

Committee Agenda



Epping Forest District Council

AREA PLANNING SUB-COMMITTEE SOUTH **Wednesday, 1st June, 2016**

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, 1st June, 2016**
at **7.30 pm** .

Glen Chipp
Chief Executive

**Democratic Services
Officer**

R. Perrin Tel: (01992) 564243
Email: democraticservices@eppingforestdc.gov.uk

Members:

As appointed at Annual Council on 26 May 2016.

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 - 8)

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

3. MINUTES (Pages 9 - 34)

To confirm the minutes of the last meeting of the Sub-Committee held on 27 April 2016.

4. APOLOGIES FOR ABSENCE

5. DECLARATIONS OF INTEREST

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

6. ANY OTHER BUSINESS

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

7. DEVELOPMENT CONTROL (Pages 35 - 122)

(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.

8. PROBITY IN PLANNING (Pages 123 - 192)

(Director of Governance) To consider the attached report and appendices.

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.

Background Papers: Article 17 - Access to Information, Procedure Rules of the Constitution define background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

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

The Council will make available for public inspection for four years after the date of the meeting one copy of each of the documents on the list of background papers.

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Advice to Public and Speakers at Council Planning Sub-Committees

Are the meetings open to the public?

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

When and where is the meeting?

Details of the location, date and time of the meeting are shown at the top of the front page of the agenda along with the details of the contact officer and Members of the Sub-Committee.

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.

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

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

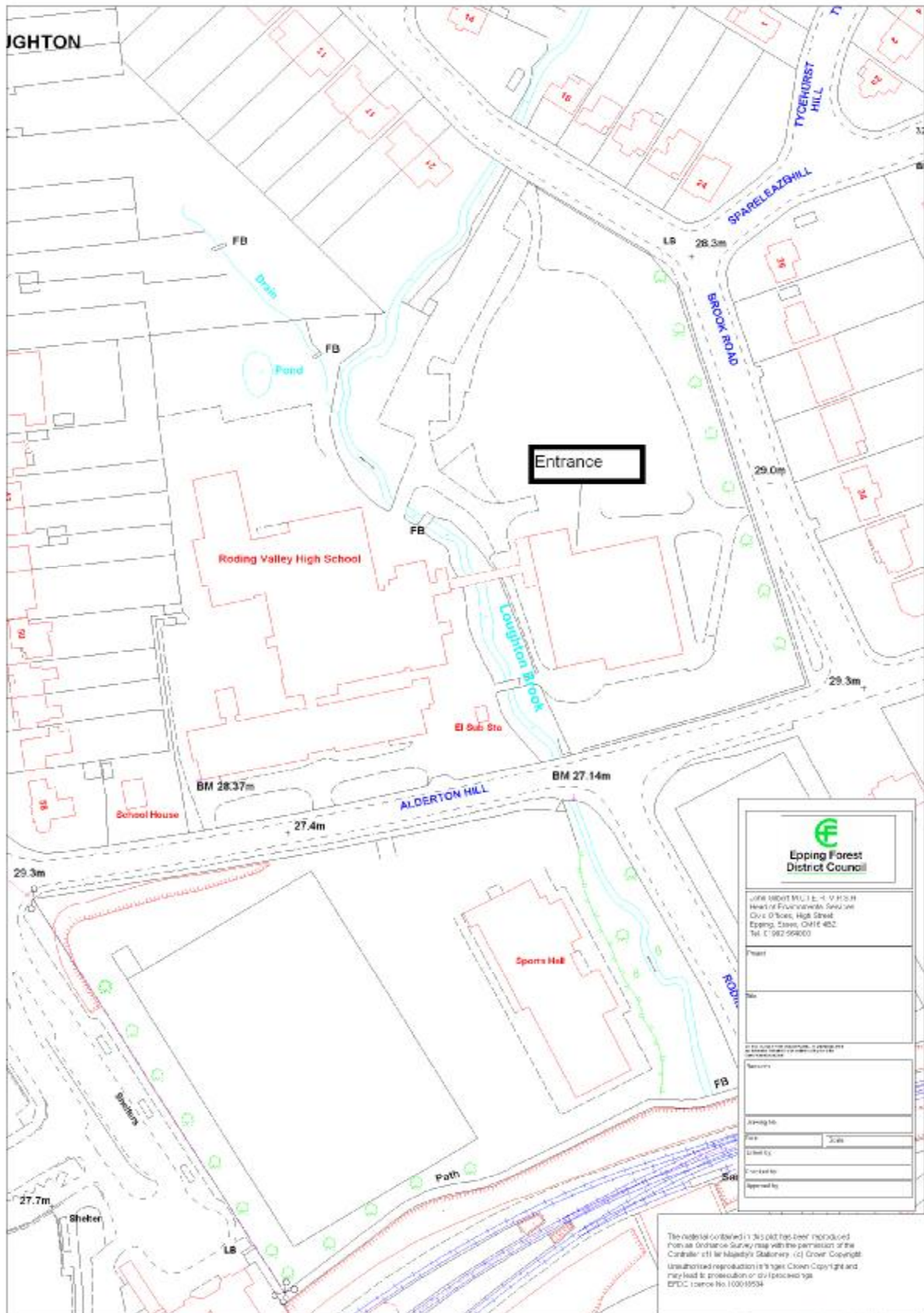
The Sub-Committee cannot grant any application, which is contrary to Local or Structure Plan Policy. In this case the application would stand referred to the next meeting of the District Development Control Committee.

Further Information?

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

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Area Plans Subcommittee South – Location Plan



Epping Forest District Council

10th Floor, M.U.L.E. - V.P.S.H.
 Head of Environmental Services
 Civic Offices, High Street,
 Epping, Essex, CH16 4BZ
 Tel: 01962 594000

Name: _____

Date: _____

Drawn by: _____

Checked by: _____

Approved by: _____

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EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Sub-Committee **Date:** 27 April 2016
South

Place: Roding Valley High School, Brook Road, Loughton, Essex. IG10 3JA. **Time:** 7.30 - 10.07 pm

Members Present: J Hart (Chairman), G Chambers, K Chana, R Jennings, H Kauffman, J Knapman, A Lion, L Mead, A Patel, C P Pond, C C Pond, C Roberts, B Sandler, S Watson and D Wixley

Other Councillors:

Apologies: H Mann, G Mohindra and L Wagland

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

67. 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.

68. MINUTES

RESOLVED:

That the minutes of the last meeting of the Sub-Committee held on 30 March 2016 be agreed and signed by the Chairman as a correct record.

69. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Conduct Councillor C C Pond declared a non pecuniary interest in the following item by virtue of knowing the applicant. The Councillor advised that he would remain in the meeting for the duration of the discussion and voting thereon:

- EPF/0318/16 6 Summerfield Road, Loughton, Essex IG10 4JF

(b) Pursuant to the Council's Code of Conduct Councillor L Mead declared a non pecuniary interest in the following item. She advised that she would leave the meeting for the duration of the discussion and voting thereon:

- EPF/0184/16 Braeside School, 130 High Road, Buckhurst Hill, Essex IG9 5SD

70. ANY OTHER BUSINESS

It was noted that there was no other urgent business for consideration by the Sub-Committee.

71. DEVELOPMENT CONTROL

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

RESOLVED:

That the planning applications numbered 1 – 10 be determined as set out in the attached schedule to these minutes.

72. COUNCILLOR J HART - CHAIRMAN OF AREA PLANS SOUTH SUB-COMMITTEE

This was the last Area Plans South Sub-Committee chaired by Councillor J Hart as he was stepping down at the forthcoming election.

Members thanked him for his work as Chairman in particular his skill at managing long meetings with many planning applications. Councillor J Hart said that he had enjoyed being both Councillor and committee Chairman, Members wished him well in the future.

73. EXCLUSION OF PUBLIC AND PRESS

The Sub-Committee noted that there were no items of business on the agenda that necessitated the exclusion of the public and press from the meeting.

CHAIRMAN

Report Item No: 1

APPLICATION No:	EPF/2618/15
SITE ADDRESS:	Parking area at southern end of cul-de-sac Thatchers Close Loughton Essex IG10 2JH
PARISH:	Loughton
WARD:	Loughton Fairmead
DESCRIPTION OF PROPOSAL:	Erection of one 2 storey affordable home with 2 parking spaces
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=579953

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 3 Details of the treatment or alteration to the boundary fences at the rears of numbers 10 to 16 Goldingham Avenue shall be submitted to and approved by the Local Planning Authority before any works commence on site. Once approved these details shall be implemented in full on site.
- 4 The development hereby permitted will be completed strictly in accordance with the approved drawings numbered PL04B, PL03A, PL06A, PL05B, PL01, PL02.
- 5 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules

of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 6 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 7 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed. The approved installed cleaning facilities shall be used to clean vehicles wheels and underbody immediately before leaving the site.
- 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 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no roof enlargement generally permitted by virtue of Class B of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.

Report Item No: 2

APPLICATION No:	EPF/2638/15
SITE ADDRESS:	Garages to rear of numbers 100 to 108 Pyrles Lane Loughton Essex IG10 2NW
PARISH:	Loughton
WARD:	Loughton Fairmead
DESCRIPTION OF PROPOSAL:	Demolition of garages and erection of a terrace of 3 two storey affordable homes, with 6 car parking spaces
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=579995

REASONS FOR REFUSAL

1. The cumulative impact of the means of accessing the development site, comprising of an accessway of considerable length and narrow width, insufficient to allow cars to pass each other, together with the absence of a turning area within the site is likely to result in significant conflict between vehicles, pedestrians and cyclists. Such conflict would be harmful to the safe and free flow of traffic on both Pyrles Lane and the accessway, contrary to Local Plan and Alterations policy ST6, which is consistent with the National Planning Policy Framework.
2. Insufficient details of the means of storing refuse is submitted and, having regard to the highly constrained access arrangements for the site, it seems likely that the indicated refuse storage proposals on collection days would exacerbate the harm identified in the first reason for refusal that the access arrangements would cause to the interests of safety. Accordingly, the proposal is contrary to Local Plan and Alterations policy ST6, which is consistent with the National Planning Policy Framework.
3. By reason of its bulk, scale, height and siting adjacent to the ends of rear gardens of houses on Pyrles Green, Pyrles Lane and Grosvenor Drive, it is likely the proposal would appear excessively overbearing when seen from the gardens of 11, 12 and 13 Pyrles Green, 102, 104, 106 and 108 Pyrles Lane and 31, 33, 35, 37 and 39 Grosvenor Drive. Accordingly, the proposal would be harmful to the living conditions of those dwellings, contrary to Local Plan and Alteration policy DBE9, which is consistent with the National Planning Policy Framework.

Way forward

Members considered it may be possible to address their concerns about the safe and free flow of traffic by providing a turning head within the site and demonstrating appropriate sight lines at the junction of the accessway with Pyrles Lane. Members recognised achieving a turning head within the site will require a reduction in the numbers of off-street parking spaces for the development and were willing to give consideration to a revised proposal. Members considered their concern about the living conditions of neighbours may be addressed by reducing the height of the

proposed terrace through either providing first floor rooms partially within the roof space or by proposing a single-storey building as an alternative form of development.

Report Item No: 3

APPLICATION No:	EPF/2969/15
SITE ADDRESS:	Debden Hall Debden Green Loughton Essex IG10 2NZ
PARISH:	Loughton
WARD:	Loughton Broadway Loughton Fairmead Loughton St Johns
DESCRIPTION OF PROPOSAL:	Demolition of existing dwelling house and out-buildings and erection of new environmentally sustainable dwelling house with associated landscaping works. Refurbishment and repair of Grade II listed gates and piers.
DECISION:	Granted 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=580657

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: 265-PL-01A, 02A, 03,04, 05A,06, 07A, 08A and 09A, drawings AR-DEBD001-D-100, 101, 102, 103-R03 and drawings AR-DEBD001-D-601 - 609 inclusive-001
- 3 Development related to the construction of the development hereby permitted, including any works of site clearance, shall not commence until works for the eradication of the variegated yellow archangel plant species has been commenced in accordance with a programme submitted to and approved by the Local Planning Authority prior to implementation. The said programme shall be monitored by a suitably qualified arboriculturalist or similar approved by the Local Planning Authority. Reports on progress of the programme shall be submitted to and approved by the Local Planning Authority prior to the commencement of construction above ground level and at three monthly intervals thereafter. The building shall not be occupied until eradication of the said species has been certified by the said arboriculturalist.

- 4 All tree and shrub clearance works on the site shall only be undertaken outside the bird nesting season (1st March - 31st August unless otherwise agreed by the Local Planning Authority.

- 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. Means of transporting materials and equipment from the site entrance to the construction area, and removing spoil from the construction area.
 5. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 6. Measures to control the emission of dust and dirt during construction,
 7. A scheme for recycling/disposing of waste resulting from demolition and construction works,

- 6 Prior to the commencement of development, a phasing programme shall be submitted to and approved by the Local Planning Authority. The phasing programme shall include details of timing of demolition of the existing New Oak Lodge dwellings, construction of the access road, and completion of all works including boundary fencing to land being transferred to enlarge Home Mead Nature Reserve. The works shall be undertaken in strict compliance with the agreed phasing plan unless otherwise agreed in writing by the Local Planning Authority.

- 7 The carriageway of the proposed access road shall be constructed prior to the commencement of the erection of the dwelling hereby approved unless otherwise agreed by the Local Planning Authority.

- 8 Prior to the commencement of any preparatory demolition or construction works commence on site, ecological surveys as specified and where required mitigation strategies in respect of the following shall be submitted to and approved by the Local Planning Authority:
 1. A phase 1 bat survey
 2. A phase 1 reptile survey
 3. A presence / absence survey for Stag Beetles
 4. A Great Crested Newt Survey

All surveys shall be undertaken by suitably qualified specialists approved by the Local Planning Authority prior to commencement of the surveys. A completion statement to certify compliance with all agreed mitigation measure shall be submitted to and agreed by the Local Planning Authority prior to first occupation of the dwelling hereby permitted.

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

- 12 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
- 13 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.
- 14 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.
- 15 No development shall take place until details of foul and surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 16 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.
- 17 Prior to commencement of development, a full schedule of works proposed to the entrance gates and piers shall be submitted to and approved by the Local Planning Authority. The works as agreed shall be fully implemented prior to first occupation of the dwelling hereby permitted.
- 18 Prior to the commencement of the development, details of works to the watercourse / brook on the site including details of features to be introduced in to the watercourse, works to affect the direction and rate of water flow and structures within 2 metres of the watercourse shall be submitted to and approved by the Local Planning Authority. The works shall thereafter only be carried out in strict accordance with the agreed details and shall not be altered without prior consent of the Local Planning Authority.

