpected volume of rainfall during a key point in construction, the result being a movement in piles retaining land on site. This issue has been rectified and the developer has offered assurances that construction is now at a point where such events will not reoccur. The developer has also confirmed the additional depth of basement has already been dug out with the exception of the pool (at their own risk).

Education Contribution (and other planning obligations)

The Applicant is working with officers of the Council's Legal Service section to submit a Deed of Variation to require the planning obligations secured by the previous permission to carry forward to this revised development. It is expected that their undertaking will be submitted prior to the date of the Committee meeting and will include those items listed on the front sheet of this report.

Conclusion

In conclusion, it is considered that the changes to the proposed development are such that they would not cause detrimental harm. It is, therefore, recommended that planning permission be granted, subject to the legal agreement referred to in this report and also any planning conditions imposed on the original; consent which relate to outstanding matters.

The original report (ref EPF/0320/10) is appended below:

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: Ms Jenny Cordell
Direct Line Telephone Number: (01992) 564481***

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

ORIGINAL REPORT (ref EPF/0320/10):

Description of Proposal:

This application seeks full planning permission for the erection of two blocks containing 14 flats and duplex apartments (12 x 2 bed and 2 x 2 bed plus a study). The blocks would be two and a half storeys above ground level, with some additional accommodation (parking and the lower ground floor of one duplex) being provided at basement level.

The front block would sit back from Grange Crescent by a distance of approximately 9 metres. It would have two distinct elements, joined by a lift tower/stairwell. The rear block would be positioned close to the boundary with the Tennis Club and comprise three distinct blocks, also joined by lift towers/stairwells. Communal amenity space would be provided between the blocks and adjacent to the site boundary with 111 Grange Crescent.

The building would have a maximum height of approximately 9.8 metres above ground level with the underground car park area extending approximately 2.8 metres below ground level).

Private amenity space for the development would be provided in the form of communal space between the buildings and boundary with 111 Grange Crescent and private space in the form of ground level terraces attached to specific flats and balconies in the north facing elevation of the northern block that would overlook Chigwell Lawn Tennis Club.

The development would include 31 car parking spaces (including 3 disabled bays) with additional areas for motorcycle and cycle parking sited within an underground car park located beneath the rear block. Four visitor spaces and refuse storage would be located at ground level adjacent to the car park entrance.

A narrow access is proposed alongside the railway to the east of the application site, to provide vehicular access to the site from Manor Road. Access for emergency services only is to be via the existing vehicular access onto Grange Crescent.

Description of Site:

The application site comprises an area of approximately 0.235m² and is presently occupied by two detached dwellings, accessed from Grange Crescent. Manor Road – the B173 is a two-way single carriageway and serves a local route that runs in an east/west direction linking the A1112 Romford Road with the A113. The land uses that front onto the road include agricultural, industrial, residential and commercial. The access into the site from Manor Road slopes gradually downwards from west to east.

Relevant History:

EPF/0715/05. Outline application for three bedroom bungalow. Refused 10/06/05.

Reason: Inadequate retention of trees that make valuable contribution to the site, inadequate access and sight lines from Grange Crescent; loss of amenity to residents of neighbouring properties (visual impact).

EPF/1655/07. Demolition of two houses and erection of a three storey building comprising 21 no. 2 bedroom flats and 2 no. 1 bedroom flats. Withdrawn 22/11/07.

EPF/1279/08. Demolition of two houses and erection of a three storey building comprising of 20 no. 2 bedroom flats and 3 no. 1 bedroom flats. (Revised application). Refused for the following reasons:

- 1 *The proposal, by reason of its density, design, appearance and size, particularly in respect of its height, would be out of keeping and an unsympathetic building in the local area and unreasonably dominate the aspect as viewed from residents of adjacent residential properties to the west in this part of Grange Crescent. The proposal would be contrary to policies DBE1 and DBE2 of the adopted Local Plan and Alterations.*

- 2 *The proposal does not provide sufficiently for the future children's educational needs associated with this development, contrary to Policy CP1 (i) of the Adopted Local Plan and Alterations.*

Appeal submitted and dismissed.

Adjacent site – Chigwell Lawn Tennis Club

EPF/2551/07. Erection of floodlights to one tennis court. Approved 06/02/08. Use limited to between the hours of 0800 – 2200.

Policies Applied:

East of England Plan

H2 – Affordable Housing

T14 – Parking

ENV7 – Quality in the Built Environment

LA1 – London Arc

Adopted Local Plan and Alterations

H2A – Previously Developed Land

H3A – Housing Density

H4A – Dwelling Mix

H5A – Provision for Affordable Housing

H6A – Site Thresholds for Affordable Housing

H7A – Levels of Affordable Housing

CP1 – Achieving Sustainable Development Objectives

CP2 – Protecting the Quality of the Rural and Built Environment

CP3 – New Development

CP4 – Energy Conservation

CP5 – Sustainable Building

DBE1 – Design of New Buildings

DBE2 – Impact of New Buildings

DBE8 – Amenity Space Provision

ST4 – Highways Considerations

ST6 – Car Parking Standards

LL10 – Adequacy of Provision for Retention

LL11 – Landscaping Schemes

Summary of Representations:

Notification of this application was sent to Chigwell Parish Council and to 60 neighbouring properties.

The following representations have been received:

CHIGWELL PARISH COUNCIL: The Council supports this application on the grounds that it is a much improved proposal, traffic congestion in the local area will be reduced and previous concerns regarding potential overlooking and overdevelopment have been addressed.

20 expressions of objection have been received from the following local residents:

11, 20, 21, 22, 23, 24, 26, 28, 31, 33, 48, 49, 70, 71, 82, 84, 89, 97, 107, 109 Grange Crescent

The comments are summarised below:

Parking and Highways – Emergency entrance will still provide access from Grange Crescent. Plans show vehicle access from Grange Crescent. Parking in Grange Crescent is already a problem and it will be made worse by the development. This could harm the character of the Crescent. Construction traffic will cause access problems both generally and possible for emergency services. The addition of 30 more cars at this end of the road will put undue pressure on the very tight minor roadway. Grange Crescent is already used by more than 200 cars – additional traffic will endanger residents and pedestrians. There is a poor line of sight pulling out from Grange Crescent into Manor Road. Proposed level of parking is insufficient. People may not park in the designated area and may park in Grange Crescent. Opportunities for parking in Grange Crescent have already been significantly reduced by the introduction of double yellow lines. Parking problems hinder access to the Crescent by emergency and refuse vehicles. Written agreement from TfL for the development to use the access should be provided prior to any further progress and should be available for public viewing. The location plan does not show the lay-by, which will reduce visibility for users of the junction. The 'private drive' referred to in the access statement was a well used right of way until it was closed off by the owners of 115 Grange Crescent in the 1970's.

Neighbouring Amenity – Concerned about the close proximity of the new buildings at 37 metres from the rear of houses in Grange Crescent (only 4 metres beyond the back fence). Potential loss of light to surrounding houses and the tennis courts due to the 3 and in parts 4 storey height of buildings. Issue of 'Right to Light'. Inclusion of balconies will exacerbate noise from the development. The applicant states that noise will be reduced by the trees – their presence is seasonal and for 8 months of the year there is no foliage. Development would reduce views from all east facing houses in Grange Crescent with south westerly gardens. Distance between the site and properties in Grange Crescent referred to in the Design and Access Statement is misleading as many houses have been allowed to extend to the rear. 22/24 Grange Crescent – the proposed development will overlook our garden directly and will result in a loss of privacy and light. It will be bulky, overbearing and will overshadow adjoining sites. 26 Grange Crescent – loss of privacy.

Design – The previous plans have been scaled back to 2 two storey buildings consisting of 14 flats – a lot of work has been done to produce a design which will be attractive for new residents whilst limiting the impact to existing neighbours. There are discrepancies in the submissions as to whether the development would be 2, 3, or 4 storeys in height. The building will be overbearing and out of scale with neighbouring properties.

Character and Appearance – All properties within Grange Crescent are character houses (built in the 1930's Arts & Crafts revival style/built in the 1920's in 'mock-Tudor' style), there are no blocks of flats, and nor should there be. The building of flats with underground car parking would be out of character with the existing type of property in Grange Crescent. This development will set a precedent for allowing future developments – only houses should be built on this land – the block of flats will be harmful to the semi-rural character. The proposal would be an overdevelopment of the site – purely for financial gain. Character of the area has already been harmed by the development of blocks of flats at Oak Lodge Avenue/Manor Road and Mount Pleasant Road/Manor Road.

Trees – The street survey was undertaken in September 2007 – things could have changed since then and a new survey should be undertaken. Trees may be damaged during construction

Impact on public sewers– cumulative impact of this development, that at Jennikings, Manor Hall will stretch public services beyond the limit – what provision is made for schools, medical services, policing and council commitments? The secondary school needs in the area are inadequate – from personal experience it can be difficult to get into West Hatch which is the nearest secondary school.

Other – additional strain of the sewer system. The creation of dust, mess and noise. Query the capacity of drainage on site for additional surface run-off. Water pressure. Will reduce property values. May lead to increased crime. Impact on nature and wildlife.

Issues and Considerations:

The main issues in this case are:

9. The acceptability of the principle of residential development on this site;
10. The impacts of the proposed development on the amenities of the occupiers of neighbouring dwellings;
11. The impacts of the proposed extensions on the character and appearance of the area;
12. The provision of affordable housing; and
13. The acceptability of the proposed parking and access.

The Principle of the Development

Policy H2A of the Local Plan Alterations states that the re-use of previously developed land will be encouraged when considering residential use. The proposed development makes efficient use of an existing Brownfield site, this scheme therefore accords with this policy. Government advice in PPS3 states that housing densities should be at least 30 dwellings per hectare, to ensure the most efficient use of land. In this instance, the density of the development would be approximately 104 dwellings per hectare. Making efficient use of land by building flats inevitably leads to higher densities and will be higher than prevailing densities of housing in the surrounding area. Having regard to the central location and the accessibility of the site by public transport, it is considered that the density level may be acceptable, subject to there being adequate space on site for the provision of off-street parking and private amenity space and the development not being out of keeping with the pattern of surrounding development. These matters will be considered further in this report.

Neighbouring Amenity

As the site is located within a built up residential area, it is in quite close proximity to a number of residential properties. The most affected properties would be 111 Grange Crescent, the garden of which runs along the southern boundary of the site and 22, 24, 26 and 28 Grange Crescent, the rear boundaries of which abut the site along its eastern boundary. The adjacent non-residential neighbour affected by the development is Chigwell Lawn Tennis Club. Several letters of objection from neighbours have been received and the impact of the proposed development will differ between properties. Accordingly, the impact on the different groups of properties will be considered in turn.

111 Grange Crescent

The density of the proposed development has been considerably reduced following the last planning application and as a result the aspect viewed from the neighbouring property is greatly

improved. Whilst, at its closest point, the front block would be positioned approximately 4 metres from the site boundary, the bulk of the development would be considerably further away. The garden of this neighbouring dwelling would be alongside the communal amenity space within the development site.

Balconies and windows within the blocks would either be located sufficient distance from this neighbouring property not to cause any material overlooking, or they would be screened, obscure glazed or angled away to prevent any direct overlooking.

22, 24, 26, 28 Grange Crescent

These properties have gardens of approximately 30 metres in length. The impact of the building would be reduced by the screening present along the site boundary, which is mainly present within the gardens of neighbouring dwellings and therefore to be retained. There is considerable screening in the form of planting along the boundary of the site with these properties. Windows in the upper floors of the elevation facing towards this property would be obscure glazed and there would not, therefore, be any material overlooking of these neighbouring gardens.

The previously application for this site proposed a development which the Committee and the Planning Inspectorate found to be harmful to the outlook of the occupiers of 22, 24 and 26 Grange Crescent. This application proposes a lowered building height. The scale of the development along this boundary has been considerably reduced. Previously a continuous elevation of approximately 40 metres was positioned to the rear of 22, 24 and 26 Grange Crescent. This revised scheme proposes a more open aspect to this boundary, with the rear block being situated to the rear of no. 22 and having a depth of approximately 12 metres at first floor level and the front block (located to the rear of nos. 26 and 28) having a depth of approximately 21 metres, broken by the lift tower link in the middle.