- 19 No construction works above ground level shall take place until documentary and photographic details including samples where required 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.
- 20 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; car parking layouts; other minor artefacts and structures, including 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 and full details of the ornamental pond including construction materials and water sourcing.. 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.
- 21 Prior to the commencement of development, the following details shall be submitted to and approved by the Local Planning Authority
- i. Tree protection plan to include the alignment of utility apparatus (including drainage and ground source heat pumps), and the site set up i.(ie locations for site huts, temporary toilets, contractor parking, storage of materials, cement mixing etc.)
 - ii. Arboricultural Method statement including a list of contact details for all relevant parties..
 - iii. Schedule of works to retained trees eg works required to facilitate demolition / construction activities
 - iv. Arboricultural site monitoring schedule, A detailed schedule of visits is required..
- The works thereafter shall be fully implemented in strict accordance with the agreed details unless otherwise agreed by the Local Planning Authority.
- 22 Prior to commencement of development, details of all walls, fences, gates or other means of enclosure shall be agreed in writing by the Local Planning Authority, and shall be erected and thereafter maintained in the agreed positions before the first occupation of the dwelling hereby approved. No alterations to the position, height or finish to the said means of enclosure nor shall any additional means of enclosure be constructed without prior consent of the Local Planning Authority
- 23 Prior to the commencement of development, details of all external lighting to the site shall be submitted to and approved by the Local Planning Authority. The works as agreed shall be fully implemented prior to first occupation of the dwelling hereby permitted. No additional lighting shall thereafter be installed without the prior consent

of the Local Planning Authority.

- 24 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.
- 25 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.
- 26 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed at the site. The installed cleaning facilities shall be used to clean vehicles wheels immediately before leaving the site.
- 27 No trenches or pipe runs for services and drains required to service the development hereby approved shall be cut or laid otherwise than in accordance with BS5837:2012 (Trees in relation to design, demolition and construction - Recommendations), except with the approval of the local planning authority.
- 28 Prior to the first occupation of the development the access arrangements, as shown on drawing no.265-PL08, shall be fully implemented and be retained as such in perpetuity.
- 29 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of any class of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 30 There shall be no increase in the areas comprising the domestic garden area, the ornamental pond, the kitchen garden, pedestrian walkways vehicle access and hardstandings beyond the areas defined as such on drawing number 265-PL-05 revA without prior consent from the Local Planning Authority.

and subject to the completion, within 4 months, of an agreement under S106 of the Town and Country Planning Act 1990 in respect of the transfer of land at no cost for inclusion within Home Mead Local Nature, site clearance, erection of boundary fencing and a financial contribution amounting to a total of £33,180 for ongoing maintenance over first ten years following the transfer of the land.

Report Item No: 4

APPLICATION No:	EPF/3031/15
SITE ADDRESS:	41 Alderton Hill Loughton Essex IG10 3JD
PARISH:	Loughton
WARD:	Loughton Alderton Loughton St Marys
DESCRIPTION OF PROPOSAL:	Two storey front, side and rear extensions including construction of 1 rear dormer windows. Single storey rear extensions. Increase in the ridge height of the existing house to facilitate the creation of second floor level and rooms in the roof space. Conversion of integral garage into habitable room.
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=580953

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.
- 4 No development, including works of demolition or site clearance, shall take place until details of the retained landscaping (trees / hedges) and their methods of protection (in accordance with BS5837:2012 -Trees in relation to design, demolition and construction –Recommendations) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details unless the Local Planning Authority gives its written consent to any variation.

- 5 The "patio doors" in the first floor of the rear elevation of the two-storey rear extension hereby approved shall be enclosed by balustrades fixed to the exterior of the rear wall that project no more than 10cm from it and are fitted such that at least the lower 1 metre of the doors are enclosed, as shown on drawing no M.2.E Revision C. The balustrades, or replacements of the same specification, shall be permanently retained.
- 6 Access to the flat roof of the single-storey extension hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a seating area, roof garden, terrace, patio or similar amenity area.
- 7 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 8 The development hereby approved shall not be commenced until details of the means of enclosure of the application site forward of the principal elevation of the house have been submitted to and approved by the Local Planning Authority in writing. The site forward of the principal elevation of the site shall thereafter be enclosed in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Report Item No: 5

APPLICATION No:	EPF/3282/15
SITE ADDRESS:	1 Princes Way Buckhurst Hill Essex IG9 5DU
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
DESCRIPTION OF PROPOSAL:	Proposed two storey dwelling house including basement to the side of No. 1 Princes Way, Buckhurst Hill (Revised application)
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=581613

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

4 Materials to be used for the external finishes of the proposed development shall match those of the existing dwelling at 1 Princes Way, unless otherwise agreed in writing by the Local Planning Authority.

5 All material excavated from the below ground works hereby approved shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.

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

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

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

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 08:00 to 18.00 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 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed at the site. The installed cleaning facilities shall be used to clean vehicles wheels immediately before leaving the site.

9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no enlargement of the houses generally permitted by virtue of Class A of Part 1 of Schedule 2 to the Order, other than a single-storey extension with an eaves height of 3 metres, a maximum height of 4 metres above ground level and projecting not more than 4 metres beyond the original rear wall at ground floor, shall be undertaken without the prior written permission of the Local Planning Authority.

10 Prior to the occupation of the development hereby approved, written details of the proposed method of treatment of water within the swimming pool shall be submitted to the Local Planning Authority.

Report Item No: 6

APPLICATION No:	EPF/0108/16
SITE ADDRESS:	29 The Drive Loughton Essex IG10 1HB
PARISH:	Loughton
WARD:	Loughton St Marys
DESCRIPTION OF PROPOSAL:	Single storey rear and front extensions
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=581953

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: 7

APPLICATION No:	EPF/0184/16
SITE ADDRESS:	Braeside School 130 High Road Buckhurst Hill Essex IG9 5SD
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
DESCRIPTION OF PROPOSAL:	Erection of temporary single storey Classroom Building close to rear of main building and close to the north boundary of the site.
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=582095

CONDITIONS

- 1 The development hereby permitted shall be removed from the site together with any associated materials and the land restored on or before 27 June 2017 in accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority. The scheme of work shall be submitted to the Local Planning Authority by 27 October 2016 unless otherwise agreed in writing by the Local Planning Authority.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 5034 DE 00, 5034 DE 01, 5034 DE 02, 5034 DE 03, 5034 DE 04, GE0001 Rev X and TJK400.1
- 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.
- 4 No development, including site clearance, shall take place until a scheme of soft landscaping and a statement of the methods, including a timetable, for its Implementation (linked to the development schedule), have been submitted to the Local Planning Authority and approved in writing. The landscape scheme shall be carried out in accordance with the approved details and the agreed timetable. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand in writing.

- 5 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

- 6 The temporary classroom building hereby approved shall be painted green and maintained that colour so long as it is stationed at Braeside School.

Report Item No: 8

APPLICATION No:	EPF/0257/16
SITE ADDRESS:	72 High Beech Road Loughton Essex IG10 4BL
PARISH:	Loughton
WARD:	Loughton Forest
DESCRIPTION OF PROPOSAL:	Erection of brick boundary wall on Forest View Road.
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=582295

- 1 By reason of its, design, height and materials of construction the proposed boundary wall would appear incongruous in the street scene and overbearing to pedestrians passing by the wall. As a consequence the proposal would be harmful to the character and appearance of the locality, contrary to Local Plan and Alterations policies CP2(iv) and DBE1 which are consistent with the National Planning Policy Framework.

Report Item No: 9

APPLICATION No:	EPF/0258/16
SITE ADDRESS:	Land and Garages accessed to the rear of 82 Alderton Hall Lane and to the rear of 139 Chequers Road Bushfields Loughton Essex IG10 3JR
PARISH:	Loughton
WARD:	Loughton Alderton
DESCRIPTION OF PROPOSAL:	Demolition of existing garages and erection of 2 x 2 bed two storey affordable homes with 5 parking spaces.
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=582296

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: PL01, PL02, PL03 A, PL04 A, PL05, PL06 and 15-044-069
- 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, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size

as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

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

follows]

- 8 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
- 9 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.
- 10 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 11 Prior to first occupation of the development hereby approved, the proposed first floor window openings in the rear elevation serving the bathrooms and landings 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.
- 12 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.
- 13 Prior to the first occupation of the development the vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The parking and turning areas shall be retained in perpetuity for their intended purpose.
- 14 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.

- 15 There shall be no discharge of surface water onto the Highway.
- 16 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 17 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed at the site. The installed cleaning facilities shall be used to clean vehicles wheels immediately before leaving the site.
- 18 The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground) for all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the local planning authority which:
1. provide details on all structures
 2. provide details on the use of tall plant and scaffolding
 3. accommodate the location of the existing London Underground structures
 4. demonstrate access to elevations of the building adjacent to the property boundary with London Underground can be undertaken without recourse to entering London Underground land
 5. demonstrate that there will at no time be any potential security risk to the railway, London Underground property or structures
 6. mitigate the effects of noise and vibration arising from the adjoining operations within the structures
- The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.
- 19 Details of the double glazing and acoustically treated trickle ventilators, or other means of ventilation, shall be submitted to and agreed in writing by the Local Planning Authority and installed before any of the proposed residential development is occupied. All rooms within the development hereby approved shall be provided with sufficient double glazing and acoustically treated trickle ventilators, or other means of ventilation that will provide adequate ventilation with the windows closed, to ensure that the occupiers are provided with reasonable resting/sleeping conditions with reference to British Standard BS8233: 2014 - Guidance on Sound Insulation and Noise Reduction for buildings - Code of practice (or such other standard which may supersede it from time to time).

Report Item No: 10

APPLICATION No:	EPF/0318/16
SITE ADDRESS:	6 Summerfield Road Loughton Essex IG10 4JF
PARISH:	Loughton
WARD:	Loughton Forest
DESCRIPTION OF PROPOSAL:	New dormer window to front elevation, new obscured glazed windows to side elevations and enlarged openings to rear elevation; altered steps to front and driveway doubled in width with altered access to highway.
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=582437

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 dormer shall match those of the existing house, unless otherwise agreed in writing by the Local Planning Authority.
- 3 No development shall take place until details of the landscaping of the site, including retention of trees and other natural features and including the proposed times of proposed planting (linked to the development schedule), have been submitted to and approved in writing by the Local Planning Authority. The approved landscaping shall be carried out in accordance with the approved details and at those times.
- 4 Gates shall not be erected on the vehicular access to the site without the prior written approval of the Local Planning Authority.
- 5 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

- 6 No unbound materials shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 7 There shall be no discharge of surface water onto the Highway.

AREA PLANS SUB-COMMITTEE SOUTH

1 June 2016

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Epping Forest District Council

Agenda Item Number 1



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Application Number:	EPF/0653/16
Site Name:	105 Manor Road & 281 Fencepiece Road, Chigwell, IG7 5PN
Scale of Plot:	1/1250

Report Item No: 1

APPLICATION No:	EPF/0653/16
SITE ADDRESS:	105 Manor Road & 281 Fencepiece Road Chigwell Essex IG7 5PN
PARISH:	Chigwell
WARD:	Grange Hill
APPLICANT:	Chigwell Limited
DESCRIPTION OF PROPOSAL:	Demolition of the existing 2 no. detached dwellings and the redevelopment of the site to provide 11 no. flats within a part 2, part 3 and part 4 storey building with associated basement car/cycle 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=583235

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: 5733 (P) 10, 5733 (P) 11, 5733 (P) 1, 5733 (P) 200, 5733 (P) 2 Rev D, 5733 (P) 3 Rev B, 5733 (P) 100-B Rev B, 5733 (P) 100-00 Rev D, 5733 (P) 100-01 Rev C, 5733 (P) 100-02 Rev C, 5733 (P) 100-03 Rev C, 5733 (P) 100-04, 5733 (P) 201 Rev D, 5733 (P) 202 Rev D, 5733 (P) 203 Rev E, 5733 (P) 204 Rev D, 5733 (P) 205 Rev D, 5733 (P) 206 Rev D, 5733 (P) 201 Rev C VISUAL, 5733 (P) 202 Rev D VISUAL, 5733 (P) 300 Rev A and 5733 (P) 301 Rev B
- 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 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.
- 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 Prior to first occupation of the development hereby approved, the proposed window openings in the south elevation (facing the rear gardens of Fencepiece 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.
- 8 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.
- 9 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank

Holidays unless otherwise agreed in writing by the Local Planning Authority.

- 10 Prior to the occupation of any of the proposed dwellings, the proposed private drive shall be constructed to a minimum width of 5 metres for at least the first 6 metres from the back of carriageway and provided with an appropriate dropped kerb crossing of the footway.
- 11 Prior to first occupation of the development the developer shall implement Keep Clear markings across both approach lanes, these should be 9m back from the stop line and should be made as short as possible in the direction of travel to meet the safety objective (no more than 5m). The Keep Clear markings shall be maintained as such in perpetuity.
- 12 Prior to first occupation of the development the existing vehicular crossover on Manor Road shall be permanently closed off with the footway and kerbing being reinstated to full height.
- 13 Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the carriageway.
- 14 Prior to the first occupation of the development the vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The parking and turning areas shall be retained in perpetuity for their intended purpose.
- 15 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.
- 16 There shall be no discharge of surface water onto the Highway.

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 an application for major commercial and other developments, (e.g. developments of significant scale and/or wide concern) and is recommended for approval (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)

Description of Site:

The application site currently forms two detached, two storey dwellings with rear gardens forming a roughly rectangular site. The houses are located on the west side of Fencepiece Road at the busy crossroads with Manor Road and Hainault Road. The site slopes up to the north and to the west, with Fencepiece Road on quite a significant slope down to the south. This site makes up a corner site at this junction with a petrol station opposite on Manor Road, Sherrell House Care Home on the opposite site of Fencepiece Road and a public green with large detached dwelling (Oranmore) on the Hainault Road corner. A relatively new flatted development 'Silver Hind' is located to the rear of the petrol station and a more established flatted block to the west of this. Adjacent to the site on Manor Road is Manor Court, a four storey flatted development. The site is not within the Green Belt or a Conservation Area.