It is considered that this revised proposal addresses that harm identified in relation to the previous application. This site layout would enable an adequate level of outlook to be retained by these neighbouring residents, bearing in mind the separation distance and the height of the proposed development.

Chigwell Lawn Tennis Club

The northern block of the development would be sited approximately 3.5m from the site boundary with Chigwell Lawn Tennis Club. The general eaves height of the block adjacent to the nearest tennis court would be 5.2m. The roof of the block would slope away from the boundary and have a ridge height of 8.9m. Gabled dormer windows serving a bedroom of the top floor flats would be sited adjacent to the apex of the roof and first floor flats would have balconies. This relationship has the potential to affect the tennis courts and their contribution to the locality as a recreational facility. Since the distance of the block from the tennis courts would be some 6m there would not be any excessive loss of light caused by it that could be harmful to the functioning of the tennis club facility. There would certainly be no overbearing impact.

The club and the adjacent tennis courts in particular would be highly overlooked from 4 flats in the upper floors of the block. However, the facility is not expected to enjoy the same degree of privacy as a private garden of a house. Indeed, it is not unusual for tennis courts to be found in very public places such as parks where their use is observed by large numbers of people without affecting their functioning. Given the limited sensitivity of the tennis club use to overlooking, the degree of overlooking that would result would not be harmful to it. Overall, the proposal would cause no harm to the functioning of the tennis club and therefore would not be harmful to its recreational and amenity value. Indeed, the development would afford the use some benefit in terms of some limited additional security.

Amenity for Future Occupiers

Occupiers of the proposed development would have acceptable provision of communal amenity space and adequate levels of amenity within the flats/duplexes. Due to the site levels, the bedrooms in the duplex with a lower ground floor level will receive sufficient light. Windows and balconies within the development have been orientated to minimise direct overlooking. One of the tennis courts within Chigwell Lawn Tennis Club has permission for the erection of 6.7 metre high floodlit columns. However, as this court is furthest from the development (approximately 3.35m to the site and 42.5 metres to the building) there would be no material harm.

Impact on Appearance of the Area

The area immediately surrounding the application site is surrounded by fairly low density housing, with most properties in Grange Crescent being semi-detached two storey dwellings. Notwithstanding the pattern of surrounding development, the application site is somewhat alienated from the street scene, with a frontage of only approximately 10 metres onto Grange Crescent. The front building itself would be set back from this boundary by approximately 9 metres. Accordingly, whilst the development would be of a higher density than the surrounding pattern of development, it is considered that the relationship of the site with the street scene is such that it would not appear overly conspicuous or out of keeping.

The overall appearance of the development would be a number of distinct blocks, two and a half storeys in height with traditional hipped pitched roofs which are in keeping with the style of surrounding development. In comparison to the previous scheme, these distinct blocks are more in keeping with the pattern of the surrounding development, being of a scale which is not dissimilar to that of the surrounding dwellings.

The parking provision within the site will be sited mainly under the building; therefore amenity space provision will cover the remainder of the site. The area surrounding the site, if attractively landscaped, will provide adequate amenity space for the proposed new dwellings. Suitable landscaping may be controlled by the use of a planning condition.

Affordable Housing

The Council's requirement for affordable housing within this part of the District is that for developments comprising 15 or more units, 40% of the units should be provided on site as affordable housing.

Accordingly, as this application proposes only 14 units, there is no requirement for the provision of affordable housing. Consideration must be given as to whether the development of the site for 14 units makes the best use of urban land, as it would not be acceptable for the site to be underdeveloped in order for the applicant to avoid making a contribution towards affordable housing. However, in this instance, having regard to the constraints of the site, in particular, the Inspector's view (that the previously proposed density of approximately 100 dwellings per hectare was excessive and unsympathetic to the neighbouring residential development), it is not considered that the site is being underdeveloped. The applicant has had regard to the previous refusal when submitting this greatly reduced proposal. At a density of 59.5 dwellings per hectare, this revised scheme accords with national planning policies contained within PPS3.

Highways, Access and Parking

The only vehicular access into the site would be along the eastern boundary, adjacent to the railway line and the private road from Manor Road into the site measures at a distance of some 55 metres. This land which provides access into the site is within the ownership of London Underground and accordingly, the Council would need to secure a legal confirmation of the

applicant's right to access this land to a degree of permanence over time to ensure that there is continuing vehicle access to the site. The applicants have confirmed that there is such an agreement in place. However, this should be included within a Section 106 legal agreement, to ensure that continued rights of access are secured.

Furthermore, in order to facilitate the access onto this land from Manor Road, a number of alterations are proposed to the public highway. These works would take place outside of the application site and do not, therefore, form part of this planning application. Discussions have been undertaken with the County Council, who are satisfied with the proposed works. The completion of these works shall also be secured within a Section 106 legal agreement, should planning permission be approved. The works to the highway would involve alterations to the access road itself to allow for the provision of parking spaces for a taxi company which operates from the junction of the access road with Manor Road and currently park haphazardly here. Further alterations are proposed to Manor Road itself in order to secure sufficient visibility at the junction. This would involve alterations to the northern and southern edges of the carriageway and alterations to the position of road markings.

The Highway Authority has not raised any objections to the access arrangements subject to a legal agreement and conditions, although they have commented that further consideration will need to be given to the proposed parking along Manor Road, as the spaces shown on the submitted plan would not be of a sufficient size. The benefits of the proposal include the taxi firm having improved parking provision and improved access to the public highway, without further burden to Grange Crescent.

The proposed off-street parking provision is 31 car parking spaces (including 3 disabled bays) with additional areas for motorcycle and cycle parking sited within an underground car park located beneath the rear block. Four visitor spaces and refuse storage would be located at ground level adjacent to the car park entrance. This provision accords with the revised parking standards giving just over 2 spaces per flat in a location that is adjacent to an underground station.

Concern has been raised by local residents regarding the potential for a pedestrian access onto Grange Crescent. The reason for the concern is that pedestrian access would encourage residents to park in Grange Crescent and walk into the development. It is considered that this would be unlikely, given the provision of secured parking available within the site. Furthermore, such a condition would be likely to discourage the future occupiers of the development to walk and use public transport having regard to the nature of the access road. It is, therefore not considered to be reasonable or necessary to impose a condition preventing pedestrian access onto Grange Crescent. However, it is suggested that a condition be imposed to limit the use of the vehicle access onto Grange Crescent to emergency service vehicles.

Other Matters

Landscaping

Although there are several established trees within the site boundaries, none of these trees are protected by a Tree Preservation Order. It is assessed that the foundations for the building will come within the Root Protection Zone (RPZ) for established trees that make a valuable contribution to the visual amenities of the area. Therefore, should planning permission be approved, further details relating to methodology for all works in order to protect established trees on site during construction and other means of soft landscaping to offer screening from the development to surrounding dwellings will additionally be required. This can be achieved by appropriate landscaping conditions. The conditions shall also ensure all of the trees are retained thereafter.

Refuse

Enclosed refuse bin storage is provided and appropriately sited within the car park entrance of the building. Additional details for collection of refuse that includes an appropriate area for large turning vehicles will be required and this can be achieved by an appropriate condition.

Education contribution

Essex County Council (ECC) has advised that if planning permission is granted they would seek a contribution of £6,195 towards Early Years and Childcare provision in the locality and £17,718 towards Secondary Education provision. Due to a surplus of primary school places in the locality they would not seek a contribution towards primary education.

ECC have further advised with regard to secondary provision that the local school for this development would be West Hatch School and the 2008-2013 Essex School Organisation Plan (SOP) shows that there is currently a deficit in places at this school. A deficit will remain throughout the SOP period and therefore additional places are required at the School and the proposed development will add to that need. Due to the position of the proposed development in relation to the M11 there are no suitable alternative secondary schools in Essex. The development falls within Grange Hill Ward and there are no available early years and childcare provision within the Ward.

There has been concern raised in respect of previous applications within this part of the District that the development site would be outside the catchment area for West Hatch School and as a result it is not necessary, or reasonable for the applicant to make a contribution on this basis. The County Council have nevertheless advised that the additional funding will be required to facilitate the provision of additional spaces at the School.

Conclusion

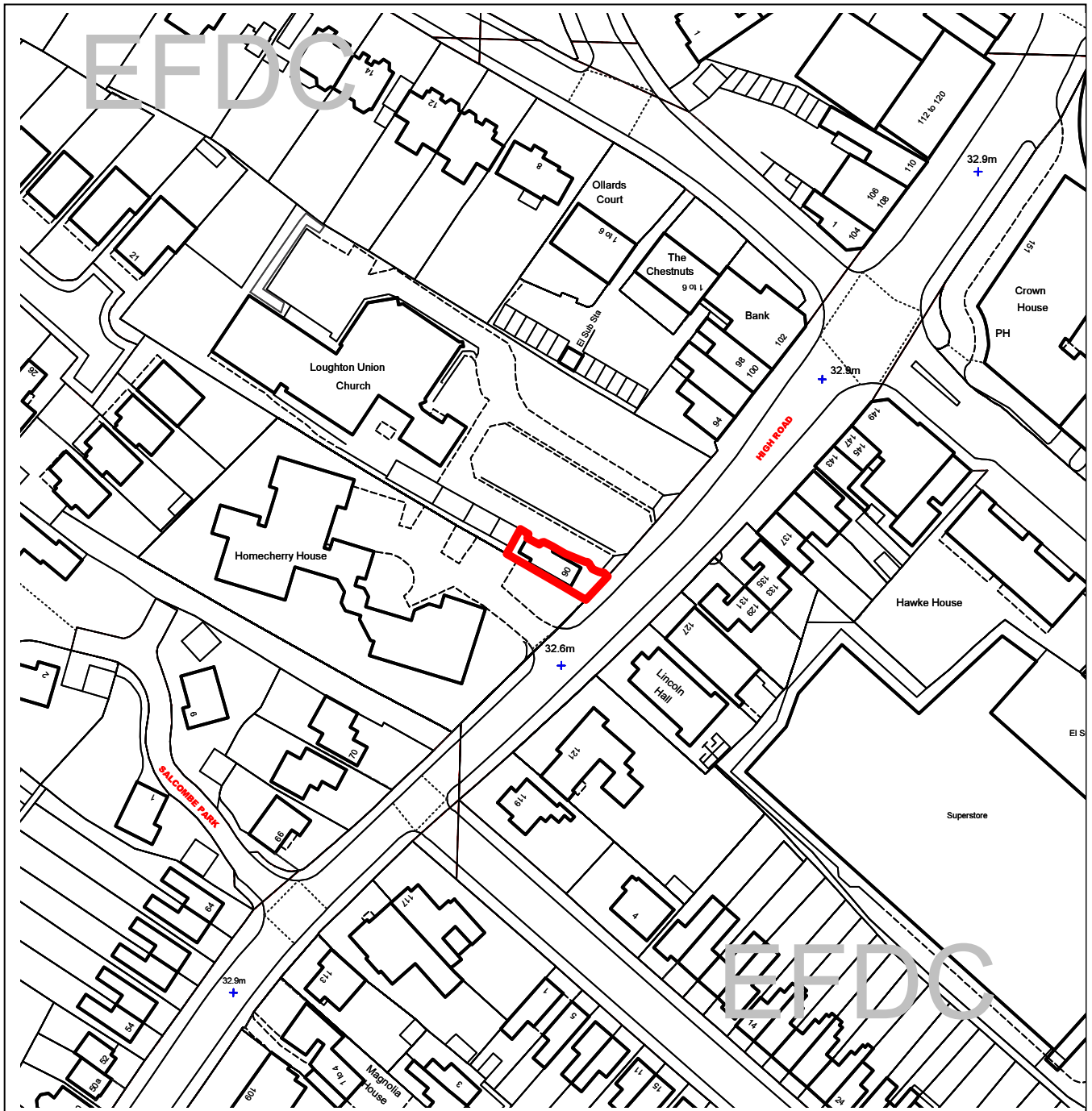
In light of the above appraisal, the proposal to erect a flatted development comprising of 14 flats is, on balance, reasonable in design, appearance and siting. It is considered that the proposal will not result in material harm to surrounding occupier's amenity. Vehicular traffic will be accessed directly from Manor Road; hence will not impact on residents in Grange Crescent. Residents will see a noticeable change in their outlook from their properties and a judgement has to be made whether this causes demonstrable harm to their amenity. On balance, Officers are of the opinion that any overbearing impact will be to the rearmost parts of their properties rather than to the most useable areas of their gardens or houses and having regard to this and the revised design (particularly in terms of its height and footprint) of the development, it is not considered that there would be a material loss of amenity which would justify the refusal of planning permission.