Description of Proposal:

The application seeks consent for the demolition of the two existing dwellings and replacement with 11 flats, 2 x one bedroom and 9 x two bedroom. The flats will be within a broadly 'L' shaped block part 2 storey, part 3 storey and part 4 storey. The proposal is fairly contemporary with a flat roof, glazing feature and modern finishes. Basement parking for 16 cars (including a stacking system) will be provided with vehicular access from Fencepiece Road. The proposal will follow the slopes in the site with the two storey element closest to No. 279 Fencepiece Road, stepping up to 3 storey and 4 storey closest to Manor Court on Manor Road. A mixture of balconies, private garden areas and communal garden areas will be provided. The proposal has a total depth from Fencepiece Road of 26m and width of 18m. The proposal will have a maximum height of 12.5m for the four storey element and 8.7m for the two storey element.

Relevant History:

Various applications relating to works to the individual dwellings but none relevant.

Policies Applied:

Epping Forest District Local Plan and Alterations

- CP2 – Protecting the Quality of the Rural and Built Environment
- CP3 – New Development
- CP5 – Sustainable Building
- CP6 – Achieving sustainable urban development patterns
- CP7 – Urban Form and Quality
- DBE1 – Design of New Buildings
- DBE2 – Effect on Neighbouring Properties
- DBE3 – Design in Urban Areas
- DBE8 – Private Amenity Space
- ST1 – Location of Development
- ST4 – Road Safety
- ST6 – Vehicle Parking
- H2A – Previously Developed Land
- H4A – Dwelling Mix
- LL10 – Adequacy of provision for landscape retention
- LL11 – Landscaping schemes

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

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

Summary of Representations:

CHIGWELL PARISH COUNCIL: The Council *STRONGLY OBJECTS* to this application because of the over-dominant impact upon existing neighbouring properties. This is a thoroughly inappropriate development and there are severe safety concerns regarding the proposed entry and exit points.

59 Neighbours consulted and a Site Notice erected:

16 MONTPELLIER HOUSE, 120 MANOR ROAD – Strong objection – impede view, cause further congestion, limited parking

267 FENCEPIECE ROAD – Objection – disturbance during build, out of character, concern regarding highway safety

160 LIMES AVENUE – Objection – inadequate parking provision

POSTAL ADDRESS NOT PROVIDED – Objection – overdevelopment, overbearing, too near junction, harm to the streetscene, highway dangers

Issues and Considerations:

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

Suitability of Site

The application site is within the built up area of Chigwell, located on a busy crossroads. The site is located within 1km from Grange Hill Underground Station and from the parade of shops and services located by Grange Hill station. There are frequent bus services passing by the application site. The site is therefore considered to be within a sustainable location.

The proposal is for 11 flats and the supporting text of policy DBE8 suggests private amenity space provision of 25m² per a unit totalling a suggested provision of 275m². The proposal provides 200m² of communal space with two private gardens adding a further 45m² plus private balconies for all but one of the flats. The proposal is inline with the suggested policy limits and provides a generous mix of communal and private amenity areas.

Design

The proposal is for a contemporary in appearance flat roof flatted development. The design includes considerable variety in terms of height (ranging from 2 storey to 4 storey); position of its façade (to both the Manor Road and Fencepiece Road elevations) and use of materials which adds interest but retains the appearance of a coherent and rational design. The design is unified by the careful use of material and glazing areas (particularly to the Manor Road elevation) and indicative robust landscaping on the site boundaries with Manor Road and Fencepiece Road enclosed by a low level wall and railings.

It is adjacent to Manor Court, which is a 1980's 4 storey block with mansard style roof. Although not in keeping with this building, it is not considered appropriate for this building to lead the design of any adjacent buildings. To combat this very different appearance between the two buildings

there is a good level of separation at 4m and the proposal is at approximately a 0.75m lower level than Manor Court which creates a gentler transition between the two differing designs.

The proposal is set back from the site boundaries to allow for a meaningful landscaping scheme, a maximum of 6.4m from Manor Road and 7m from Fencepiece Road (albeit with forward projections). This creates a less dense development and one that respects the character of the surrounding area – with both Montpellier House (opposite) and Sherrell House set behind robust landscaping schemes.

Amenity

In terms of amenity this proposal results in a far larger built form and higher building than the existing two dwellings on the site and therefore it is likely to impact on neighbouring amenity to some extent.

With regards to occupiers of Manor Court there are side facing windows on Manor Court, however these appear to be either for a stairwell or non-habitable room. In any event there is a distance of 4m between the two buildings and it does not appear that the proposal will extend across this window given the shallow depth at this boundary. It is therefore not considered to result in any significant impact on occupiers of Manor Court given the separation, lower height and short depth at this boundary.

The only other neighbour bordering the site is No. 279 Fencepiece Road, a single dwellinghouse, which is at a much lower level due to the slope in the road.

The proposals have been amended since first submission following Officer concerns regarding the amenity of the occupiers of 279 Fencepiece Road and the adjacent properties which are all at a lower level than the application site.

The plans have been altered so that the proposal respects the 45 degree line from the nearest window at No. 279 in plan form, this is important as the ground floor for the proposal is in effect at first floor level when viewed from No. 279 given the levels change. The proposal therefore extends some 3.4m at ground floor and 1.1m at first and second floor beyond the main rear wall of No. 279. Although the proposal will be clearly visible is not considered to have a detrimental impact on outlook given the amendment and the relatively small depth beyond the main rear wall of No. 279.

The proposal is situated to the north of No. 279 and therefore it is not considered that the proposal will result in any significant loss of light to No. 279.

With regards to overlooking and privacy the proposal has again been amended since first submission to delete the south facing balconies which although had obscured glazed screening to 1.7m in height would have resulted in a strong perception of overlooking across the garden of No. 279 and beyond into adjacent gardens due to the ability to step on to the balcony. With the deletion of this element this is considered to have improved the relationship with the neighbouring properties at the lower level. Windows are still located on this south elevation but these are clearly marked as obscured glazed to a height of 1.7m to avoid any actual overlooking. Although there may be some perception of overlooking, given the amendment to the scheme and the distance of 10m to the southern boundary it is considered that any perception is not so detrimental to justify a refusal.

The proposal results in a part four storey block to the north of, and up hill from the single dwelling houses on Fencepiece Road. It is not considered that the proposal results in an excessively overbearing presence to these properties on Fencepiece Road due to the set back of the 4 storey element of 10m from the shared boundary and that it is located to the rear of the gardens of the

properties on Fencepiece Road. Additionally the staggered set back from the boundary will mitigate against the proposal appearing too bulky, as this breaks up the building. It is also proposed to have significant planting scheme at this boundary which will soften the overall appearance.

Highways

Essex County Council Highways have assessed the submitted information and visited the site and is satisfied that the proposal is not contrary to National/Local policies or current safety criteria.

The proximity of the access to the signal controlled junction has been carefully considered and it is concluded that, with the provision of Keep Clear markings, it will not be detrimental to highway safety. The proposal will not generate a significant amount of movements in the peak hours and will not cause any capacity or efficiency issues.

A reduction to the Essex Parking Standards is allowed where there are good links to public transport etc. and this location is well located in those terms. Therefore the parking provision, including the 'stacked spaces' is felt to be acceptable for the development and the location.

Consequently the Highways Officer is satisfied that the impact on the highway at this location will not be detrimental to highway safety, capacity or efficiency.

Landscaping

All the trees on this site were removed prior to the submission of this application.

There is an extensive basement proposed which is over a larger area than the building footprint above. The basement will restrict the ability for significant large scale landscape elements to develop to maturity, and it is considered that the proposed planting of an 'English oak' as shown on the submitted landscape scheme is unrealistic and therefore the submitted landscaping scheme is not currently acceptable. However this can be conditioned to ensure an acceptable scheme which can work within the constraints of the site and Tree and Landscape Officer has no objection subject to a condition requiring hard and soft landscaping.

Other issues

Waste/Bins

The proposal includes areas for the storage of waste and an area for waste collection and the location and size is acceptable.

Land Drainage

The development is of a size where it is necessary to avoid generating additional runoff and the opportunity of new development should be taken to improve existing surface water runoff – therefore a suitable condition relating to flood risk is requested by the Land Drainage team.

Conclusion:

The proposal will provide 14 flats in a sustainable location, it is considered to be well designed, not to have an impact on highway safety and provides sufficient parking provision. The proposal will have some impact on neighbouring amenity to the properties to the south of the site, however on balance it is not considered so significant to justify a refusal and therefore approval given the above is recommended.

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

**Planning Application Case Officer: Marie-Claire Tovey
Direct Line Telephone Number: 01992 564414**

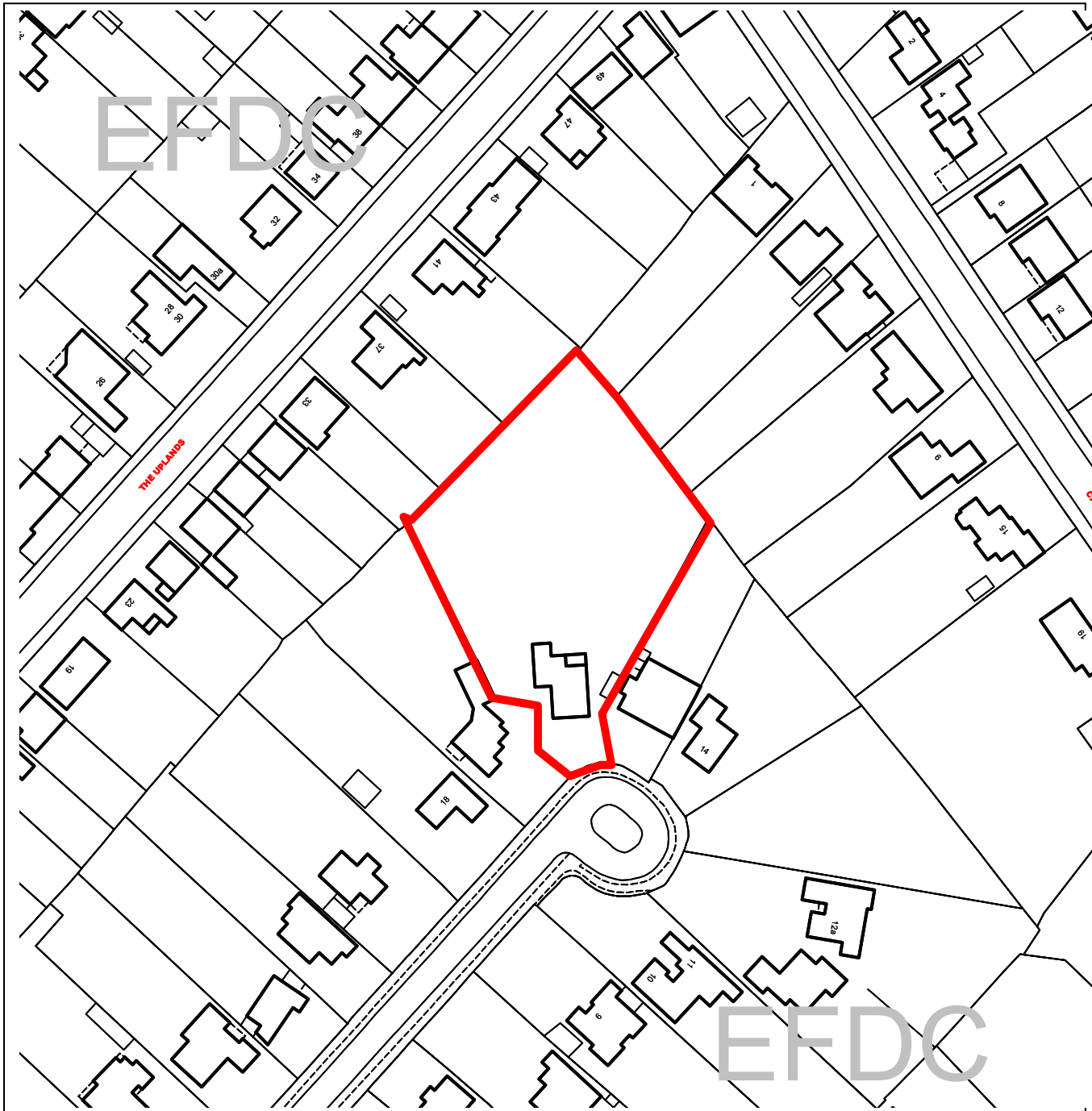
or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

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Epping Forest District Council

Agenda Item Number 2



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Application Number:	EPF/3155/15
Site Name:	16 Eleven Acre Rise, Loughton, IG10 1AN
Scale of Plot:	1/1250

Report Item No: 2

APPLICATION No:	EPF/3155/15
SITE ADDRESS:	16 Eleven Acre Rise Loughton Essex IG10 1AN
PARISH:	Loughton
WARD:	Loughton St Marys
APPLICANT:	Mr Declan O'Driscoll
DESCRIPTION OF PROPOSAL:	Demolition of existing dwelling and erection of two dwelling houses.
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=581313

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 and location plans
250-EX-01
250-EX-02
250-EX-03
250-PL-02
250-PL-03 revision A
250-PL-04 revision A
250-PL-05 revision A
250-PL-06
250-PL-07 revision A
250-PL-08 revision A
250-PL-09 revision A
250-PL-10
Design and Access Statement

- 3 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no extensions or enlargements to the roofs of the houses generally permitted by virtue of Classes A and B of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no window or other opening other than shown on the approved plans shall be created on any flank wall without the prior written permission of the Local Planning Authority.
- 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 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.
- 8 No development shall take place until a schedule of landscape maintenance for a minimum period of five years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. The landscape maintenance plan shall be carried out in accordance with the approved schedule.
- 9 No development shall take place until details of the proposed surface materials for the parking areas for the houses and common vehicular driveway have been submitted to and approved in writing by the Local Planning Authority. The agreed surfacing shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to

a permeable or porous area or surface within the curtilage of the property. The agreed surface treatment shall be completed prior to the first occupation of the development or within 1 year of the substantial completion of the development hereby approved, whichever occurs first.

10 Gates shall not be erected on the vehicular access to the site without the prior written approval of the Local Planning Authority.

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

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

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

12 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.

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 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.

15 The refuse storage facility shown on the approved plans shall be completed prior to the first occupation of the development and shall thereafter be retained free of obstruction and used for the storage of refuse and recycling only and for no other purpose, unless otherwise agreed in writing by the Local Planning Authority.

- 16 There shall be no discharge of surface water onto the Highway.
- 17 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed at the site. The installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.

This application is before this Committee for the following reasons:

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).)

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

Description of Site:

The application site is that of a detached house and its curtilage. The house is at the end of a cul-de-sac. The house and its neighbours are arranged around a circular vehicular turning area at the end of the cul-de-sac with side boundaries of properties radiating out rather than houses being in line. The site has a relatively narrow frontage but a maximum width of some 60m.

The houses are numbered consecutively with no. 17 to the left hand side when viewed from the footway and no. 15 to the right hand side. There are very significant changes in ground levels to the surrounding land. 17 Eleven Acre Rise is approximately a storey lower than the ground level of the application property and in turn 15 Eleven Acre Rise is almost a storey higher than the ground floor level of the application site. The ground falls in level to the rear of the site

There is a significant amount of shrubs and trees around the boundaries of the site. There are trees protected by individual Tree Preservation Orders within the site and a group Tree Preservation Order to trees along the side boundary with 17 Eleven Acre Rise.

The site is within a built up, residential area of Loughton off Traps Hill. The site adjoins the rear boundaries of properties of The Uplands, to the northwest, and of Carroll Hill, to the northeast. The application property is not Listed and is not in a Conservation Area.

Description of Proposal:

Demolition of existing dwelling and erection of two dwelling houses.

The proposal involves sub-dividing the site into two plots. The two plots would share a communal driveway, with planting to both sides, at the site frontage and extending back to the individual front curtilages of each proposed house. These front curtilages would be predominately for generous parking in front of each house but some areas in front of the houses would be available for planting to give the impression of two front gardens. The parking area in front of both houses would be of permeable paving.

The proposed detached houses would be splayed away from each other, following the pattern of the layout of houses at this end of the cul-de-sac although the houses would be set deeper into their plots than neighbouring properties; the front elevations of the proposed houses would be roughly level with the rear elevations of built form on adjoining plots.

The house to the left hand side of the site when viewed from the road, house A, nearer no. 17 would have three storeys of accommodation plus accommodation within its roof. House A would have five bedrooms.

House B would also have three storeys of accommodation plus accommodation within its roof and also have five bedrooms.

House A would be set 2.7m from the side boundary with no.17 where a corner of the proposed house would be the closest part of the footprint to the side boundary with an existing neighbour. House A would have the main part of its front elevation set some 30m from the frontage of the site. The footprint of house A would have a footprint 14m wide by a maximum depth from a front bay of 12m. At the rear of the house would be a patio at an elevated level due to it being level with the ground floor of the house and ground levels falling to the rear of the site. The patio would be 15m wide by 4m deep.

House A would have an open plan kitchen and dining area at the rear of the house, a utility room off the kitchen, two rooms for living areas and a study on the ground floor. On the first floor would be two bedrooms, both with en-suite facilities, and a games room. On the second floor would be two more bedrooms with en-suite facilities. On the third floor, within the roof, would be the main bedroom with access to a rear balcony, a spacious en-suite bathroom and, off the bathroom at a split level, a spacious dressing room.

House A would appear as a house with a side hip roof and a front bay with a gable end. On the side of house A nearest the boundary with no. 17 the height to the eaves would be 7.7m. The front of the house would appear at split levels with the entrance doors at a higher ground level and as such the height to the eaves at this part of the house would be 6.7m. House A would have a maximum height of 9.8m from ground level to the ridge of the front bay.

House B would have a flank wall running parallel with the boundary with no. 15. House B would be set 2.2m from this boundary. House B would be set a minimum of some 21m from the frontage of the site. The footprint of house B would be 13m wide by a maximum depth from a central front bay of 13m. At the rear of the house would be a patio set some 2.5m lower than the ground level of no. 15. The patio would be terraced into the existing slope of natural ground levels. The patio would be 13m wide by 3.5m deep.

House B would have an open plan kitchen, dining area and living room at the rear of the house, a utility room off the kitchen, and a sitting room and a TV/play room. On the first floor would be three bedrooms, all with shower-rooms and dressing areas en-suite. On the second floor would be another bedroom with a shower-room and dressing area and the main bedroom with en-suite bathroom and dressing area.

House B would appear as a house with an almost symmetrical front elevation of central front bay with gable end and side hips to the main roof. The central front bay would have two vertically proportioned windows directly above the entrance door. The windows would have the same dimensions as the entrance door. The remainder of the façade of the front bay would have a rendered finish and three horizontal bands of header brickwork. The height to the eaves would be 6.7m and the maximum height of the roof, to the ridge of the central front bay, would be 10.5m. The front of house B would be set at a ground level 2.5m lower than that of no. 15.

Relevant History:

- EPF/0871/94 Demolish existing house, erection of 3 det. Dwellings – Refused – Appeal dismissed.
- EPF/1299/97 Single storey extensions to front, side and rear – Approved
- EPF/2065/02 Demolish existing house & garage, erect new house, garage & shed – Approved
- EPF/1484/12 Demolish existing house & garage, replacement det. Dwelling & garage – Approved
- EPF/2758/14 Demolition of existing house, replacement house with 3 no. 6 bedroom houses. New front wall and gates – Refused and dismissed at appeal 30/09/2015
- EPF/0399/15 Demolition of existing house to be replaced by 2 no. 6 bedroom houses. Removal of dead TPO tree. New wall and gates (Revised plans showing revised house design, amended forms) (Previous application EPF/2758/14) – Refused 05/06/2015

Policies Applied:

CP2	Protecting the Quality of the Rural and Built Environment
CP3	New Development
CP7	Urban Form and Quality
H2A	Previously Developed Land
DBE1	Design of New Buildings
DBE 2	Effect on Neighbouring Properties
DBE6	Car Parking in New Development
DBE9	Loss of Amenity
LL10	Adequacy of Provision for Landscaping Retention
LL11	Landscaping Schemes
ST4	Road Safety
ST6	Vehicle Parking

NPPF

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 43
Site notice posted: No, not required
Responses received:

3 ELEVEN ACRE RISE – overbearing; placing in the road would create the appearance of a road within a road which Eleven Acre Rise would not be able to accommodate easily in terms of extra traffic and visual amenity; repetitive blocky design of the houses represent those of flats; the builder may convert the buildings; would look very unattractive and totally out keeping.

11 ELEVEN ACRE RISE – insufficient parking; prominent and intrusive; overlooking; visually overcrowded; not in keeping.

12 ELEVEN ACRE RISE – the site offers inadequate space for anything other than one dwelling; will give the impression of an overloaded, overbearing, unsightly image, which is not in keeping with any other property in the road; far too close to the perimeters of neighbouring properties, intruding onto their privacy; back land development not in keeping with existing building line; an ugly intrusion onto surrounding neighbours; inadequate parking; poor water pressure.

12a ELEVEN ACRE RISE – back-land development; inconsistent with building line; devastating impact to appearance; loss of privacy; cramped; overdevelopment; would set a precedent; site only suitable for one unit.

14 ELEVEN ACRE RISE – overdevelopment; widely varying levels and close proximity of neighbours has not been adequately taken into account; out of keeping; negative impact to living conditions of neighbours; overlooking; noise and disturbance; entrance too narrow; negative effect upon character; loss of mature trees; enormous vertical massing of houses; two houses are unsuitable; cramped.

16 ELEVEN ACRE RISE – out of keeping; overlooking; loss of light; would create a parking problem; flank wall would be a monstrosity belonging on an industrial estate.

18 ELEVEN ACRE RISE – over development; not in keeping with the street scene; would look like large apartment blocks; roof designs are out of keeping with the character of the street; negatively impacts the outlook, private amenity and privacy of neighbours who will all be affected by a dominant four-storey brickwork mass; balcony would cause loss of privacy; back land development.

18A ELEVEN ACRE RISE – this application has reduced the footprint of the proposed houses compared to previous applications but has increased the scale and mass of each house; a planning inspectorate decision of 1995 has created a clear precedent against the development of multiple houses on the site; the flank walls would be enormous and this would be emphasised by the houses being set well back into the plot and so totally block all views, and significantly overlook rear gardens; the appearance of the houses is akin to two large blocks of flats and totally out of keeping with the street scene; represents garden grabbing back land development contrary to government guidelines in the NPPF and policies in the local plan; overdevelopment; out of keeping with the surrounding houses and character of the street; overlooking and loss of privacy: As a result of the levels of the land, and position of the proposed houses, there will likely be significant overlooking of neighbouring properties; views from neighbouring rear gardens will be significantly negatively impacted by extremely large and dominant flank walls built hard up against boundaries; dominant and imposing nature of flank wall to house A; loss of daylight and sunlight; breaches rear building line of neighbouring properties; out of keeping and out of character; vehicular access arrangement has no precedent in this locality and would be out of character with the streetscene; narrow frontage would look cramped and be unsafe; parking unworkable; loss of landscaping.

19 ELEVEN ACRE RISE – ‘garden grabbing’ with loss of green spaces; adjoining properties will have to endure towering flank walls and subsequent loss of light; design of both properties is unattractive, resembling University student accommodation; out of keeping with the street scene; rear building line not consistent with adjoining houses; extreme case of overdevelopment of the site; similar proposals were refused at appeal; basements could flood as there are natural springs in the area.

22 ELEVEN ACRE RISE – overshadowing; inadequate parking; would overload drainage; flooding would result.

17 GOLDINGS RISE – the two projects would sit well within the large development plot therefore offering good quality family accommodation within Loughton.

29 THE UPLANDS – would equate to an increase in extra 2/3 storeys due to ground levels; loss of privacy due to the proposed set back into the plots compounded by the top floor balcony which could be a source of amplified noise and light due to its height.

31 THE UPLANDS – loss of established tree line at the bottom of our garden; proposed houses would be too close.

33 THE UPLANDS – too large and overbearing; house A would appear to be higher than the existing house; balcony would look directly down into our garden and rear bedrooms; would set a precedent for house building in gardens in the area.

37 THE UPLANDS – inadequate vehicular access; garden grabbing; out of context; insufficient parking; setting back of houses into plot would make them seem to be too close to neighbours and create overlooking; the earth movement involved would cause problems with water run-off; would tower above neighbours.

41 THE UPLANDS – out of keeping; overlooking; an eyesore; loss of light; would create a parking problem.

LOUGHTON RESIDENTS ASSOCIATION (PLANS GROUP): Objection

Overdevelopment; out of keeping with streetscene; would look like large apartment blocks; adverse impact to outlook, private amenity and privacy of neighbouring residents.

LOUGHTON TOWN COUNCIL: Objection

The Committee reiterated its comments previously made for amended application EPF/0399/15 which were:

The Committee OBJECTED to this application, which it considered was garden grabbing, an overdevelopment of the site, and a backland development contrary to National Planning Policies. There was concern there would be substantial loss of privacy and overlooking of neighbouring properties in Eleven Acre Rise owing to the gradients on the site, and was deemed contrary to Policy DBE 9 of Epping Forest District Council's adopted Local Plan & Alterations.

Relatively little private amenity space would be allocated to the proposed two new dwellings, which was considered contrary to Policy DBE 8 of Epping Forest District Council's adopted Local Plan & Alterations.

The Committee was concerned by the parking provision proposed, which could exacerbate onstreet parking problems. This would only add to the daily congestion in the road used for parking by shoppers, workers and visitors to the nearby GP practice, library and leisure centre.

Moreover, members considered the proposed design did not blend in, nor the orientation of the dwellings that were out of keeping with the streetscene. The Committee was concerned about the high flank wall that was extremely overbearing and would cause loss of light to the neighbours. Members commented that they considered the shape and gradients of the plot were unsuitable for two dwellings.

Main Issues and Considerations:

The main issues in this case are the impacts to the living conditions of neighbouring occupiers, particularly at 15 and 17 Eleven Acre Rise, and to the character and appearance of the area. Both houses would provide a very high standard of accommodation to future occupiers. In principle the proposal is encouraged by Policy H2A which deals with residential uses on previously developed land.

Character and Appearance

Eleven Acre Rise is characterised by large, detached dwellings, many of which have been either replaced or extended in recent years. Whilst there is no uniformity to their design, generally properties are of traditional design with hipped and dual pitched roofs. The design of the proposed

dwellings would differ from this usual pattern of design, by introducing two properties on a plot currently occupied by only one. The layout pushes the dwellings deeper into the plot than neighbouring properties.

This arrangement would mark a change from the existing pattern of development in the locality but this change is considered to be visually acceptable. Neighbouring houses have a variety of appearances and the further variety that the proposed setting out represents is considered such that it would produce a visually acceptable development. From any point along the frontage of the site it would be possible to see a gap between the built forms of the two proposed houses.

The arrangement for the frontage of the site, with a communal drive with landscaping to both sides, is considered a marked improvement from the wrought iron gated boundary previously proposed. An Inspector commented that the layout of the end of the cul-de-sac had a relaxed and informal character which contributed positively to local distinctiveness. It is considered that the driveway between planted areas would be in keeping with such a character. Furthermore, the landscaping at the front of the site would materially soften the appearance of this part of Eleven Acre Rise.

Neighbouring Amenity

House A would be at least 2.7m off the boundary with 17 Eleven Acre Rise though set further back into the plot. As ground falls to the rear of the application site the position of house A would be at a ground level the same as the ground level of the rear garden of no. 17. However, the rear windows on the main rear elevation of no. 17 face northwest whereas house A would be set away to the north. No. 17 has a single storey bay that runs at an oblique angle from the line of the main rear elevation of the house at no. 17. This bay has a side wall hard on the boundary with the application site. The rear end of this bay faces north by northwest. There are two small windows on the rear elevation of this bay. The side elevation of house A would extend back some 7m from these windows and then house A would be single storey for another 3m. The flank wall of house A would have a rendered finish. Given that no. 17 and house A would splay away from each other in relation to main flank walls, the impact of house A to the residential amenity of the occupiers of no. 17 is considered acceptable in terms of light and outlook.

When in the rear garden of no. 17 the three storeys plus crown roof of house A would appear imposing. With regard to the rear elevation of house A, amended plans have been received which have resulted in an appearance to the rear elevation that is considered acceptable.

The rear balcony of house A would be three storeys up on the rear elevation but the rear garden would retain a depth of more than 25m. Properties on The Uplands have rear gardens of at least 20m in depth and it is considered that the rear balcony would not produce a degree of overlooking of neighbouring properties that could reasonably justify refusal.

House B would have its rear elevation parallel with the rear elevation of no. 15 and be set some 10m further back. However, house B would be on much lower ground, by some 2.5m, such that from the ground level of the curtilage of no. 15 house B would have a relative height of some 4m to the eaves of a roof sloping up and away from the side boundary. 5.5m of depth of built form 6.5m in height would be 2m from the side boundary but the remainder of the form of house B would be lower or set further away from the side boundary. The application drawings show, on drawing no. 250-PL-06, that only a single storey element of house B would just clip a line drawn at 45 degrees from the face of the nearest window. The window would be at a higher level than the eaves running down the side of the single storey element of house B.

No material adverse impact is envisaged to the occupiers of no. 15.