Accordingly, it is recommended that planning permission be granted, subject to the completion of the Section 106 legal agreement to secure the continued access over the land on the eastern boundary of the site, the payment of a contribution towards education services within the local area and improvements to the public highway.



Epping Forest District Council

AGENDA ITEM NUMBER 9



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Application Number:	EPF/2559/14
Site Name:	90 High Road Loughton, IG10 4QU
Scale of Plot:	1/1250

Report Item No: 9

APPLICATION No:	EPF/2559/14
SITE ADDRESS:	90 High Road Loughton Essex IG10 4QU
PARISH:	Loughton
WARD:	Loughton Forest
APPLICANT:	Mr Mark Roach
DESCRIPTION OF PROPOSAL:	Demolition of rear part of the existing house and construction of two storey side and rear extension.
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=570232

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: T/208 01 and T/208 02.
- 3 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.

This application is before this Committee because 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: planning services – delegation of council function, schedule 1, appendix A(f)).

Description of Site:

Two-storey dwelling but with a small first floor contained in low sloping roof. The property is located just to the south of the town centre in between the Loughton Union Church and a block of flats at Homecherry House. The house has an unusual and interesting design, but it is not a listed or locally listed building. Historically it may have been used as a form of gatehouse to the church.

Description of Proposal:

Demolition of the rear part of the existing house and construction of a two storey side and rear extension.

Relevant History:

None.

Policies Applied:

DBE9 – Loss of amenity
DBE10 - Residential extensions.

These two policies are compliant with the NPPF.

Summary of Representations:

LOUGHTON TOWN COUNCIL – Object – the Committee considered this to be an overdevelopment of the site, and out of keeping with the street scene. There was concern over its effect on neighbouring properties. It was also considered that the property was also of some historic interest in a prominent location.

Neighbours - 54 consulted and 1 reply received:-

29, HOMECHERRY HOUSE - object - the proposal is out of character with the church grounds..

Issues and Considerations:

The prominent 5.5m depth front wing of this house will be retained in this proposal with a 2 storey new section being built at the rear. The front wing will retain its attractive ground floor Victorian bay window, together with its distinctive gable over containing a half timbered area enclosing an unusual leaded light first floor window. The new 2 storey section towards the rear will provide sympathetic features to the existing house, such as new first floor leaded light windows, a timbered arched porch entrance, and Victorian style window to the ground floor front room. The eaves of this new story section have also been kept low to reduce its impact on the front wing to be retained. Overall the appearance and design of the extension is acceptable.

This is an old small house which does not provide for contemporary living conditions. For example it contains a very small kitchen (1.82m by 1.52m), a downstairs bathroom that opens on to the kitchen, and cramped first floor bedrooms in sloping roofs. Its physical condition is also poor. To continue its use as a dwelling on a long term basis would require substantial work and an extension to be built. In this context it is felt that this application provides an acceptable compromise between retaining the interesting appearance of the house but bringing it up to modern standards.

Comments on representations received:-

In terms of the Town Council's concern regarding over development the curtilage off this property was extended some years ago. The curtilage measures some 28m in length by 11.8m in width and contains a forecourt for 3 car spaces and a rear garden of some 15m in length by 11.8m in width. Therefore the proposal cannot reasonably be said to be an overdevelopment of the site. Regarding its relationship with neighbouring buildings both Homecherry House and the church are larger buildings set back from the road and the enlarged property will have a minimal effect on the

amenity of these buildings. With regard to the street scene the extended house will not detract from visual amenity, and the retention of the front wing is to be welcomed.

Conclusions:

For the reasons outlined above the proposed extension to this house are acceptable and 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:

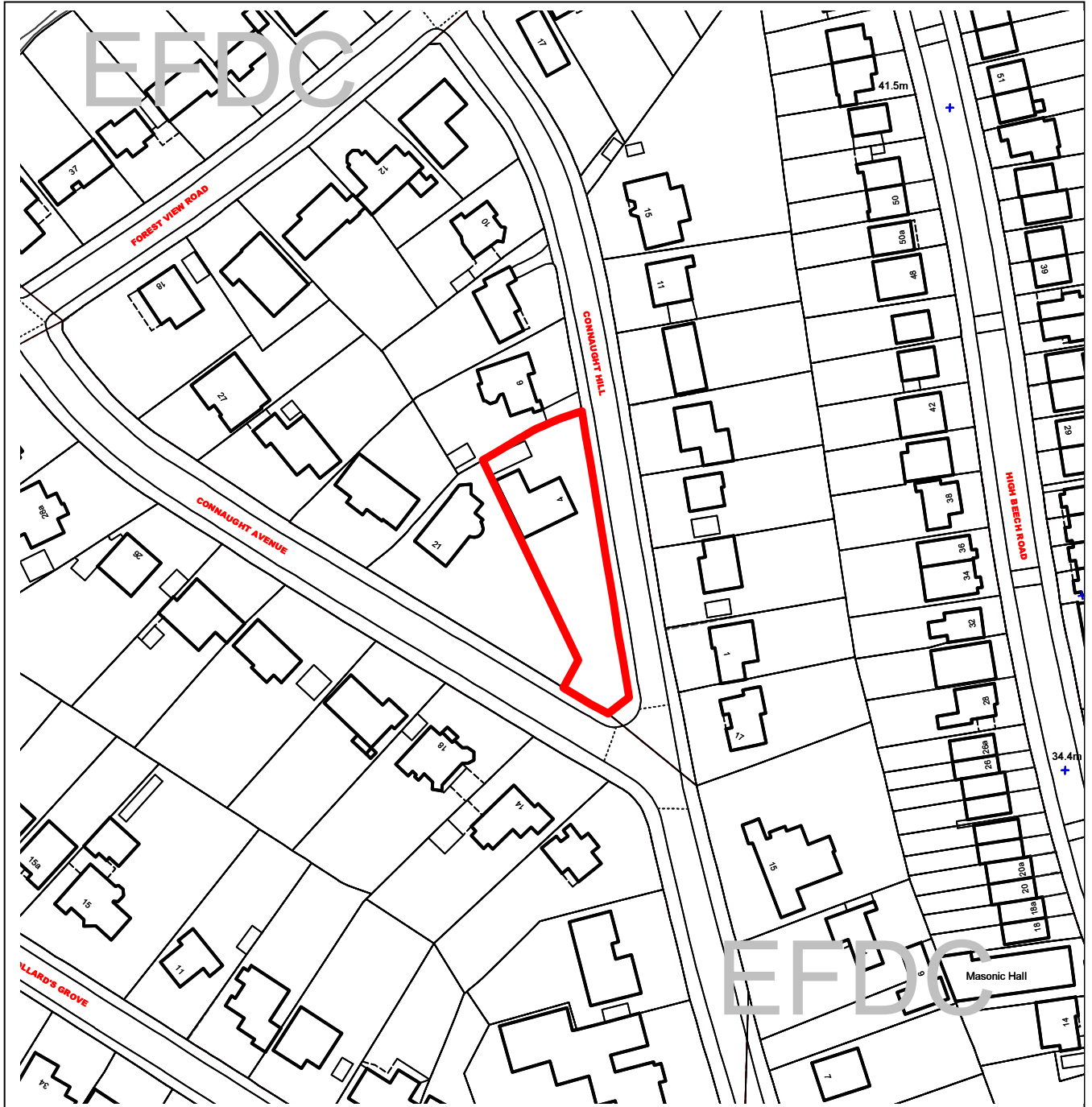
***Planning Application Case Officer: David Baker
Direct Line Telephone Number: 01992 564514***

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



Epping Forest District Council

AGENDA ITEM NUMBER 10



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Application Number:	EPF/2565/14
Site Name:	4 Connaught Hill Loughton, IG10 4DU
Scale of Plot:	1/1250

Report Item No: 10

APPLICATION No:	EPF/2565/14
SITE ADDRESS:	4 Connaught Hill Loughton Essex IG10 4DU
PARISH:	Loughton
WARD:	Loughton Forest
APPLICANT:	Mr Jason Moody
DESCRIPTION OF PROPOSAL:	Single storey rear extension, loft conversion and hip to gable, new porch, garage conversion, rendering all house and replacement of all windows. Re-submission following withdrawn application and refused application EPF/2183/13.
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=570290

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 a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 3 If any tree, shrub or hedge shown to be retained in accordance with the approved plans and particulars is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council function, Schedule 1, Appendix A. (g)) and since it is for a type of development that cannot be determined by Officers if

more than 5 objections material to the planning merits of the proposal to be approved are received (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(f).)

Description of Site

Connaught Hill is located within the built up area of Loughton. The existing building is a two storey detached property located within a relatively large plot. The surrounding area is formed of detached properties, many of which have previously been extended at single storey. No. 4 Connaught Hill is sited on significantly higher ground than the surrounding neighbours, particularly from the perspective of the neighbours opposite along Connaught Hill. The application site is not located within the boundaries of the Metropolitan Green Belt and it is not in a conservation area.

Description of proposal

The proposed development is for a single storey side extension, hip to gable roof extension, side dormer window, front dormer window and a garage conversion.

Relevant History

EPF/1221/89 - Details of two storey, 4 bedroom house and garage and additional garage – Approved

EPF/1698/13 - Single storey rear extension, hip to gable roof extension, front porch, single storey side extension to incorporate garage and rear dormer window in a loft conversion.- Withdrawn

EPF/2183/13 - Single storey rear extension, hip to gable roof extension, front porch, garage conversion and rear dormer window in a loft conversion. (Revised application to EPF/1698/13) – Refused

Policies Applied

CP2 – Protecting the Quality of the Rural and Built Environment

DBE10 – Design of Residential Extensions

DBE9 – Impact on amenity

ST6 – Vehicle parking

LL10 - Adequacy for the provision of landscape retention

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 214 states that due weight should be given to the relevant policies in existing plans according to the degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight

Consultation carried out and summary of representations received

11 Neighbours consulted

LOUGHTON RESIDENTS ASSOCIATION – OBJECTION – The roof alteration will give an unusual appearance to the street scene. It will appear overbearing, out of character with the street scene and cause overlooking. Concern also raised for the protection of trees on site.

21 CONNAUGHT AVENUE – OBJECTION –The extension is bulky and overbearing which will harm the street scene and the living conditions of neighbours. The rear dormer window will cause overlooking and loss of privacy to the neighbours.

7 CONNAUGHT HILL – OBJECTION – The extensions will appear bulky and overbearing. The dormer window is unsightly in the street scene. There will be overlooking into neighbouring dwellings. There is also concern for the protected trees on site and the appearance of the garage conversion.

5 CONNAUGHT HILL – OBJECTION – The development will harm the protected trees on site and stated that the plans are inaccurate.

UNSPECIFIED ADDRESS – OBJECTION – the development will be overbearing and cause harm to the character of the street scene. It will also harm the protected trees on the side boundary.

LOUGHTON TOWN COUNCIL – OBJECTION - Members expressed concern over the possible inaccuracy of the submitted plans as this was brought to their attention by the member of the public that addressed the meeting. Town Council also state that they are not being kept fully informed.

The Committee reiterated its comments previously made on applications EPF/1698/13 and EPF/2183/13 which were:

The Committee OBJECTED to this application owing to the bulky, overbearing, and out of scale scheme proposed for the site. Members were concerned this would visually impact on the streetscape and intrusively overlook neighbouring properties because of the gradients on the plot. It was therefore deemed contrary to Policy DBE 9 of Epping Forest District Council's adopted Local Plan & Alterations.

Concern was also expressed for the protection of the mature oak tree.

Clarifying comments on representations

There have been a number of comments from neighbouring residents with the contention that the existing plans submitted are inaccurate. Specifically, that the tree marked on the plan numbers: 1353/01, 02, 04 and 08 as 'Laurel' is in fact a 'Magnolia'. Through discussions with the Council's tree and landscape specialist, this may be the case. However, it is not relevant to the material planning considerations of this application given that this tree does not have protected status and in any event, its removal is not proposed by the applicant. The neighbour also contends that a prominent 'Laurel' is not shown on the plans behind the rear elevation of the existing property.

The neighbour further contends that a condition on the original planning consent for the dwelling (EPF/1221/89) after an Ombudsman investigation, enforces the retention or replanting of the trees and shrubs on the side boundary onto Connaught Hill. There is indeed a condition relating to the retention of these trees and shrubs, however this condition does not last in perpetuity, indeed only trees within five years of the consent shall be replanted and the applicant is under no obligation to replant any trees which have been lost after five years of the consent being given. This is with the exception of the protected trees on site which have a higher level of protection.

A further comment was that heavy machinery would not be able to access the site without damage to the trees and shrubs on the side boundary. The applicant has revised an arboricultural root protection area to ensure that this can be carried out without harm.

Loughton Town Council state that they have not been consulted on a revised set of plans. However the revised plan is an arboricultural site plan which clarifies an extended root protection area for tree protection and does not alter the proposed development in any way. Therefore the Town Council are fully aware of what development is proposed here.

Issues and considerations

This is a revised application to EPF/2183/14 which was refused for the following reason:

By reason of the lack of required tree information provided by the applicant, it has not been demonstrated that the proposed development could be implemented without a detrimental impact on the large TPO oak tree in the rear garden. Therefore this proposal is contrary to policy LL10 - Adequacy for the provision of landscape retention and with the objectives of the National Planning Policy Framework.

The application is identical to this previously refused application; however the applicant has now submitted the required tree information.

The main issues to consider when assessing this application are the effects of the proposed development on the amenities of neighbours, the design of the development, parking provision and the potential harm to TPO trees.

Neighbouring Amenity

The single storey side extension is located 1.4m from the shared boundary with the neighbouring property of 21 Connaught Avenue. The extension is of a reasonable height and there is a significant distance from the proposed extension and no.21. As such it will cause no harm to their living conditions.

The side dormer window is orientated away from private areas close to the rear elevation of no.21 Connaught Avenue and rather is towards less private areas of the rear garden. It is acknowledged that dormer windows give more potential for overlooking into neighbouring land, however they are not unusual features in residential areas and in the context of this site, will not cause any harm to the living conditions of no.21.

The front dormer window will be adjacent to the highway on Connaught Hill. The road slopes down towards the neighbours on the opposite side of Connaught Hill, however these neighbours are over 20m away and therefore there is no potential for overlooking or loss of privacy. The hip to gable roof extension will not harm neighbouring living conditions.

The proposed porch is located some distance from any neighbours and is a very minor addition to the property.

In light of the above appraisal the proposal complies with policy DBE9 of the Adopted Local Plan and Alterations.

Design

The hip to gable roof extension is not an unusual feature within this residential context and will not appear overly prominent within the street scene. The side dormer window is of a conventional design that will respect the existing building and its setting. The front dormer window is relatively small and therefore will not appear overly prominent along Connaught Hill. The garage conversion involves the replacement of the garage doors for a ground floor window. This alteration is minor and respects the existing building and its setting. The porch is very small and is of a conventional design.

The design of the proposed developments respects the existing building and therefore complies with policies CP2 and DBE10 of the Adopted Local Plan and Alterations.

Parking provision

The proposal will cause the loss of parking provision in the garage. However the garage is no longer used by the applicant for the parking of cars and the driveway can accommodate two cars easily and therefore is compliant with the current highway standards for parking provision.

Therefore the proposal complies with ST6 of the Adopted Local Plan and Alterations.

Tree and landscape concerns

The submitted arboricultural report has demonstrated to the satisfaction of the Council's Tree and Landscape specialist that the development will not harm any of the protected trees on site in any way. Furthermore a revised plan from the arboriculturalist shows that the root protection area has been extended to include protection of the shrubs and plants which do not have a TPO on them but are attractive in the street scene nonetheless.

The landscape officer has asked for a condition relating to a detailed tree protection plan, a method statement, a schedule of works and a site monitoring schedule which is copied below:

Whilst the applicant has provided a tree report and / or an Arboricultural Method Statement, the above condition does need to be included in full, and new reports will need to be submitted for approval prior to commencement. This is because at this stage, all the applicant is required to do is to show that the development is feasible without a detrimental impact on trees. Following permission being granted the information that will be required to be submitted will include;

- o Tree protection plan to include the alignment of utility apparatus (including drainage and ground source heat pumps), and the site set up i.e. locations for site huts, temporary toilets, contractor parking, storage of materials, cement mixing etc. This information is not yet known.*
- o A detailed Arboricultural Method statement including a list of contact details for all relevant parties. This information is not yet known.*
- o Schedule of works to retained trees e.g. works required to facilitate demolition / construction activities. This information is not yet known.*
- o Arboricultural site monitoring schedule, A detailed schedule of visits is required.*

Concern has been raised from neighbours that the development may cause the loss of the attractive trees and shrubs on the boundary fronting onto Connaught Hill. Whilst the applicant has explicitly stated that they have no intention of removing this area of vegetation as part of the application, it is an attractive feature in the street scene and it is acknowledged that it softens the appearance of the dwelling given that it is sited in a high and prominent position. Therefore it is considered reasonable and necessary to impose a planning condition to ensure that all the trees and shrubs on the side boundary are retained or replanted if destroyed.

Conclusion

The proposed development is of a conventional design that respects the existing building and its setting, it will not cause any harm to the living conditions of the neighbouring properties and there will be no harm to protected trees on site. Therefore it is recommended that planning permission is granted.

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

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

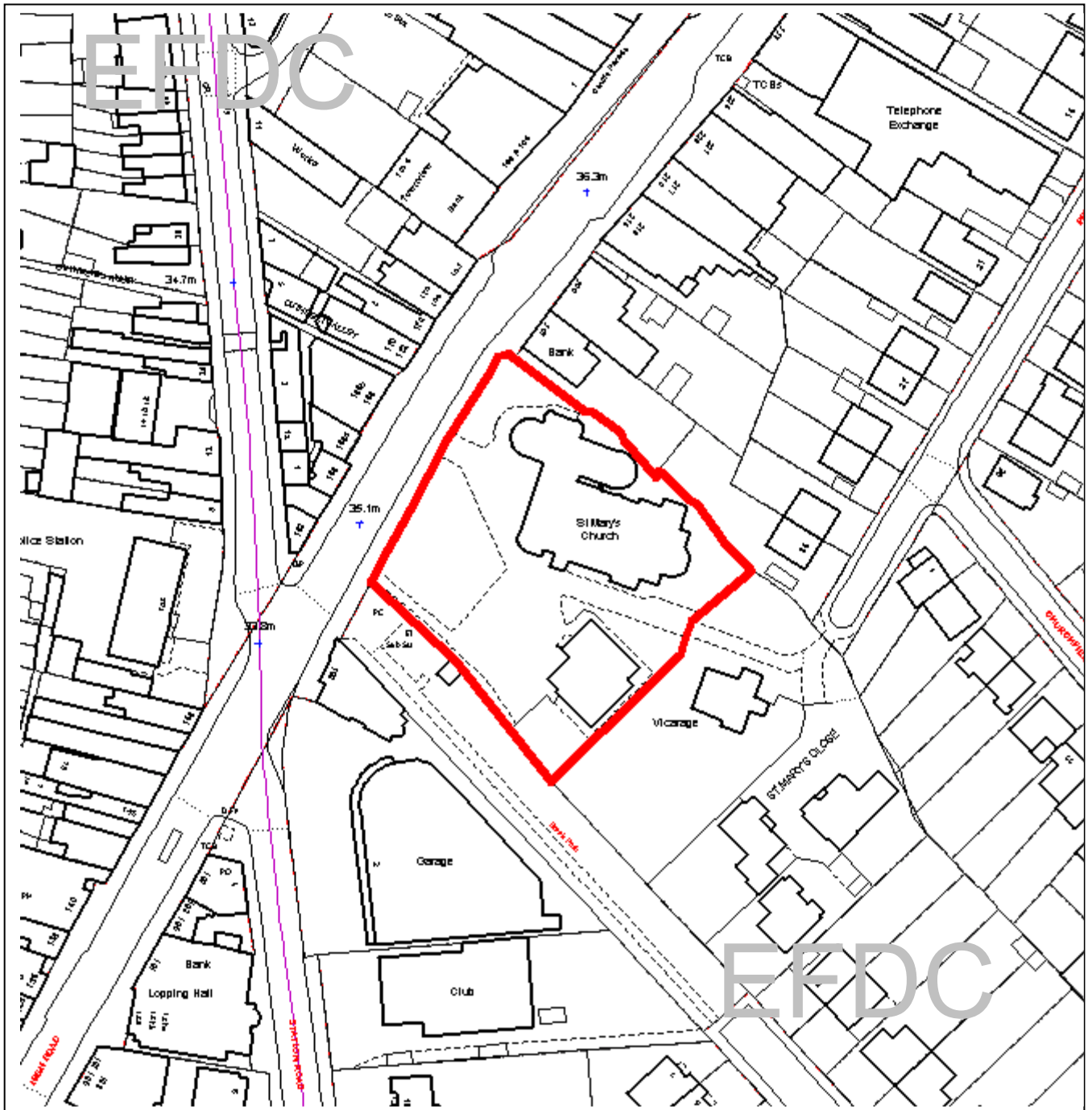
or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

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Epping Forest District Council

AGENDA ITEM NUMBER 11



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Application Number:	EPF/2580/14
Site Name:	St. Marys Church, 203 High Road Loughton IG10 1BB
Scale of Plot:	1/1250

Report Item No: 11

APPLICATION No:	EPF/2580/14
SITE ADDRESS:	St. Marys Church 203 High Road Loughton Essex IG10 1BB
PARISH:	Loughton
WARD:	Loughton St Marys
APPLICANT:	St Marys Church
DESCRIPTION OF PROPOSAL:	The demolition of the two storey "Ignite Centre" and replacement with a single storey multi purpose community building to be known as the "Hope Centre" with a glazed link connection to the main church. Demolition of masonry under the width of the south facing window leaving the window and stone cill intact to enable the link connection.
RECOMMENDED DECISION:	Refuse Permission

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=570394

REASON FOR REFUSAL

- 1 The proposed extensions would visually obscure and physically alter the remaining unaltered elevation of the Church resulting in significant adverse impacts to the setting of the Listed Building and detracting from the street scene, contrary to policies CP1, CP2, HC12 and DBE1 of the Adopted Local Plan and Alterations and the aims and objectives of the NPPF.

This application is before this Committee:

- *since it has been 'called in' by Councillor Hart (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(h))*
- *since it is an application that is considered by the Director of Governance as appropriate to be presented for a Committee decision (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(k))*

Description of site

The site is St Mary's Church located at 203 High Road Loughton. The Church is Grade II Listed and dates from 1872. The Church has previously been extended to the north and west elevations.

The Church fronts the High Road but is well set back within the site, surrounded by mature landscaping, much of which screens views from the road. Levels on site vary significantly and the Church is located on a higher ground level than the road. There is a public footpath running alongside the site and the site backs onto Priory Road.

There is currently a single and two storey building known as the 'Ignite' building within the grounds of the Church. This is a prefabricated structure of little architectural merit and is located on the southern side of the building, recessed into the ground and with a flat roof. The building is clearly in need of repair or replacement.

The Church operates as more than a place of worship, providing a number of community facilities and services in addition. These are not limited to a café, Citizens Advice Bureau, Food Bank, youth centre, Tots Time group, Job Club and groups working with people with disabilities.