Trees and Landscaping

The Council's Tree and Landscape Officer has been consulted on the planning application and has no objection subject to the imposition of conditions to planning permission.

Highways and Parking

Both houses would have parking provision that would meet the relevant standard. Essex County Council Highways has been consulted on the planning application and has no objection subject to condition.

Conclusion:

The proposal complies with relevant planning policy and it is recommended that planning permission be granted

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

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

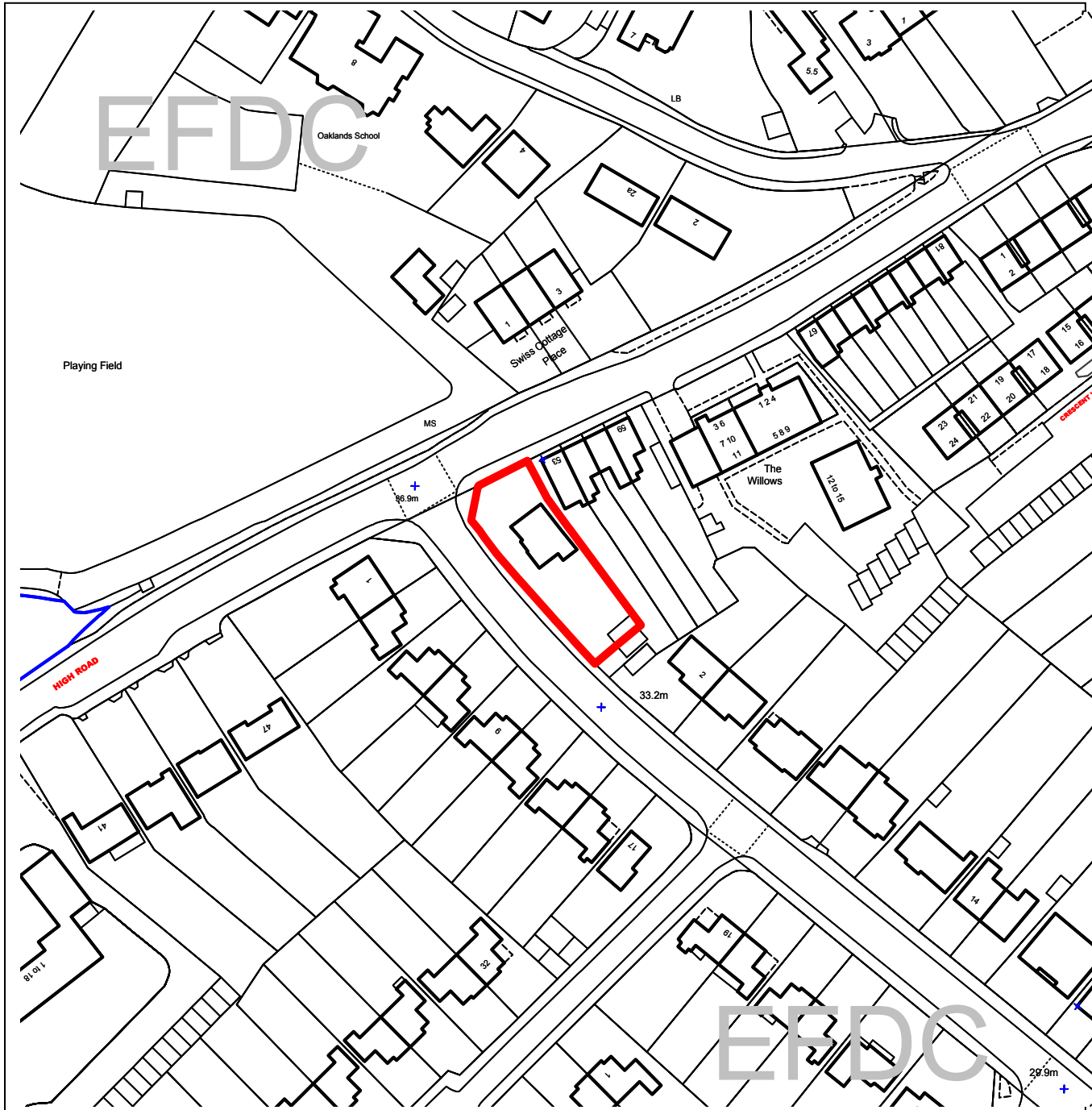
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Epping Forest District Council

Agenda Item Number 3



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Application Number:	EPF/0439/16
Site Name:	51 High Road, Loughton, IG10 4JE
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/0439/16
SITE ADDRESS:	51 High Road Loughton Essex IG10 4JE
PARISH:	Loughton
WARD:	Loughton Forest
APPLICANT:	Spring Grove Ltd
DESCRIPTION OF PROPOSAL:	Two-storey rear extension and rearward extension of roof. Conversion to two 2-bed and one 1-bed flats.
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=582716

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 location plan, drawing FMY_001
FMY_800
FMY_100
FMY_200
Design and Access Statement
- 3 Prior to first occupation of either the first floor flat or the second floor flat, the proposed window openings in the eastern flank elevation above ground floor shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 4 Materials to be used for the external finishes of the flats shall match those of the existing house, unless otherwise agreed in writing by the Local Planning Authority.
- 5 Prior to first occupation of the development, the access, vehicle parking and turning area as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The access, parking and turning area shall be retained in perpetuity for their intended purpose.

- 6 Prior to first occupation of the development, the existing redundant dropped kerbs shall be fully reinstated to full height kerbing and footway.
- 7 Prior to first occupation of the development, the Developer shall be responsible for the provision and implementation - per dwelling - of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator.
- 8 There shall be no discharge of surface water onto the highway.
- 9 No development shall take place until details of surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 10 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.
- 11 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 12 The development hereby approved shall not be commenced until details of the means to control noise and vibration transmission between the proposed flats have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

This application is before this Committee since the recommendation is for approval and more than two expressions of objection have been made (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A. (f))

Description of Site:

The site is that of a house and its curtilage on the corner of High Road with Spring Grove. The house on the site has five bedrooms and has two storeys and loft accommodation, of two of the bedrooms, with gable end and dormer windows.

The site is a maximum of 44m in length, north/south, by some 15m wide at a mid point along the site.

The site is within part of the built up area of Loughton. The property is not Listed and is not in a Conservation Area.

Ground levels of surrounding land rise from south to north. There is a gentle slope to the surrounding land falling from west to east. The site itself rises in level from south to north although the ground at the northern end of the site is lower than that of the adjoining footway of High Road; the ground to the northernmost end of the site is effectively terraced into a slope.

Description of Proposal:

Two-storey rear extension and rearward extension of roof. Conversion to two 2-bed and one 1-bed flats.

The front elevation, which faces High Road, would remain as existing with the existing front door acting as the entrance door to a communal lobby. On the ground floor would be a two-bedroom flat accessed from the lobby. Stairs from the lobby would lead to a common landing giving access to a two-bedroom flat on the first floor. From the landing the stairs would continue up to a one-bedroom flat within the roof space.

The built form of the existing house would be extended to the rear, to the southern elevation, by a maximum of 1.5m. The sloping roof on the rear of the house would be replaced with a roof form to the rear resembling a Mansard roof arrangement. Two dormer windows would face south. A new dormer and roof light would face west, towards Spring Grove. Two roof lights, to a toilet and to a shower-room, would be inserted on the eastern roof slope.

Three car parking spaces set side by side would access onto Spring Grove. A bin and bike store outbuilding would, in the original submitted plans, be set behind the three parking spaces. An amended plan has been produced by the agent for the bin and bike store that is discussed below.

Relevant History:

EF\2015\ENQ\00420 – Pre-application advice for demolition of existing house and construction of eight residential flats.

EPF/1973/15 - Demolition of existing house and construction of eight residential flats with associated car parking spaces, amenity space and refuse collection area. – Refused 02/12/2015 Appeal decision awaited.

Policies Applied:

CP1	Achieving Sustainable Development Objectives
CP2	Quality of Rural and Built Environment
CP3	New Development
CP6	Achieving Sustainable Urban Development Patterns
CP7	Urban Form and Quality
H2A	Previously Developed Land

H4A	Dwelling Mix
DBE3	Design in Urban Areas
DBE6	Car parking in new development
DBE8	Private Amenity Space
DBE9	Loss of Amenity
DBE10	Residential Extensions
DBE11	Sub-Division of Properties
LL11	Landscaping Schemes
LL12	Street Trees
ST1	Location of Development
ST2	Accessibility of development
ST4	Road Safety
ST6	Vehicle Parking

Essex County Council Revised Parking Standards 2009 SPG

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

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 54
 Site notice posted: No, not required
 Responses received

2 SPRING GROVE – insufficient parking, would add to parking stress.
 4 SPRING GROVE – insufficient parking, would add to parking stress.
 53 HIGH ROAD – loss of amenity for neighbouring properties, loss of privacy, loss of on-street parking, inadequate parking, loss of daylight and sunlight, concerned at possible damage from building works, working hours of construction should be specified.

Loughton Town Council: No objection.

Main Issues and Considerations:

The main issues are considered to be the appearance of the building and of the site as a whole; impacts to neighbours; and, future residential amenity of the occupiers of the proposed flats. Parking provision is also considered below.

The application site is in the urban area of Loughton. The proposals would result in the retention of the existing building, albeit in a modified form, which is considered a non-designated heritage asset under paragraph 135 of the NPPF as it is a large, attractive late Victorian/early Edwardian Arts and Crafts style property on a prominent corner plot. A previous application to demolish the building and erect a replacement building to accommodate eight flats was refused and it has been expressed to the developer that a scheme to convert/extend the property would be preferable to a replacement building. The provision of new homes on previously developed land is acceptable in principle, subject to siting, design, access, and impact to neighbouring properties.

Appearance of the building as proposed

The built form of the house would be essentially retained. Due to its roof design the proposed extension to the south east elevation would appear as a somewhat bulky and discordant addition. However, the elevation is not a principal elevation that faces a highway and it is not uncommon for

rear elevations of dwellings to have a somewhat contrasting appearance to the principal elevations. Although the south east elevation would be visible from Spring Grove, it would not front onto it with views of it being at an angle. Furthermore, the degree of contrast in roof form is not so great that it would harm the appearance of the south east elevation. The side elevation of the addition would be seen from Spring Grove, however, its depth would be limited and proportionate to the scale of the building whose design is sufficiently robust to visually accommodate the enlargement.

In conclusion, with regard to appearance, it is considered that the proposal would maintain and conserve the quality of the built environment as required by Policy CP2.

Impacts to neighbours

The rearward extension of the existing built form would be of limited depth. The bin and bicycle store building to be set behind the parking spaces would be single storey, of a height where adjoining the boundary with no.53 of 2.2m. This would only be some 0.4m higher than a standard side boundary fence. The comments of a neighbouring occupier are noted with regard to loss of light but not supported.

Residential amenity to occupiers of flats

With the exception of the kitchen to the second floor flat being above a bedroom of the flat below, the layout of the flats would essentially be the same so that reception rooms and bedrooms would be aligned vertically thereby minimising disturbance. All the flats would be of a good size, indeed both two-bedroom flats would have en-suite facilities to the main bedroom. In common with nearly all flats, the hall way within each flat would rely on borrowed light but the rooms themselves would have good illumination and all the flats would have a convenient lay-out.

In relation to the proposed stacking arrangement of rooms, since the flats would be achieved by way of a conversion rather than a new building, the parts of the Building Regulations dealing with noise transmission within the building do not apply. Consequently, in order to safeguard the living conditions of future residents it is necessary to include a condition on any consent given that secures adequate insulation to prevent the transmission of excessive noise and vibration between the flats.

Highways and Parking

Parking provision on a one-for-one basis is considered to be acceptable in this location. It is noted that the site is not distant from public open space, in the form of the Warren Hill part of Epping Forest, and that the commercial centre of Loughton and Loughton London Underground Station are within a reasonable walking distance.

ECC Highways has raised no objection.

Conclusion:

The proposal represents efficient use of land in a built up locality. The appearance of the proposal is acceptable. It is recommended that planning permission be granted.

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

Planning Application Case Officer: Jonathan Doe

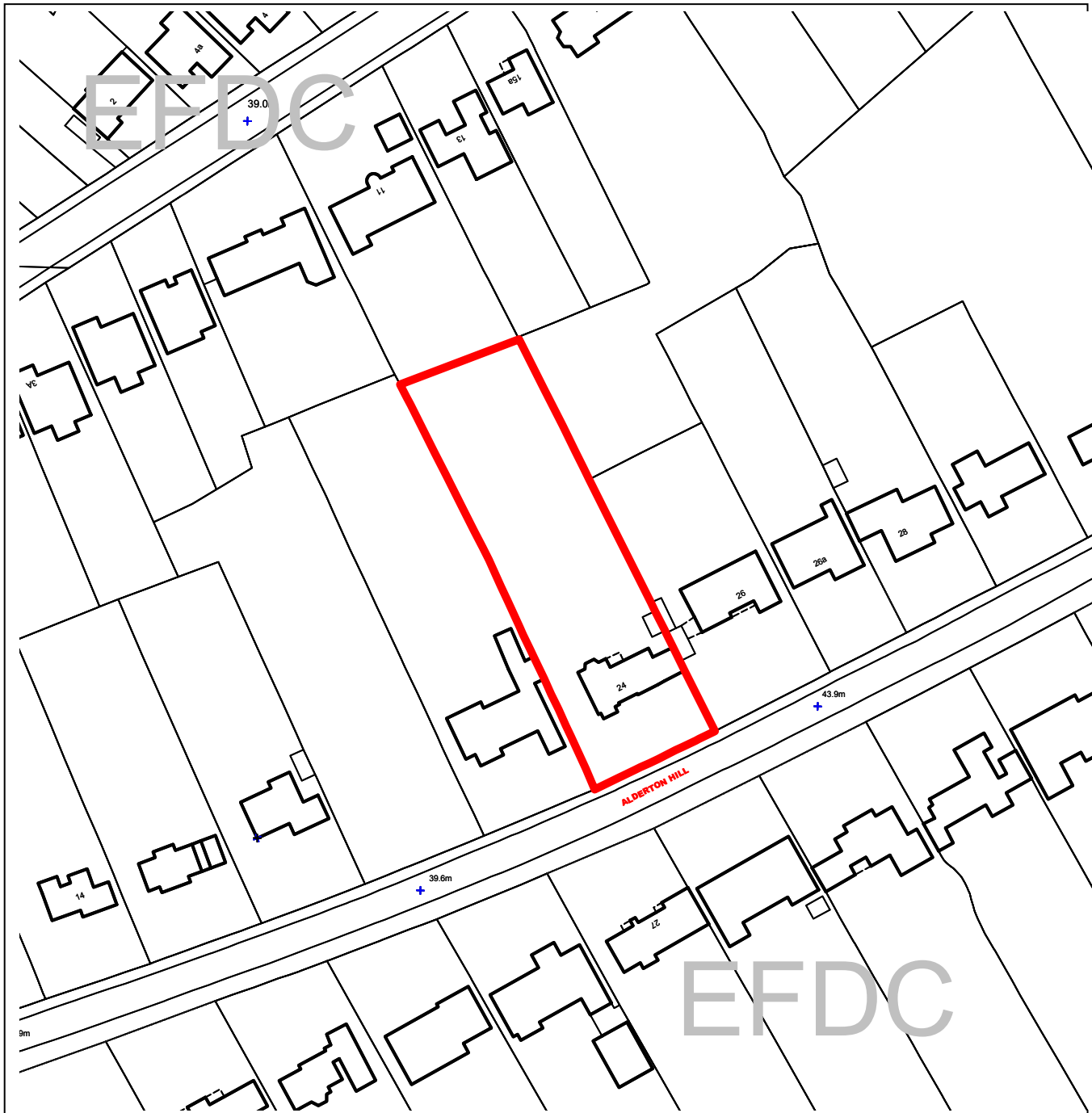
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Epping Forest District Council