Description of Proposal:

The application seeks permission to demolish the existing 'Ignite' building and erect a replacement single storey community building to be known as the 'Hope' centre. The maximum ridge height of the building would not exceed the height of the existing structure, however the footprint of the building would be larger, would be moved closer to the Church and would benefit from a glazed link between the church and the new building. The link would be made on the southern elevation of the Church, under the existing gothic window. The proposals would require the replacement of the cill beneath the window.

The proposals have been designed to provide a flush access from the church to the community building and permit a more cohesive provision of services and uses within the building.

Relevant History

The site has an extensive history, however most relevant to this application are:

EPF/0556/05 - Single and two storey extensions to church to provide new halls and facilities. Demolition of existing hall and formation of new car park; and refurbishment of Citizen's Advice Bureau – Approved

EPF/2306/06 - Single and two storey extensions to church to provide new halls and facilities. Demolition of existing hall and formation of new car park. (Alterations to planning approval EPF/556/05 in respect of an additional stairway) – Approved

EPF/2378/07 - Erection of three dwellings with garaging/parking and access drive. (Revised application) – Approved

EPF/0589/12 - Retention of 2 room portacabin (24' x 9') to be used for storage and use by young persons group for one and a half hours on Sunday mornings - approved

Pre-application advice was provided on the scheme. The advice offered was that the new building should not link to the structure of the original church building and should be separated by a greater extent for heritage reasons.

Policies Applied:

Local Policies:

CP1 to CP7 – Sustainable development objectives/ urban form and quality

DBE1 – Design of New Buildings

DBE2 – Effect of New Buildings on surroundings

DBE3 - Design in urban areas

DBE9 – Loss of amenity

HC12 – Development affecting the setting of Listed Buildings

LL10 – Adequacy of provision for landscape retention

CF12 – Retention of Community Facilities

ST1– Location of Development
ST6 - Parking

The National Planning Policy Framework (NPPF).

Summary of Representations:

33 neighbouring properties were consulted with a site notice displayed. The following responses have been received:

32 Letters of Support from various volunteers, Members of the congregation, Church Warden, Church Leader and other visitors to the premises. Issues raised include:

The proposed building would be more in keeping than the existing one.

The existing building needs replacement.

The proposals would provide inclusive access for all, including wheelchairs and buggies.

The extension would improve views in and around the church, relocating organ and parking.

The Church is a community asset that should be supported.

The need for the facility

The building is better as it is only single storey.

The facilities offer a cultural focus and help a lot of members of the community.

The link would allow use of facilities without facing elements outside.

The space would improve privacy for users of the services.

The building would allow the uses and their storage in one place. Namely the food bank would store goods within the building.

A number of petitions have also been received in support of the proposals, signed in total by a further 88 people, most of whom are not members of the Church.

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

Main Issues

The main planning issues are considered to be:

Principle of development and matters relating to Community Facilities

Conservation issues (in relation to the setting of the Listed Building)

Design and appearance

Impact to neighbouring properties

Highways and Parking

Landscaping

Members should also note that whilst the proposals do impact on the fabric of a listed building, a Listed Buildings application is not required in this instance. As a Church of England premises, the building benefits from ecclesiastical exemption, meaning that Listed Building consent is not required as this is issued instead by the Church Diocese. Instead, as the Local Planning Authority, Members are able to consider impacts to the setting of the Listed Building only, in addition to design and street scene, neighbour impacts, highway matters and landscaping.

Principle of development

The site is in an urban, town centre location. Development in this area is therefore in principle acceptable subject to the other constraints detailed below.

Council policy also seeks to retain community facilities under policy CF12. The Church and building adjacent currently provide a number of services and facilities to the local community that are clearly very much used and in demand. The Council would be keen to support the continued

provision of these services and facilities, thus the replacement of the existing building known as the 'Ignite' Centre is in principle acceptable.

Conservation Issues

The applicant has indicated that whilst consent from the Diocese has not yet been issued for ecclesiastical exemption, there is a clear support from it for the works. Therefore matters relating to the impact of the proposals on the fabric of the Listed Building are not to be considered in this application.

In respect of setting of the building, the Council is concerned that the Church is a stunning example of Victorian Architecture in a location where similar development is not common. In recent years a number of significant extensions to the building have been allowed. The result being that most of the Northern elevation of the original building is obscured from view and the western elevation fronting the High Road is visible only above the existing ground floor extensions. This existing extension divides opinion in respect of design, but has undoubtedly provided the Church with the ability to enhance its services and facilities and be of greater benefit to the Local Community.

The demolition of the Ignite building does not raise concerns as it is recognised that the existing building is of little architectural merit and does not enhance the setting of the Listed Building. This being said, the proposed new building would have a larger footprint than the existing building, a result of the accommodation being spread instead of over two floors, across the ground level. Whilst this building would not exceed the maximum height of the current structure, the ridge height would be visually comparable, ground levels would be altered and the scale of the building proposed is such that it would provide a significant obstruction to views of the southern elevation. The southern elevation is the most visually prominent façade of the original building following the previous extensions. Officers are concerned that whilst the building, its function and purpose and its design are all improvements on the existing Ignite building, the scale and location of the structure are such that the harm to the setting of the Listed Building is not acceptable. The south elevation could only be glimpsed in its entirety around extended structures and the resulting overall building would mean views of the Church would be obscured from all viewpoints, by extensions.

The benefit of the provision of community services is not disputed in any way, however the Council is charged with the protection of heritage assets. Once any building or view of a building is lost, it is not usually possible for it to return and in an area of Loughton where historic buildings are not prevalent, Officers consider the visual harm to be contrary to policy and unacceptable even when weighed against the community benefits provided.

Officers have concluded that it is clearly possible to provide a good range of services on site, without a physical link between the Church and the other facilities. Whilst there is clearly benefit to having all services 'under one roof' and connected, this benefit is not sufficient to justify moving such a large structure so close to the Church, and connecting it in such a way that important remaining façades of the building will not be visible independent of extensions, and thus the setting of the building will be significantly altered. New development with an impact on heritage assets should be encouraged to improve upon the existing situation. The proposals replace a building in need of repair, but do not improve upon the existing relationship between buildings.

Advice has been offered by the County Council that supports the views of Officers offered above and this advice is consistent with that which was offered during pre-application discussions. However, were Members minded to approve the application Essex County Council have requested conditions for landscaping materials, sample masonry provided on site, samples of external finishes, additional drawings and a scheme of archaeological investigation.

Design and appearance in the streetscene

Notwithstanding the issues relating to the size of the footprint of the building, its proximity to the Church Building and the physical link to the Listed Building which are explored above, the impact of the proposals on the streetscene should also be considered.

In this instance ground level changes across the site and mature landscaping around the site boundaries means that the existing Ignite Centre is not really visible from the street except through the vehicular access off the High Road. The proposed Hope centre would have a more prominent presence, which is the intention to ensure a more active frontage and to attract users, however this is at the expense of the character and appearance of the original building.

Views of the Church from Brook Path are largely obscured already by mature landscaping and the Ignite Building.

Impact to neighbouring properties

The proposed extension is well separated from neighbouring properties and as such should not result in any adverse impacts to neighbouring amenities. The application recently approved for dwellings on the neighbouring plot has lapsed, however even were the development to be built out, then the proposed new Hope Centre is separated from this area of the site to a greater degree than the current Ignite building. As such any impacts arising should be less than those which may currently exist.

Highways and Parking

The proposals would result in an increase in on site parking from 18 spaces to 26. This is achieved in part through the revision of the boundary with the Vicarage and the movement of the footprint of the proposed building closer to the Church. This increase in parking is desirable and accords with policy.

Landscaping

The proposals raise no objections subject to the provision of conditions regarding tree protection and landscaping.

Drainage

No concerns are raised subject to conditions relating to provision of a Flood Risk Assessment relating to run-off and details of foul and surface water drainage.

Conclusion

The existing Church facilities offer the local community essential services and support that is much needed. The proposed extensions would allow the continuation of this community support and the further enhancement of the facilities and services the Church is able to offer. Whilst this is, in principle, supported subject to the conditions above, Officers are unable to support this application due to the adverse impact of the proposed development on the setting and appearance of the Listed Building. This view is reached in the context of all the support from the wider community and in the understanding that the Church is seeking to provide a single base for services. Officers would continue to suggest that such a range of facilities can be offered on site in a similar building that is distanced further from the Church and not attached. This separate building could provide the services desired and retain historic elevations of the building and views of the same.

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:

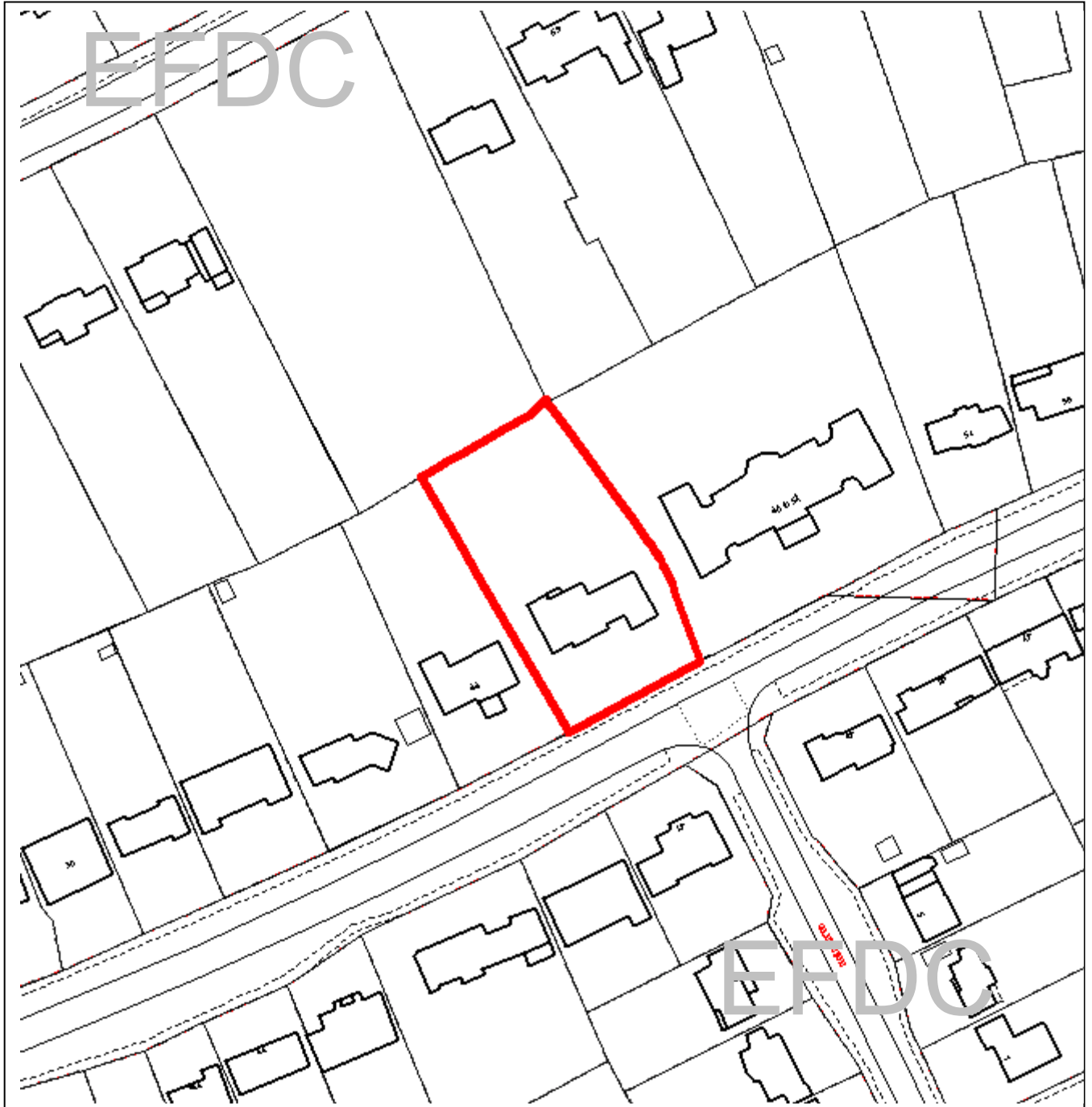
***Planning Application Case Officer: Jenny Cordell
Direct Line Telephone Number: 01992 574481***

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



Epping Forest District Council

AGENDA ITEM NUMBER 12



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Application Number:	EPF/2602/14
Site Name:	46 Stradbroke Drive Chigwell IG7 5QZ
Scale of Plot:	1/1250

Report Item No: 12

APPLICATION No:	EPF/2602/14
SITE ADDRESS:	46 Stradbroke Drive Chigwell Essex IG7 5QZ
PARISH:	Chigwell
WARD:	Grange Hill
APPLICANT:	Mr Robert Davis
DESCRIPTION OF PROPOSAL:	Demolition of 46 Stradbroke Drive and the erection of a replacement house with associated external works.
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=570510

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:
14.125.01
14.125.11
14.125.12 revision B
14.125.13 revision A
14.125.14 revision A
14.125.15 revision B
14.125.16 revision A
Design & 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 Prior to first occupation of the development hereby approved, the proposed window opening in the north-eastern flank elevation shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 5 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in

accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.