Agenda Item Number 4



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Application Number:	EPF/0561/16
Site Name:	24 Alderton Hill, Loughton, IG10 3JB
Scale of Plot:	1/1250

Report Item No: 4

APPLICATION No:	EPF/0561/16
SITE ADDRESS:	24 Alderton Hill Loughton Essex IG10 3JB
PARISH:	Loughton
WARD:	Loughton St Marys
APPLICANT:	Mr Balbir Bagria
DESCRIPTION OF PROPOSAL:	Proposed two storey side extensions, part single and part two storey rear extensions, dormer windows and associated alterations.
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=582996

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Prior to first occupation of the development hereby approved, the proposed window openings in the eastern and western flank elevations above ground level, to the granny flat/studio, bedroom 2, bedroom 3, bedroom 4, bedroom 6 and bedroom 7, shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 3 Materials to be used for the external finishes of the proposed development shall match those of the existing house, unless otherwise agreed in writing by the Local Planning Authority.
- 4 The proposed granny flat/studio as shown on plan 1406/404 shall only be used as ancillary accommodation for the existing dwellinghouse and shall not be occupied as a unit separately from the dwelling known as 24 Alderton Hill, Loughton.
- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no window or other opening other than those shown on the approved plans shall be inserted in a flank elevation of the house above ground floor level without the prior written permission of the

Local Planning Authority.

- 6 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

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

Description of Site:

This is a two-storey detached house. A flat roofed garage has been added to the right hand side of the house when viewed from the front. The garage infills between the house and the eastern side boundary adjacent to no.26.

The application property, in common with other nearby properties, is on a sizeable plot, 27m in width. The house and attached garage has a width of 20.5m, 15m at first floor level. The main ridge of the house runs from side to side and the house has two front gables. Alderton Hill rises with the length of the road from west to east.

Description of Proposal:

This application is for an amended design for a proposal previously presented to Committee that was judged to be excessively bulky in relation to its impact to the occupiers of no. 26, to the east. The essential difference between the current proposal and that previous proposed is that the height and therefore the bulk of built form proposed adjacent to no. 26 has been substantially reduced, from two-storey and side gable to single storey plus gambrel roof.

The built form proposed adjacent to no. 26 was to have been the same height as the main roof ridge, 9.6m. The built form proposed adjacent to no. 26 is now proposed to have a height of 7.7m.

Proposal is to:-

- (a) demolish the side garage and replace this with a two-storey side extension , to be sited 1m from boundary, with a single storey rear extension set behind.
- (b) add a garage to other side of house, 1.1m from boundary, with a "granny flat/studio" above.
- (c) Two-storey rear extension
- (d) Single storey rear extension
- (e) Dormers will be added across the existing and proposed roof.

(a) The two storey side extension would be 5.0m wide by 7.5m deep. Behind this extension would be a single storey rear extension 5.3m wide by 5.2m deep. The two-storey extension and single storey extension would create a footprint at this part of the proposed house of 12.8m depth. The two-storey extension would have an obscure glazed window, to bedroom 4, at first floor level.

(b) To the other side of the house, to the left hand side when viewing the front elevation, would be another two storey extension 5.4m wide, leaving a space from the western side boundary of 1.1m, by 7m deep. This extension would have an integral garage at ground floor and a self-contained flat, accessed from an external door on the rear elevation, at first floor level. The flat above the garage would have a window front and rear and an obscure glazed window on the side elevation.

c) A two-storey rear extension would be 5m deep, along its eastern flank from the existing first floor rear wall, by 5.8m wide. This extension would form bedroom 3 and have a Juliette balcony on its rear elevation. This extension would have a flank wall 6.1m from the eastern boundary and the other flank wall 15m from the western boundary. This two-storey rear extension would have a roof above with a rear gable end and the roof would contain accommodation in the form of a home cinema. The home cinema would have a window in the gable end and two roof lights to both roof slopes. The house would also be enlarged at first floor level by a 1.8m deep by 5.8m wide rearward enlargement of bedroom 2.

d) A single storey rear extension would be 4m deep by 8.4m wide and would be set 7m from the western boundary. This extension would enlarge the lounge and have a bay window, 1.5m deep, set on the rear elevation and two side windows.

(e) Two dormers and a rooflight would be added to the front elevation of the resulting roof form and two dormers would be added to the resulting main roof form of the rear roof slope. Two rooflights would be added to a side roof slope to face the western boundary.

Relevant History:

EPF/1483/06 - Two storey side extensions to both sides, incorporating, indoor swimming pool, front porch and loft conversion with front and rear dormer windows. – Withdrawn 26/10/2006

EPF/3012/14 - Demolish garage and replace with two storey extension, 1m from boundary, with continuation of roof above. Attached garage to other side of house, 1.1m from boundary, with "granny flat/studio" above. Three front dormers. Two storey and single storey rear extensions. Associated alterations. - Part Allowed, with Conditions and Part Dismissed 25/08/2015 (Allowed in relation to a proposed two-storey side extension to the dwelling's west facing flank wall, a single storey rear extension, the installation of two dormer windows in the front roofslope, one dormer window to the rear roof slope and associated alterations. Failed in relation to the proposed two-storey addition to the eastern flank.)

EPF/2983/15 - Demolish garage and replace with two-storey side extension. Attached replacement garage with granny flat above. Front dormers. Ground floor and two-storey rear extension. Accommodation within roof space. – Refused on the basis that the side extension would appear overbearing when seen from 26 Alderton Hill and cause a loss of light to a glazed structure at that property. No objection raised to the other elements of the proposal, including the two-storey rear extensions. 10/02/2016.

Policies Applied:

CP2	Quality of Rural and Built Environment
DBE9	Loss of Amenity
DBE10	Residential Extensions

NPPF

Consultation Carried Out and Summary of Representations Received:

Number of neighbours consulted. 8

Site notice posted: No, not required

Responses received:

22 ALDERTON HILL – object - will block light to my study and bedrooms upstairs, loss of privacy, in dispute with the owners of no. 24 due to their moving of the boundary which can never be rectified once an extension has been built on this land.

26 ALDERTON HILL – object – minimal effort to take account of our consistent objections, incongruous, intrusive and overbearing.

LOUGHTON TOWN COUNCIL: Objection

The Committee OBJECTED to this application on the grounds of the height and bulk of the flank wall that abutted no 26 Alderton Hill.

Main Issues and Considerations:

In the light of an appeal decision for this property, the main issue is the effect of the proposal on the living conditions of neighbouring occupiers, with particular regard to those of at No. 26 Alderton Hill and any resultant loss of light and sunlight thereto.

There is now less bulk of built form proposed next to the eastern boundary; a single storey extension is now proposed to the rear of the house and a ground floor plus gambrel roof is proposed at the front. This element at the front was previously proposed to be ground floor plus first floor plus side gable. The current proposal is therefore understood to be following a way forward suggested by Committee. It should also be borne in mind that an Inspector, in partially dismissing the appeal for the penultimate decided application, opined, at paragraph 8 of the appeal decision (APP/J1535/D/15/3038247) *“I have concluded that the proposed two-storey extension to the eastern flank would, due to its height depth and orientation, be harmful to the living conditions of the neighbouring occupiers and, in the absence of compelling information and detail to suggest otherwise, the proposal would be contrary to LP Policy DBE9 and also relevant advice within the National Planning Policy Framework.”*

Amenity of neighbours – No.26

The rear garden of the application property faces to the northwest. 26 Alderton Hill is to the northeast. No. 26 has a greenhouse, which the occupiers of no. 26 use as a garden room, and a pleasant outside sitting out area to the side to the greenhouse, between the greenhouse and the house at no. 26. Next to this area would be a single storey extension, with a crown type roof with a flat top containing a lantern style roof light. This single storey rear extension would be at least 1m from the boundary, 1m from the greenhouse which is hard on the boundary. The single storey rear extension would be 2.9m in height to the eaves and have a dummy sloping roof with a maximum height of 4m. It is considered that no material loss of light would occur to the occupiers on no. 26.

Amenity of neighbours – No.22

Due to orientation, larger size of no.22 and the proposed modest scale of the proposed granny flat addition, the proposal will not result in a material loss of light or loss of privacy to this occupier. The proposed first floor side window will be obscure glazed.

The application property has a rear garden of some 60m and no materially greater overlooking is envisaged from the rear dormers or gable end windows than from rear first floor windows. Roof lights to side roof slopes would be at high level. All side windows at first floor or the attic storey are either marked on the plans to be obscure glazed, to a shower-room or to a room that also has a

rear facing window. A condition to ensure obscure glazing to all side windows above ground floor level is considered reasonable.

Other matters

The proposed two-storey rear extensions are unchanged from that proposed in the previously refused application since the Council's decision did not raise any objection to that component of the development. There have been no changes on site that could justify the Council taking a different position on the two-storey rear extensions.

The granny-annexe is shown without an internal link to the main house, so a condition to ensure against a small form of accommodation, out of keeping with the local area, is not created is considered reasonable.

Any dispute regarding the position of a boundary is not a planning matter.

Conclusion:

The proposal complies with relevant planning policies and it is recommended that planning permission be granted.

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

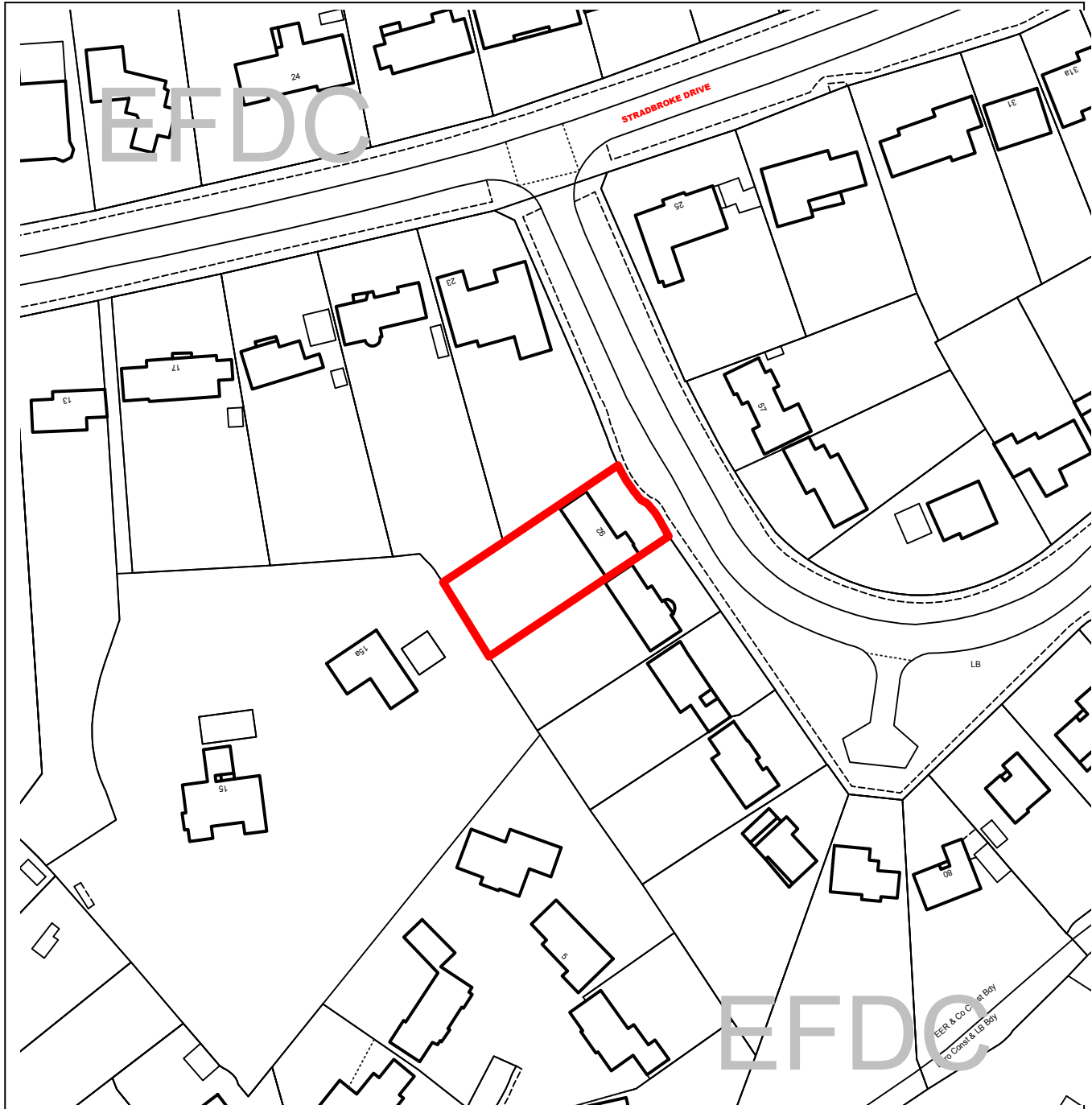
***Planning Application Case Officer: Jonathan Doe
Direct Line Telephone Number: 01992 564103***

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Epping Forest District Council

Agenda Item Number 5



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Application Number:	EPF/1044/15
Site Name:	92 Bracken Drive, Chigwell, IG7 5RD
Scale of Plot:	1/1250

Report Item No: 5

APPLICATION No:	EPF/1044/15
SITE ADDRESS:	92 Bracken Drive Chigwell Essex IG7 5RD
PARISH:	Chigwell
WARD:	Grange Hill
APPLICANT:	Mr Stanley Smith
DESCRIPTION OF PROPOSAL:	First floor side and rear extension. First floor front extension. Ground floor front extension. Replacement roof form with rear dormers, side gables and front gable.
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=575676

CONDITIONS

- 1 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: Scheme of Delegation, Appendix 3)

Description of Site:

This application relates to a two storey detached house located at the northern end of this residential road. It is the last house before its junction with Stradbroke Drive; the end of the rear garden of 23 Stradbroke Drive adjoins to the north. There are protected trees in the rear half of the applicant's rear garden.

This is a wholly residential area characterised mainly by detached houses and chalet type bungalows.

Description of Proposal:

The application is for development at the front and rear of the house consisting of:-

1. At the rear, a first floor rear extension across the back of the house, projecting at a depth of 3.8m; additions to the rear roof in the form of a small centrally located dormer, flanked by two larger matching dormers, one on either side.

2. On the front, part of the first floor to extend forward by 1m to align with the rest of the first floor already in this position and form a larger gable feature over at roof level, with a small flat roof dormer on one side and an “eyebrow” dormer on the other. Also, the side of the house extended by 0.7m closer to the southern boundary towards no.90 Bracken Drive; a replacement hipped ended main roof with a gable ended new roof at the same height and the ground floor extended in width by 1.8m across the middle part of the front of the house with a mono-pitch tiled roof over.

Relevant History:

1975 – Rear extension was granted.

Policies Applied:

CP2	Quality of Rural and Built Environment
DBE9	Loss of Amenity
DBE10	Appearance of Residential Extensions

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

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: Seven - no replies received.

Site notice posted: No, not required.

CHIGWELL PARISH COUNCIL - Strongly object because of the poor design of the structure and it is entirely out of keeping with the existing street scene.

Main Issues and Considerations:

The issues to be considered is the design of the extension and the effect on neighbours.

In design terms, the first floor rear extension relates well to the main house. The dormers above sit symmetrically along the rear roof slope and are set in from the edges of the new roof. They are of similar scale and appearance to those on the adjacent house, 90 Bracken Drive and in keeping with its surroundings.

The front additions have enhanced the appearance of the house in the street scene, with the addition of a well designed central mock-Tudor gable feature and matching design first floor. The parish council objection has been carefully considered, but the two contrasting dormers on each side of the front roof slope have picked out similar features on neighbouring houses in the locality. For example, there are front dormers at nos. 51, 53, 78 (which has the same shaped “eyebrow”) and 84 Bracken Drive (3 front flat roof dormers). Along with contrasting features across these and other neighbouring houses, the proposed front additions add visual interest to what was otherwise a comparatively low character appearance house.

The first floor side and roof extension maintains a reasonable separation gap to no.90’s own previous two storey side extension and it will not look out of keeping with the street scene. The additions and alterations comply with policy DBE10 of the Local Plan.

In regards to amenity impact on the occupants of neighbouring properties, the houses opposite at nos. 55 and 57 will look out onto an extended house of pleasing appearance. Views into the rear of the site are limited because of the presence of trees, which will not be affected by the

extensions as borne out by the submitted tree report. There will be no overlooking or detrimental impact on privacy issues. The nearest house to the immediate south at no.90 projects rearwards at the same position and does not result in loss of light or outlook. The proposal complies with policy DBE9.

Conclusion:

The extensions have been almost completed on site and there are no neighbour objections. Whilst this is mainly a retrospective application, that was submitted as an application almost a year ago but not made valid until recently until a tree report was submitted, the good finished quality and design on site surpasses that shown on the submitted plans, which the parish council objected to. It actually enhances the appearance of this part of the street scene where similar roof additions exist. 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:

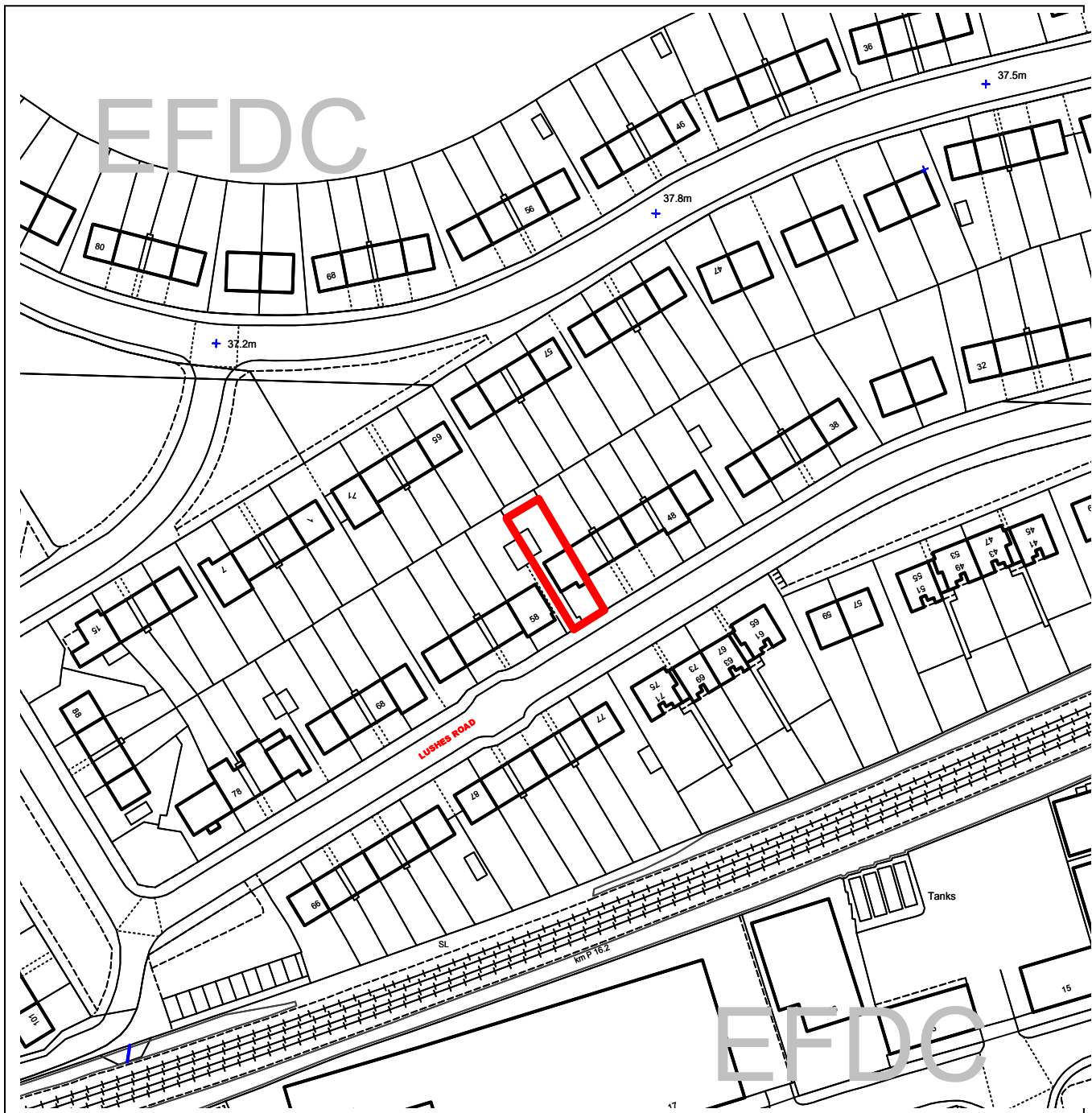
***Planning Application Case Officer: Jonathan Doe
Direct Line Telephone Number: 01992 564103***

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



Epping Forest District Council

Agenda Item Number 6



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Application Number:	EPF/3176/15
Site Name:	56 Lushes Road, Loughton, IG10 3QB
Scale of Plot:	1/1250

Report Item No: 6

APPLICATION No:	EPF/3176/15
SITE ADDRESS:	56 Lushes Road Loughton Essex IG10 3QB
PARISH:	Loughton
WARD:	Loughton Alderton
APPLICANT:	Mr Kris Dimov
DESCRIPTION OF PROPOSAL:	Single storey front, side and rear extensions.
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=581359

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 3 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)

Description of the Site:

Two storey terraced house, on the northern side of Lushes Road in Loughton. It has an existing front porch. Neighbour no.58 has a front extension –similar in size and scale to that being proposed at the application site. Several properties along Lushes Road have similar front extensions and some examples of rear and side extensions. The site and property are not in a

conservation area nor listed.

Description of the Proposal:

Single storey front, side and rear extensions.

Details and Dimensions:

- Single storey front extension:
 - Depth: 1.2m.
 - Width: 5.3m.
 - Height: 3.6m.
 - Roof: Mono-pitched.
 - Set in by: 0.4m from either side wall of the original house.

- Single storey side extension:
 - It would wraparound with the single storey rear element.
 - It would have a door on the side.
 - It is set in by 0.15m from the side boundary.
 - It is set 0.8m rear of the front wall of the original house.
 - The width would be 1.7m.
 - The height would be 4.1m.
 - The roof would be mono-pitched with two roof lights.

- Single storey rear extension:
 - It would wraparound with the single storey side element.
 - The depth would be 4m.
 - The width would be 7.6m.
 - The height would be 3.6m.
 - The roof would be mono-pitched with two roof lights.
 - It is set in by approximately 0.15m from either side boundary.

Site History:

EPF/0516/74: Erection of a porch –approved/conditions 21/08/1974.

Policies Applied

Local Plan Policies:

CP2	Protecting the Quality of the Rural and Built Environment;
DBE9	Loss of Amenity;
DBE10	Residential Extensions;

National Planning Policy Framework (NPPF) 2012;

The NPPF was published on 27 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

Date of site visit: 05/04/2016

Number of neighbours consulted: 9

Site notice posted: No, not required

Responses received: No response received from neighbours.

Loughton Town Council: The Committee OBJECTED to this application, which was considered an overdevelopment of the plot and could potentially create a terracing effect.

Main Issues and Considerations:

The main issues in this case are:

- Design.
- Living Conditions.

Design:

- The proposals as a whole have been design to complement the original house in scale, bulk and use of external materials.
- The set in from the front and side walls of the main house would ensure a subordinate appearance that would retain the integrity of the original building.
- The siting arrangement would ensure a continuity of appearance that would avoid harm to the rhythm of the street scene.
- There are also some examples of similar developments within the immediate vicinity so, the proposals as a whole would not be out of character with the prevailing pattern of development in the surrounding area.

Living Conditions:

- The window proposed on the flank wall of the single storey side extension would be facing the flank wall of adjoining property no.58 Lushes Road. As such; no excessive overlooking would be caused by proposal development.
- In addition, having regard to their complementary design, scale and siting in relation to neighbouring boundaries, the proposals as a whole are not considered to cause any harm to the living conditions of any neighbouring occupiers.

Discussion of Objections from the Parish Council:

- Loughton Town Council objected to this application on the grounds that it would result in overdevelopment of the site and that this could potentially create a terracing effect.
- In response to the above, the application site has a rear garden that measures about 14m in length and 7.9m in width. This is similar to the size of the rear gardens of the other properties on the northern side of Lushes Road.
- The rear element of the proposal would only be 4m in depth and 7.6m in width. It would therefore leave approximately 10m of the rear garden depth/space to be used as a private amenity area. This element is also appropriately set in from both the side boundaries which would reduce a cramped appearance within the site.
- The applicant could also construct a rear extension of 3m in depth without a need to first apply for planning permission as long as it projected from the rear wall of the original house and did not wraparound the side extension. This could be built flush on the boundary to the maximum overall height of 4m from the ground floor level. Given the absence of neighbour

objection to the current proposal it is likely a rear extension of up to 6m could be constructed under the current temporary Permitted Development allowances. Such permitted extensions are a realistic fall-back position for the applicant, should the application be refused. There are also similar extensions within the immediate vicinity as such; if the application was refused and an appeal lodged, the Inspector could grant permission.

- The side element could also be constructed without the need to first apply for planning permission as long as it did not wraparound the rear element. This could also be built flush onto the side boundary to the maximum overall height of 4m. Such Permitted Development is a realistic fall-back position for the applicant should this application be refused.
- The front extension is no deferent in size and scale than the numerous examples of similar developments within the immediate vicinity. Therefore, should the application be refused and appealed by the applicant, it is likely planning permission would be granted by the Inspector.
- The terracing effect as a concern of the Parish Council is normally caused by the two or more storey side extensions that excessively infill the spaces between buildings. This is why the supporting text for Local Plan Policy DBE 10 requires upper floors of extensions to normally be set-in from the plot boundary by a minimum of 1m.