- 6 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 7 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 8 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.
- 9 An assessment of flood risk, focussing on surface water drainage, shall be submitted to and approved by the Local Planning Authority prior to commencement of the development. The assessment shall demonstrate compliance with the principles of Sustainable Drainage Systems (SuDS). The development shall be carried out and maintained in accordance with the approved details.
- 10 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.
- 11 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other Order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Classes A or B of Part 1 of Schedule 2 to the Order shall be undertaken without the

prior written permission of the Local Planning Authority.

- 12 All material excavated from the below ground works hereby approved shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.
- 13 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed. The 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: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(g))

Description of Site:

The application site is a two storey detached property fronting Stradbroke Drive, within part of the built up area of Chigwell. The property is not listed and is not in a Conservation Area.

Ground levels rise gently to the south-west, to the left hand when viewing the front of the plot, and fall to the north-east, to the right hand side.

Description of Proposal:

Demolition of 46 Stradbroke Drive and the erection of a replacement house with associated external works.

The footprint of the house would have a maximum width of 14.5m and a maximum depth of 19.5m. The plot has a width of 30m along its frontage and the proposed house would take up less of the width of the plot than the existing house. The existing house has a width of some 23m and is placed centrally in terms of the width of the plot. The position of the proposed house would be against the right hand side of the plot, just off the north-eastern boundary. An outdoor swimming pool would be set to the left hand side of the plot, beside the house.

The existing house is essentially of two storeys and a side hipped roof. The proposed house would be of a style echoing a classical design, with a symmetrical front elevation and entrance doors beneath a portico. The front of the house would have two storeys and two front dormers to a crown roof.

External materials would consist of render and red brickwork to walls and a slate roof.

The proposal would retain the existing in and out drive to the property. Basement parking would be accessed via a ramp down from the existing drive.

Relevant History:

The earliest development in this area appears to be that of the Stradbroke Drive estate in 1934.

CHI/0181/60 – Detached house and garage– Granted 17/08/1960

EPF/0053/85 - Front canopy, screen walls and alteration to front elevation. – Granted 08/02/1985

EPF/1461/90 - Ground and first floor rear extensions. – Granted 04/01/1991

Policies Applied:

CP2 – Protecting the Quality of the Rural and Built Environment
DBE1 – Design of New Buildings
DBE2 – Effect on Neighbouring Properties
DBE3 – Design in Urban Areas
DBE8 – Private Amenity Space
DBE9 – Loss of Amenity
LL10 – Adequacy of Provision for Landscape Retention
ST6 – Vehicle Parking

NPPF

Summary of Representations:

10 Neighbouring properties have been notified.

CHIGWELL PARISH COUNCIL: Objects to this application because of the general poor design of the proposed structure.

Issues and Considerations:

The main issues that arise with this application are the potential impact to the street scene in terms of design, then also the potential adverse impact to neighbouring properties.

Street scene

The comment of the Parish Council is noted. However, the National Planning Policy Framework states that decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness. Whilst the proposed design would mark a change of style to the appearance of development, in terms of massing the proposal would fit well with the somewhat Arcadian character of large properties in large well treed plots. Indeed the reduced width of the house would open up a plot and may enhance the streetscene in this respect.

Neighbouring amenity

The replacement house would retain a rear garden depth of a minimum of 28m. The north-eastern flank of the house, adjacent to 48/52 Stradbroke Drive, as proposed would be a minimum of one metre from the boundary. This elevation would have a bedroom window on the flank elevation but the bedroom would also have glazing to the rear. Subject to the imposition of a condition to require this window to be obscure glazed, this element of the proposal is considered acceptable. The house would have a first floor roof terrace set close to the boundary with no. 48/52 which is set on lower ground. Given the vegetation on this side boundary and the setting of the neighbouring house away from the common side boundary, it is considered that there would be no material overlooking from the proposed roof terrace sufficient to justify a refusal.

The house would be set some 17m from the south-western side boundary and no adverse impact is envisaged to the occupiers of that property.

Conclusion:

Officers consider that in design terms the proposal does not justify refusal and impacts to neighbouring amenity are acceptable.

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

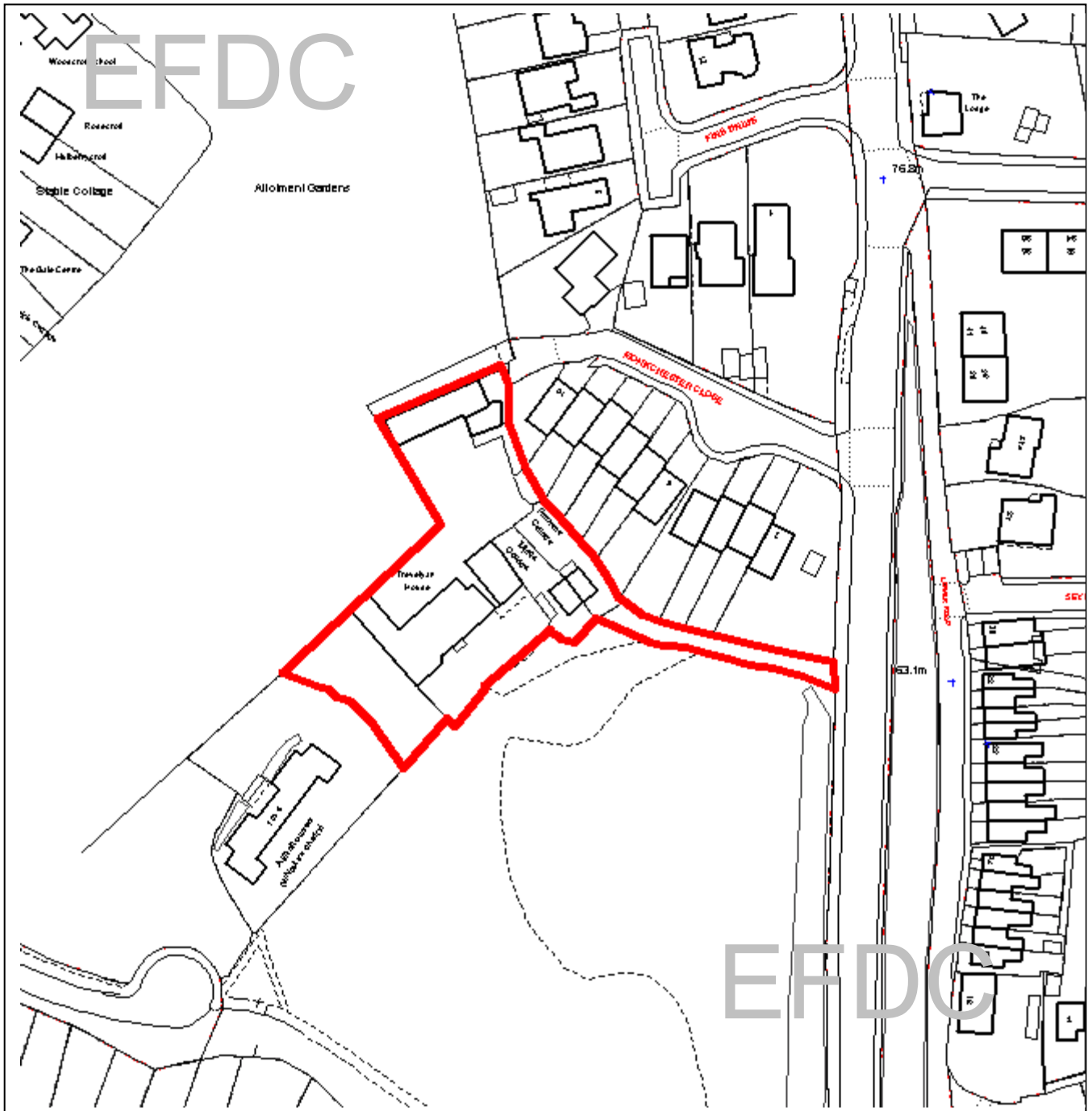
Planning Application Case Officer: Jonathan Doe
Direct Line Telephone Number: 01992 564103

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



Epping Forest District Council

AGENDA ITEM NUMBER 13



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Application Number:	EPF/2608/14
Site Name:	Trevelyan House, Arewater Green Loughton IG10 2SP
Scale of Plot:	1/1250

Report Item No: 13

APPLICATION No:	EPF/2608/14
SITE ADDRESS:	Trevelyan House Arewater Green Loughton Essex IG10 2SP
PARISH:	Loughton
WARD:	Loughton St Johns
APPLICANT:	Trevalyn House Limited
DESCRIPTION OF PROPOSAL:	Demolition of three existing properties and associated buildings to be replaced with 10 no. new dwellinghouses, new access road, parking and landscaping.
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=570550

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:
FFK_002, FFK_003, FFK_100 C, FFK_101, FFK_102, FFK_103, FFK_104, , FK_105, FFK_110 A, FFK_111A, FFK_112A, FFK_202L, FFK_203A, , FK_204, FFK_211, FFK_212, FFK_213, FFK_214, FFK_215, FFK_216, , FK_217 , FFK_218, FK_222A, FFK_223A, FFK_224A, FFK_225A, FFK_226A, FFK_227A, FFK_228B, FFK_229A, FFK_230A.
- 3 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 4 No development shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 5 Prior to the commencement of works or any site clearance, the developer shall submit for approval to the Local Planning Authority, details of the proposed boundary treatments. This shall include details new boundaries and those to be retained and shall give consideration for the requirement for, provision and retention of, retaining walls around the site.

- 6 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.
- 7 Prior to the commencement of works a detailed drainage survey of the piped watercourse is required. This shall include a CCTV survey with details of the location, pipe size, condition and outfall information.
- 8 An assessment of flood risk, focussing on surface water drainage, shall be submitted to and approved by the Local Planning Authority prior to commencement of the development. The assessment shall demonstrate compliance with the principles of Sustainable Drainage Systems (SuDS) and shall consider the ground levels on site and the potential for groundwater flooding and mitigation measures. The development shall be carried out and maintained in accordance with the approved details.
- 9 Prior to first occupation of the proposed development the developer shall be responsible for implementing the vehicle and pedestrian access arrangements, as shown in principle on drawing no.FFK_202 Rev L, including a physical measure to prevent vehicles using the private access off of Goldings Hill.
- 10 Prior to first occupation of the proposed development the parking and turning arrangements, as shown in principle on drawing no.FFK_203 Rev A, shall be fully implemented and retained as such thereafter.
- 11 Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator.
- 12 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 13 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition

and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.

- 14 The development shall be carried out in strict accordance with the approved ecology information and recommendations supplied in the letter dated 31st October 2014 by AA Environmental Landscaping.
- 15 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]
- 16 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows]
- 17 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the

intended use of the land after remediation.

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

- 18 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
- 19 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.

This application is before this Committee since it is for a type of development that cannot be determined by Officers if more than two objections material to the planning merits of the proposal to be approved are received (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(f).) and since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(g) and since this is an application for residential development consisting of 5 dwellings or more and is recommended for approval (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(d))

Description of Site:

The site is located off Goldings Hill with access predominantly achieved from Monkchester Close and a small access further south serving the front elevation of the properties on site. The City of London own this access. Easements over this road exist at the discretion of the Conservators of Epping Forest and it is clear this party is unwilling to provide access to any proposed development, in addition the sight splays at this access are severely restricted.

To the south of the site is a small forested area owned by the City of London and an associated pedestrian access and informal parking area serving the same. To the southwest are the Grade II Listed Almshouses, to the north of the site are a number of historic and well used allotments and to the east is Monkchester Close. The Council has recently designated a new Baldwins Hill Conservation Area of which the Almshouses and these allotments form part. The Conservation Area also includes a narrow strip of land within the site adjacent to the southwest boundary.

Trevelyan House includes generous accommodation and a number of outbuildings, some of which are in residential uses and some of which are used as a specialist motor repair garage. Myrtle Cottage and Primrose Cottage are traditional style cottages. The Conservation Officer has visited the site to view the existing properties, however, whilst they are older properties, they have not been considered worthy of retention or any heritage status.

Following from site inspection it was apparent the site has a steep gradient, rising towards the allotments from Goldings Hill, and a number of trees on site were of significant value. Positive discussion with Officers has resulted in the retention of a Monkey Puzzle which is of high landscape value.

The surrounding area has a residential character at low densities with various house types in the area, but generally a two storey character prevails across an area with very differing ground levels.

No part of the site or neighbouring land is in within the Green Belt.

Description of Proposal:

This application seeks planning permission to demolish the existing three properties on the site. The proposed new development would comprise 10 new dwellings with associated parking and garden areas. The proposals include 6 x 3-bedroom family units and 4 x larger 4-bedroom properties that achieve the fourth bedroom with the provision of loft accommodation. The four bedroom units are located together to the west of the site where ground levels are lowest.

The new development would achieve vehicular access through Monkchester Close and retain a pedestrian access to the south. Vehicular access could still be achieved in this location to the forest, but the wider site would not benefit from this access as the footprint of the building prevents a 'through' route.

The scheme provides 10 parking spaces for residents plus 6 visitor spaces and a turning area for delivery and refuse vehicles. Garden areas range from 57sqm to 120sqm.

Relevant History:

There is no relevant planning history for the site, however the applicant sought advice from the Council prior to submitting this application under EF\2014\ENQ\00383. Officers made a number of suggestions for revisions to the scheme. These have been summarised in the applicant's Design and Access Statement.

Policies Applied:

Adopted Local Plan and Alterations

- CP1 Achieving Sustainable Development Objectives
- CP2 Protecting the Quality of the Rural and Built Environment
- CP3 New Development
- CP6 Achieving Sustainable Urban Development Patterns
- CP7 Urban Form and Quality
- HC6 Character, Appearance and Setting of Conservation Areas
- HC7 Development Within Conservation Areas
- H2A Previously Developed Land
- H3A Housing Density
- H4A Dwelling Mix
- DBE1 Design of New Buildings
- DBE2 Affect on Neighbouring Properties
- DBE3 Design in Urban Areas
- DBE6 Car Parking in New Development
- DBE7 Public Open Space
- DBE8 Private Amenity Space
- DBE9 Loss of Amenity
- LL11 Landscaping Schemes

- ST1 Location of Development
- ST2 Accessibility of development
- ST4 Road Safety
- ST6 Vehicle parking

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

Summary of Representations:

Notification of this application was sent to Loughton Town Council and to 24 neighbouring properties. In addition, two site notices have been displayed adjacent to and around the site.

The application has attracted the following responses:

LOUGHTON TOWN COUNCIL:

The committee OBJECTED to this application. The proposal of ten dwelling houses was considered an overdevelopment of the site, which would be visible to the neighbouring heritage area owned by the City of London and the Almshouses bordering the plot.

There was concern for highway safety as the existing Monkchester Close residents had difficulty exiting onto the busy and steep Goldings Hill, the A121, which was a gateway road into Loughton and congested on a daily basis during peak travel hours.

The plans were considered to be unclear as it appeared access to the housing development would be relying on land owned by the neighbouring historic allotment site known as Loughton Potato Ground. Members also expressed concern that the proposal lacked adequate parking provision and would not be sustainable for these ten houses. There appeared to be no turnaround for vehicles on the site. The access road was also considered too narrow for refuse and emergency vehicles.

10 letters of objection have been received from the following:

- Number 2 and 3 THE ALMSHOUSES
- Numbers 3, 4, 5, 6,8, 9 and 10 MONKCHESTER CLOSE
- GENESIS HOUSING, Camden (managers of the Almshouses)
- CITY OF LONDON (Conservators of Epping Forest)
- HILLS AMENITY SOCIETY
- CAMPAIGN TO PROTECT RURAL ENGLAND

The grounds for objection are summarised below:

1. Inadequate public consultation.
2. Inaccuracies in the application site plan, land ownership certificates and supporting documents.
3. Cramped overdevelopment of the site that is out of keeping with the local area.
4. Incorrect description of the area as urban and details regarding access to local facilities.
5. Standard design of buildings.
6. Lack of information for boundary trees and boundary treatment.
7. Likely need for retaining wall on some boundaries.
8. Concern regarding likely pruning of trees, Root Protection Areas and Tree Protection.
9. Possible damage to canopy and roots of Oak at access to site.
10. Potential damage or subsidence to Almshouses during/after construction
11. Loss of environmental aspect to the historic building

12. Noise, dust and pollution during construction.
13. Future drainage issues due to run-off from the Loughton Potato Ground.
14. Possible contamination of Loughton Potato Ground during construction and impact to the historic status of the Allotments.
15. Loss of privacy from proposed large windows causing overlooking.
16. Should be no side windows to plot 10.
17. Inadequate parking provision
18. Issues with access through Monkchester Close, including parking obstructing access.
19. Issues with access to the Almshouses.
20. Pedestrian Safety
21. Concern the information and conclusions of the Transport Assessment are incorrect.
22. Pedestrian Safety
23. Increased risk to traffic safety at the junction with the busy Goldings Hill.
24. Inadequate highway through Monkchester for access for refuse and emergency vehicles.
25. Conflict of the proposals with National and Local policies.
26. Potential fly-tipping, light pollution and pressure to prune or fell in the adjacent forest.

Request should permission be granted conditions be applied dealing with the following:

1. Construction Method Statement
2. No access through Monkchester Close
3. Wheel washing
4. Storage of site materials, parking for contractors and loading/unloading to take place on site.
5. Restriction to hours of construction including no weekend working.
6. Storage onsite to be away from trees and boundaries with neighbouring properties.

Cllr Chris Pond has also contacted the council in respect of this application to provide information regarding land ownership on the site and the adjacent Loughton Potato Ground.

Issues and Considerations:

The main issues to be considered are the principle of the development, design issues, impact to neighbouring amenities, landscaping and highways.

Principle

The application site is on the outskirts of Loughton, north of the main centre. The site is not within the Green Belt. The proposals result in the demolition of extensive structures on site, and the loss of three properties, two of which date from the mid-19th Century, but do not benefit from any formal protection. The loss of the existing structures is thus acceptable in principle and the provision of new homes on the edge of the District's largest town, outside of the Green Belt is acceptable subject to siting, design, access, and impact to neighbouring properties.

Design

Discussion with Officers prior to the submission of the application has resulted in significant alterations to the scheme. Parking provision has been increased, landscaping adjacent the Potato Ground's boundary and within the site around the retained Monkey Puzzle tree has been increased and the scheme has been revised so that hard surfacing is provided as a shared surface to increase the usable space and improve movements in the site. The current articulation of building is also as a result of extensive discussion with Officers, ensuring there are interesting and varied elevations as opposed to elongated terraces.

The layout of the site has been orientated around the main structures currently on site. Plots 7-10 are located in the footprint area of Trevelyan House, Myrtle Cottage and Primrose Cottage. The height and scale of the buildings has been deliberately designed to be close to the existing scale

of those original properties. The intention being to ensure the outlook from plots 4-7 Monkchester Close is as unaltered as possible. Plots 1 and 2 at the north of the site are located in the area of an existing larger outbuilding on the site and the access and turning area is located where there are existing storage buildings, so this area would be opened up to a greater degree than on the existing site. Plots 3-6 are located on the area furthest from Monkchester Close, where ground level is at its lowest point, these properties are based in part where existing extensions to Trevelyan House are positioned, but would be greater in height. To the rear of these plots the existing extensive and mature landscaping would be retained as a screen. From this area of the site it is difficult to achieve views towards the Almshouses due to ground level change and the maturity of landscaping.

Heritage

The views of the Conservation Officer were sought on the loss of the existing buildings on site, the proximity to the new Baldwins Hill Conservation Area and also in relation to the potential impacts on the setting of the Listed Almshouses.

The Conservation Officer has supported the proposals. The loss of the existing buildings raises no objections, the landscaping retained and enhanced results in no adverse impact to the setting of the Almshouses and the design of the properties and layout is such that it would contribute to the setting of the Conservation Area. To make a positive contribution to a Conservation Area a development need not incorporate traditional features, rather a high quality of design and materials is needed with good quality spaces within the development. The proposals would enhance the existing site when the various existing outbuildings and structures are considered. This is not to suggest the scale of development does not increase and would not be visible, because clearly this would occur, but this is not harmful and would not detract from the appearance of the new Conservation Area.

Neighbouring Amenity

The design and layout of the scheme has been derived from ground levels and existing structures on site. This is to ensure that the relationship to neighbouring properties is retained as much as possible, in a manner akin to that which currently exists.

The development would be clearly visible for residents in Monkchester Close, in particular for plots 5-10 Monkchester Close. However being visible alone is not harmful and whilst the scheme has been designed to largely retain existing views, a view is not protected by planning policy. The development would be sufficiently separated from neighbouring properties to ensure no overshadowing or loss of immediate outlook. Separation from neighbouring plots exceeds the requirements of the Essex Design Guide.

The proposed new dwellings have been designed to ensure that plots 7-10 achieve an outlook no different to the existing Trevelyan House and adjacent cottages. Plots 1 and 2 provide an outlook fronting towards plots 7-10 and to the rear to the allotment grounds, but with ground floor to unit 2 being dual aspect to view onto the access. Plots 3-6 are separated from the boundaries with Monkchester Close properties by some 45m. To the rear the Almshouse footprint is 13m from the building footprint at the closest point but landscaping and ground levels mean the structures cannot be viewed from one another. First floor side openings are deliberately either not incorporated on units or internal layout is arranged to ensure these windows only serve bathroom areas. There is no first floor window on plot 10, referred to in the objections.

The result of the layout is that the overlooking of neighbouring properties should not be any greater than may currently exist, albeit the number of occupiers would clearly vary. The relationship between properties accords with the objectives of policies DBE2 and DBE9 in this respect and exceeds the requirements of the Essex Design Guide.

A number of residents have expressed concern regarding the increase in traffic movements through Monkchester Close. Whilst residents are correct that the car movements through the Close would increase, both during construction and occupation of the site after, this increase is not unacceptable. There is no policy requirement to restrict car movements or indeed to ensure an existing cul-de-sac is not extended. There would be no greater noise arising from cars accessing the application properties than there would be from cars accessing or visiting properties at the end of Monkchester Close or using the access at the rear of Trevelyan House. The number of movements would increase, but the carriageway is of adequate standard to accept this as outlined in more detail below.

Highways (access and parking)

The access to the proposed development has been assessed by County Highway Officers against current national and local policy and safety guidelines and has been found acceptable. The Highway Authority is satisfied that the proposed development will not have any detrimental impact upon highway safety, efficiency or capacity on Monkchester Close or on the wider highway network.

For the avoidance of doubt, the turning area is provided centrally in the development. This area is policy compliant and adequate for delivery and refuse vehicles. Residents have indicated that parking pressures locally had led to parking that may be obstructive in Monkchester Close. As a result there is concern access may not be achieved to the site due to this parking. Whilst Officers are sympathetic to parking pressures in the District, were persons to park causing an obstruction this is a highway offence and beyond the control of planning. Residents may be able to resolve this issue by approaching the County Council for yellow lines or permits if this issue is recurrent.

The concerns regarding the access to the Almshouses are noted, however this access relates in no way to the application proposals.

The Highway Authority also considered the location is reasonably accessible so a reduction from the Parking Standards could be applied. Usually two spaces per dwelling would be required, resulting in 20 spaces. The proposals only provide 16. The location is well separated from the main Loughton Town Centre, however the site is very close to Goldings Hill/Lower Road Loughton, an area with newsagents and post office amongst the variety of available outlets. The site is also within walking distance of bus routes along the A121 and Rectory Lane, meaning residents would be able to access a range of facilities and use a number of bus routes, without needing a car. Mindful of the location, in an area where residents at Monkchester Close do not benefit from two spaces the proposed reduction in provision is considered to comply with policy in that a reduction in provision is acceptable.

Landscaping and garden provision

The on site tree retention and landscaping provision has been agreed with the Council's landscaping team prior to submission. This resulted in significant alterations to the original layout and a feature being made from the mature Monkey Puzzle tree.

The scheme as submitted was accompanied by Tree Survey and Arboricultural Reports. The proposal has no objection from landscaping officers subject to conditions.

Garden areas proposed broadly accord with the requirements of policy DBE8, the spaces provided are useable, private and comparable in scale with those of neighbouring properties.

Other Matters

Consultation

There have been concerns that the application has not been properly advertised in accordance with legislation and as such the determining of this application is not lawful. For the avoidance of doubt, the relevant legislation reads as follows:

Section 13 of the Town and Country Planning (Development Management Procedure) (England) Order (2010) requires in clauses 5 and 6 for an application of this nature:

(5), the application shall be publicised in accordance with the requirements in paragraph (7) and by giving requisite notice—

(a) by site display in at least one place on or near the land to which the application relates for not less than 21 days; or

(b) by serving the notice on any adjoining owner or occupier.

(6) Where the notice is, without any fault or intention of the local planning authority, removed, obscured or defaced before the period of 21 days referred to in paragraph (3)(a), (4)(a)(i) or (5)(a) has elapsed, the authority shall be treated as having complied with the requirements of the relevant paragraph if they have taken reasonable steps for protection of the notice and, if need be, its replacement.

For a point of clarity, paragraph 7 relates to the requirements upon the council to publish details relating to an application online.

The Council has agreed historically that advertisement of applications is good practice and often means exceeding these requirements and in this instance despite the site bordering only 10 properties in Monkchester Close and the 6 Almshouse addresses, the Council wrote to 24 addresses (all that are registered addresses near to application site and receive post) and in addition erected site notices in Monkchester Close and in the access through Forest Land. When notified that a notice had been removed, Officers also returned to the site and erected a further notice as we were notified so close to the time it had been erected. It is therefore clear the Council has more than fulfilled the legal requirements for consultation.

Land ownership:

The application when originally submitted included a red-line ownership plan, which incorrectly identified a strip of land belonging to the Loughton Potato Group as being within the application site. The applicant was advised of this issue and asked to investigate. The applicant subsequently revised the red-line plan to correct the error. This did not impact on the layout of the proposed development.

Inaccuracies in documentation:

A number of residents have raised concerns regarding the accuracy of documents submitted by the applicant. Partially these comments were raised in respect of the above issue which has now been resolved. The Council requires sufficient information to determine the merits of a planning application. Officers consider the Council has been provided with sufficient information to decide this application. In addition some residents consider the findings of the Transport Assessment to be incorrect. Whilst residents may have a differing view, the Highway Authority has assessed the details submitted with this application and finds the proposals acceptable in respect of highway policy.

Retaining walls:

Ground levels changes are noted to be significant on the application site and in the area. It is therefore considered reasonable to request a condition regarding ground levels of the site and proposed finished ground levels to be submitted to maintain control over any change required. In addition a condition requiring details of proposed boundary treatments is suggested.

Drainage:

Residents have raised concerns regarding historic flooding issues and Land Drainage are aware of a piped watercourse on site. Whilst this presents a requirement for a site specific construction condition, seeking full details of the piped watercourse and how this relates to construction in terms of the long term retention and if required, access for this piped watercourse, and the type of foundation to be proposed, this does not prohibit development. The site is not in a flood zone and land drainage have met with the applicants and suggested conditions to address this issue. The development proposed provides an opportunity to assess the existing culvert and provides a mechanism to enhance it should it be required.

Contamination:

The history of the site is such that the Council's Contamination Officer considers there may be contaminants present on site. As such de-contamination assessments and potentially associated works should be carried out. As such a number of standard conditions have been suggested.

Ecology:

The application was accompanied by details of an initial ecology site survey due to the site's proximity to the Forest, which the Council's Countrycare team have assessed. There are no ecological concerns identified for this site.

Forest concerns:

Issues relating to potential future issues raised by the City of London are noted, however potential conduct of future occupiers is beyond the reasonable control of planning and issues relating to behaviour on forest land and works within the forest are under the control of the City of London and the associated bylaws.

Planning Obligations:

The development falls below the threshold for affordable housing provision or education contributions.

Conclusion:

In light of the above appraisal, it is considered that the redevelopment of this site is acceptable, the provision of housing in the Loughton area is desirable and the scale and form of the development has been provided mindful of the existing layout on site. Impacts to neighbouring amenities have been considered, as have impacts to the highway and parking and Officers consider the scheme acceptable and recommend approval subject to conditions.

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

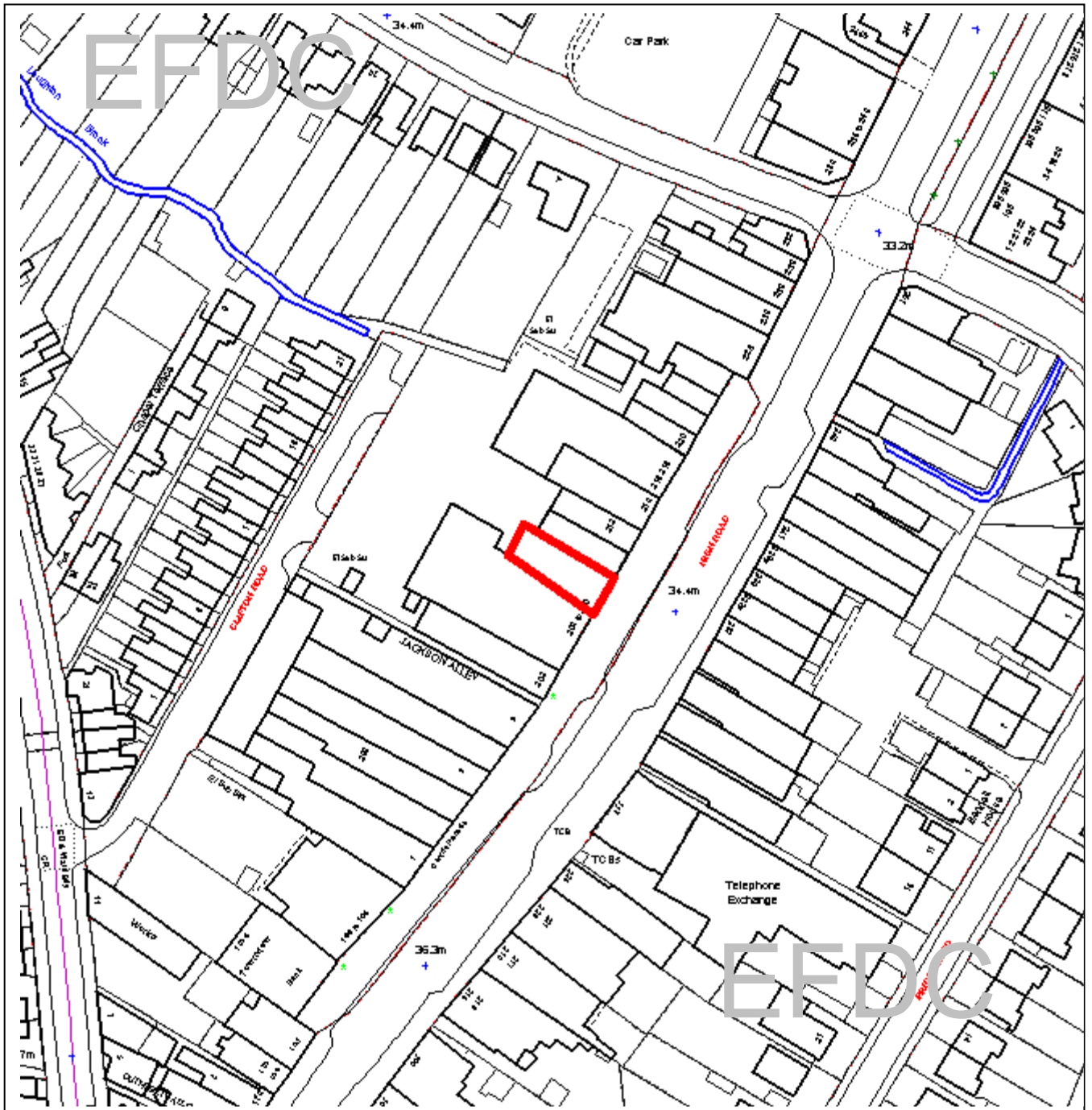
***Planning Application Case Officer: Ms Jenny Cordell
Direct Line Telephone Number: (01992) 564481***

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



Epping Forest District Council

AGENDA ITEM NUMBER 14



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Application Number:	EPF/2688/14
Site Name:	208 High Road Loughton IG10 1ET
Scale of Plot:	1/1250

Report Item No: 14

APPLICATION No:	EPF/2688/14
SITE ADDRESS:	208 High Road Loughton Essex IG10 1ET
PARISH:	Loughton
WARD:	Loughton St Marys
APPLICANT:	Mr Dudley Cummings
DESCRIPTION OF PROPOSAL:	Application for consent to display an externally illuminated fascia sign and double sided projection sign.
RECOMMENDED DECISION:	Grant Permission

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=571010

CONDITIONS

NONE

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

Description of Site:

The application site comprises shop premises on the west side of High Road, Loughton.

It is not a listed building and the site is not in a conservation area.

Description of Proposal:

The proposal seeks consent to display an externally illuminated advertisement on the shop fascia board and a double sided projecting sign.

Relevant History:

EPF/0844/80 – Installation of new shop front – Granted
A/EPF/0025/80 – Internally illuminated fascia sign – Granted with conditions.
EPF/1735/89 – Retention of shop front – Granted.
A/EPF/0049/89 – Retention of projected illuminated sign box – Granted with conditions.

Policies Applied:

CP2 Quality of Rural and Built Environment
DBE 13 Advertisements

NPPF

Town and Country Planning (Control of Advertisements) Regulations 2007

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 24

Site notice not required.

Responses received: No response received from neighbours.

LOUGHTON TOWN COUNCIL: The Committee OBJECTED to the signage (already installed) which it considered was too large and was detrimental to the street scene.

Main Issues and Considerations:

Regulation 3 of the Advertisement Regulations 2007 makes it clear that the only issues to be addressed when assessing the merits of a display are amenity and public safety, taking into account the relevant provisions of the development plan and any other factors relevant to amenity and public safety.

The existing street scene consists of a range of varying advertisement displays. The fascia sign is deep, but that reflects the depth of the fascia of the shopfront and is similar in depth to neighbouring fascias. The concern relating to the depth of the fascia raised by the Town Council and Officers have previously taken issue with the depth of fascia signage at neighbouring premises, most recently at 2 Centric Parade. In that case consent was refused under delegated powers but a subsequent appeal was allowed. The Planning Inspector concluded the depth of the fascia was not inconsistent with other signage in the locality and that the variation in fascia depth between shops was not harmful to the amenities of the locality. That conclusion is equally applicable to this proposal.

The projecting signage is modest in size and follows the pattern of projecting signage in the locality.

The proposed display would cause no harm to the interests of public safety.

Conclusion:

The proposed display would respect the appearance of the building and cause no harm to the interests of public safety in terms of the siting, size, positioning and method of illumination of the advertisements. They would appear appropriate in the context of the locality and would not cause harm to its visual amenities. Accordingly it complies with development plan policy and it is recommended that express consent 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: Sangeeta Dhavde
Direct Line Telephone Number: 01992 564109***

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