Conclusion

The objections from the Parish Council have been addressed in the body of this report. The design of the proposals as a whole are considered to be complementary to the original house and would not cause significant harm to the character and appearance of the host property, street scene and general locality. The proposals are considered to be in accordance with the aforementioned policies of the adopted local Plan (1998) and Alterations (2006) and guidance in the NPPF (2012). Accordingly, it is recommended that planning permission be granted with 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: Moses Ekole

Direct Line Telephone Number: 01992 56 4109

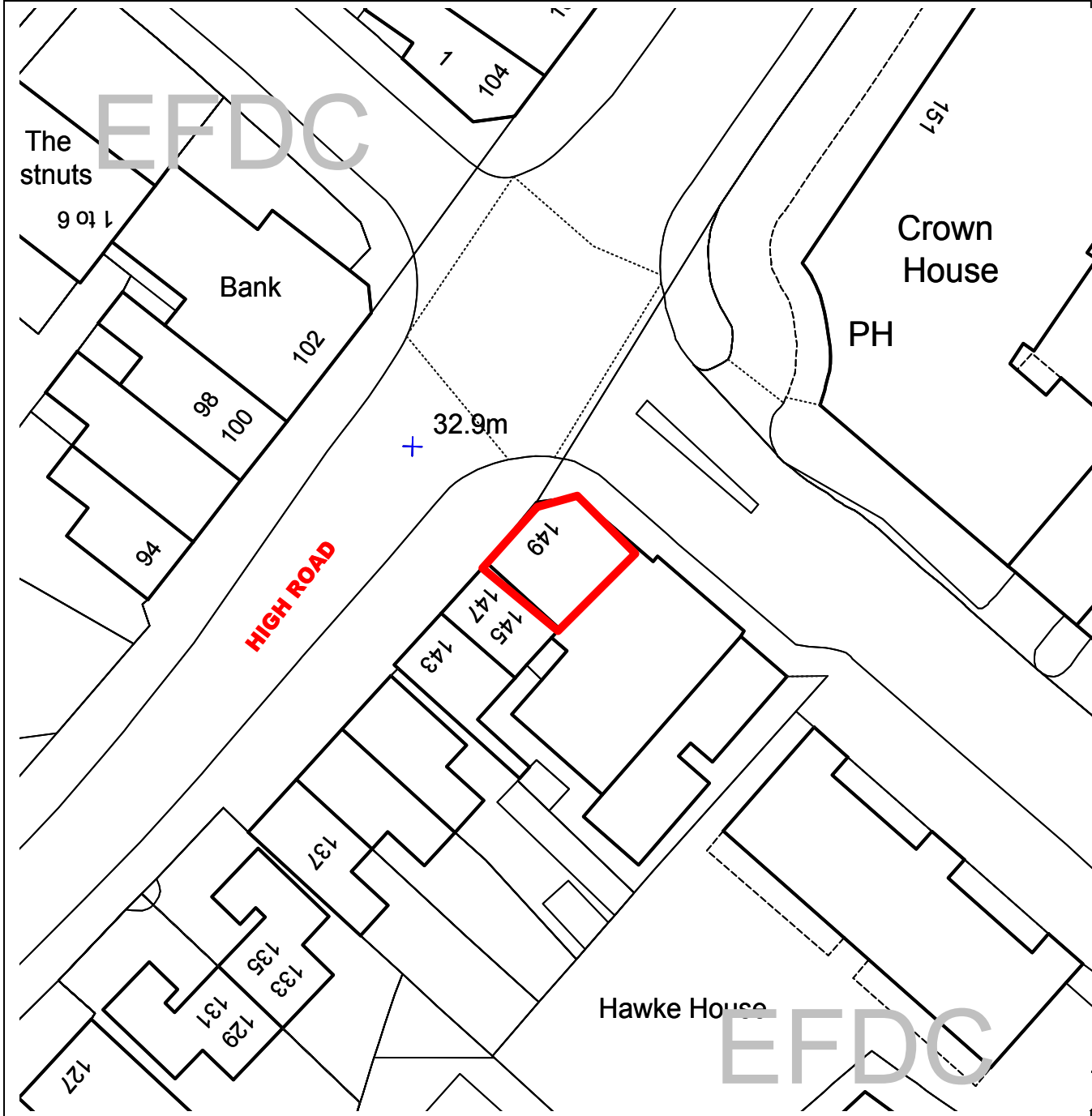
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Epping Forest District Council

Agenda Item Number 7



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Application Number:	EPF/0179/16
Site Name:	149 High Road, Loughton, IG10 4LZ
Scale of Plot:	1/500

Report Item No: 7

APPLICATION No:	EPF/0179/16
SITE ADDRESS:	149 High Road Loughton Essex IG10 4LZ
PARISH:	Loughton
WARD:	Loughton Forest
APPLICANT:	Mr Clive Witley
DESCRIPTION OF PROPOSAL:	New aluminium shopfront installation.
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=582074

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)

Description of Site:

The application relates to a ground floor corner property on the east side of High Road with a return frontage to the south side of Old Station Road. The two storey building is used as an estate agents office.

The site lies at the southern end of the Loughton centre in a small mixed parade that includes a solicitors office immediately adjacent. The building is not listed or locally listed and the site is not within or adjacent to a conservation area.

Description of Proposal:

The application proposes a replacement shopfront. The existing white painted timber shopfront will be replaced by a powder coated aluminium frame front also finished in white. In all other regards, this proposes a like for like replacement, maintaining display windows of the same size and the corner entrance door.

Relevant History:

None

Policies Applied:

CP2 Quality of Rural and Built Environment
TC5 Window displays
DBE12 Shopfronts

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

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: Six
Site notice posted: No, not required
Responses received: No response received from neighbours.

Loughton Town Council: Objection

The Committee objected to the proposed design, which was considered harmful to the character of the street scene and out of keeping with the architectural style of the building and adjoining premises in the block.

Main Issues and Considerations:

The property lies on a prominent corner and alterations will be clearly visible in the street scene. It is however of a uniform appearance where the extent of the shopfront is clearly defined.

The proposal is for a straightforward replacement, the proportions of glazing and solid materials are the same and a matching colour finish. The use of powder coated aluminium to shopfronts is common throughout the town centre and there is no obvious reason to suggest it would be inappropriate in this location.

Conclusion:

The proposal provides in effect a like for like replacement which complies with relevant planning policy and is entirely appropriate in this location. It is therefore recommended that planning permission be granted

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

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

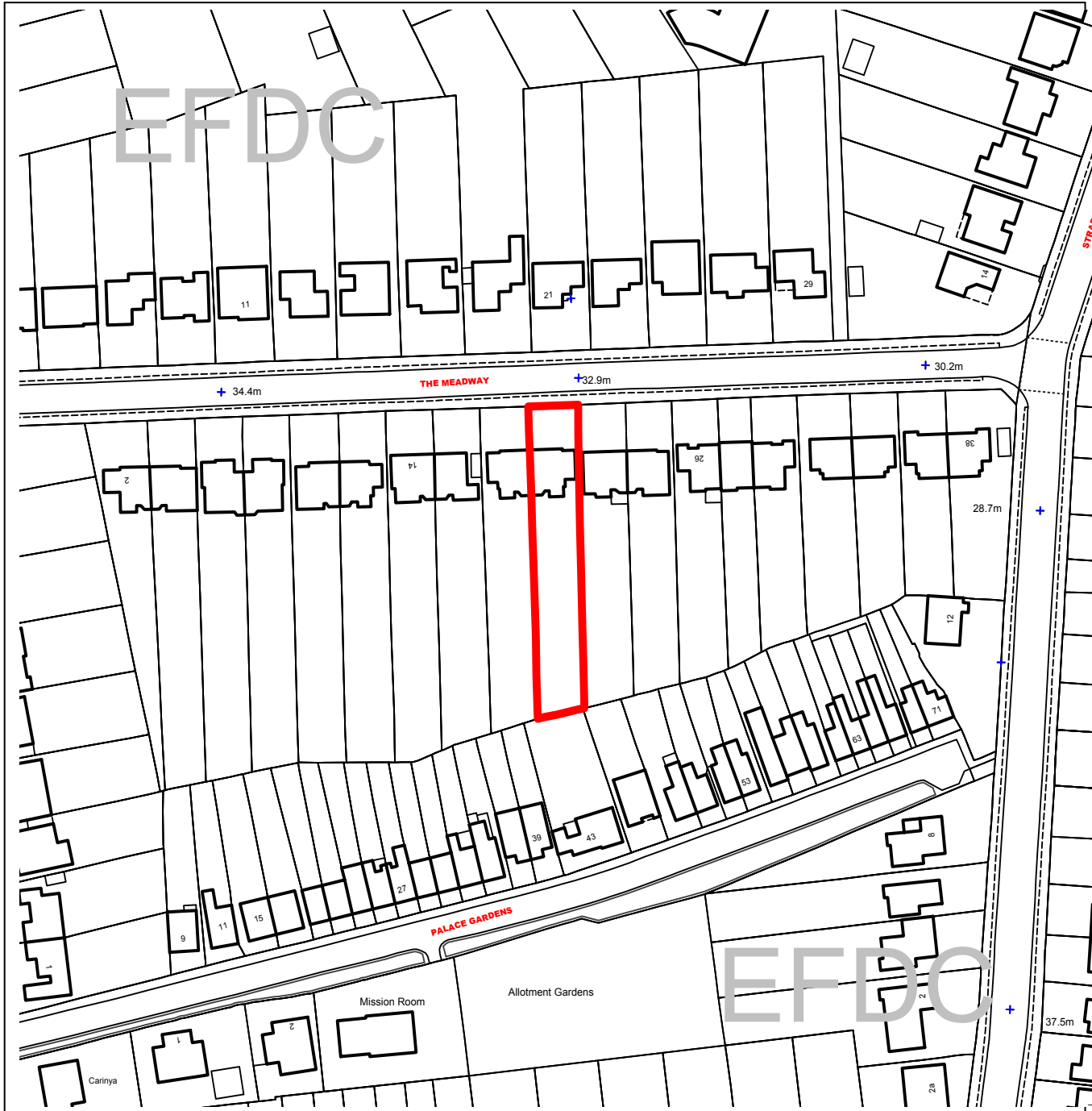
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Epping Forest District Council

Agenda Item Number 8



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Application Number:	EPF/0308/16
Site Name:	20 The Meadway Buckhurst Hill. IG9 5PG
Scale of Plot:	1/1250

Report Item No: 8

APPLICATION No:	EPF/0308/16
SITE ADDRESS:	20 The Meadway Buckhurst Hill Essex IG9 5PG
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
APPLICANT:	Mr Simon Labett
DESCRIPTION OF PROPOSAL:	Two storey side/rear extension. Single storey rear extension with two level raised patio areas.
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=582421

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.
- 4 Prior to the first use of the patio hereby approved, 2m high privacy screens shall be erected on the site boundaries either side of the proposed patio in accordance with the details shown on drawing number L.2.A. Thereafter, privacy screens shall be permanently retained on either side of the patio in accordance with the details shown on drawing L.2.A, 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 Directorate – Delegation of Council function, Schedule 1, Appendix A. (g))

Description of Site:

The application site comprises of a two storey semi-detached house with part single, part two-storey rear projection and flat roofed side garage on the southern side of The Meadway, Buckhurst Hill. Ground levels fall away from the back of the house towards the rear of the back garden area.

No.22 The Meadway has a two storey side and single storey rear extension and raised patio area which was granted planning permission under application reference EPF/0468/11. An original single-storey rear projection to no. 18 is in alignment with the rear projection at the application site. Not in a conservation area and not listed.

Description of Proposal:

Two storey side/rear extension. Single storey rear extension with split level raised patio areas.

- Details and Dimensions:

- Two storey side/rear extensions:

The proposal would align with the existing front elevation and project 3.6m rear of the existing rear projection. It would be set 0.8m from the site boundary with 22 The Meadway, the detached neighbour, and it would be set 3.9m from the boundary with 18 Meadway, the attached neighbour. They would have a hipped roof matching the design and pitch of the existing house.

- Single storey rear extension:

The single storey rear extension would be set between the proposed two-storey rear extension and the site boundary with 18 Meadway. It would project 1.8m and 3.2m high with a flat roof.

- Patio extension:

There is currently an existing patio, external steps with balustrades at rear. That would be replaced by a split level patio descending to the main rear garden level beyond the proposed rear extensions. Two metre high privacy screens would be erected either side of the patio.

Relevant Site History:

EPF/0167/09: Two storey side extension –approved/conditions 24/03/2009.

EPF/0655/09: Amendment to planning approval EPF/0167/09 for a two storey side extension, moving it forward by 8" –approved/conditions27/05/2009.

The above consents were not implemented.

Policies Applied:

CP2	Protecting the quality of the built environment
DBE 9	Loss of amenity
DBE10	Residential Extensions

The National Planning Policy Framework (NPPF) 2012

The (NPPF) was published on 27 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: 6

Site notice posted: No, not required

Responses received: 1 response was received from 18 The Meadway objecting to this application on the following grounds:

1. Part rear extension too high.
2. Loss of light from part rear extension in our rear room.
3. Patio extension would be higher, causing overlooking into my rear garden.

Buckhurst Hill Parish Council: Objection

Concern regarding depth of secondary storey and therefore potential impact on neighbour's amenity.

Main Issues and Considerations:

The main issues in this case are:

- Design.
- Living Conditions.

Design:

The proposal as a whole is of acceptable in terms of scale, bulk, and detailed design. As such, it would complement the appearance of the application house and not dominate it.

The two storey side element would be set 0.8m from the site boundary rather than the full 1m separation at first floor level that is normally required. However, the detached neighbour, no.22 The Meadway, has a two storey side extension that is set the same distance as the proposal from the site boundary. There realistic prospect of any further side additions at upper level being proposed to no. 22 therefore, the proposed two storey side extension to no. 20 would not result in any future terracing effect.

Since the proposal would complement the existing house and not result in a terracing effect it would safeguard the character and appearance of the locality.

Living Conditions:

Neighbour no.22 has a first floor small side window (obscured glassed), and a rear window –all serving habitable rooms. The proposed two storey side element would maintain 0.8m separation distance from the plot boundary, which together with the gap between no.22 and the shared boundary, would ensure sufficient space to allow for light to this neighbours obscured side window. The application site is on a lower ground level and the proposed two storey side/rear extensions would not significantly extent beyond the rear wall of the two storey side extension at no.22. As

such, the proposals would not significantly harm the outlook from, and light to the rear first floor windows of no. 22.

In regards to the impact on neighbour no.18, the proposed two storey rear projection complies with the 45 degree test when measured from the rear patio door of no.18. Having regard to their depth, bulk and siting in relation to this neighbour the proposed development, would not harm the living conditions of the occupiers of no.18 in terms of appearing excessively overbearing or causing any excessive loss of outlook or light.

The potential loss of privacy from overlooking into their rear garden area from the extended two patio levels is also a concern of no.18. Due to significant changes in ground levels, the proposed patio would be split into two levels, which would extend further down the rear garden of the application site. Each patio level would have balustrades and steps at the middle (set away from shared boundaries).

Due to the fall in levels beyond the rear elevation of both 18 and 20 The Meadway there is a potential for some loss of privacy from overlooking into neighbouring rear garden from the proposed patio areas or steps. However, the part of the neighbouring rear gardens which may potentially be overlooked are much further from the rear wall of the houses concerned, areas not considered so sensitive in terms of privacy. The part of their rear garden area or patio, considered most sensitive, would not excessively be overlooked since it is also proposed to erect a 2m high privacy screen on both sides of the patio for its full depth. This would also be secured by a relevant condition. It is considered subject to compliance with the condition to be attached, that, the impact of this element of the proposal in terms of potential future overlooking and loss of privacy would be acceptable.

Conclusion:

The objections from the occupiers of neighbouring property no.18 The Meadway and those from the Parish Council were noted and discussed in the body of this report. However, having taken all material considerations into account, the proposals are considered to be acceptable in terms of their consequence for the appearance of the house, character of the locality and living conditions of neighbours. They are therefore considered to be in compliance with the requirements of Policy CP2 (iv), DBE 9 and DBE10 of the adopted Local Plan (1998) and Alterations (2006) and guidance in the NPPF. Accordingly, it is recommended that planning permission be granted to this application with 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: Moses Ekole

Direct Line Telephone Number: 01992 56 4109

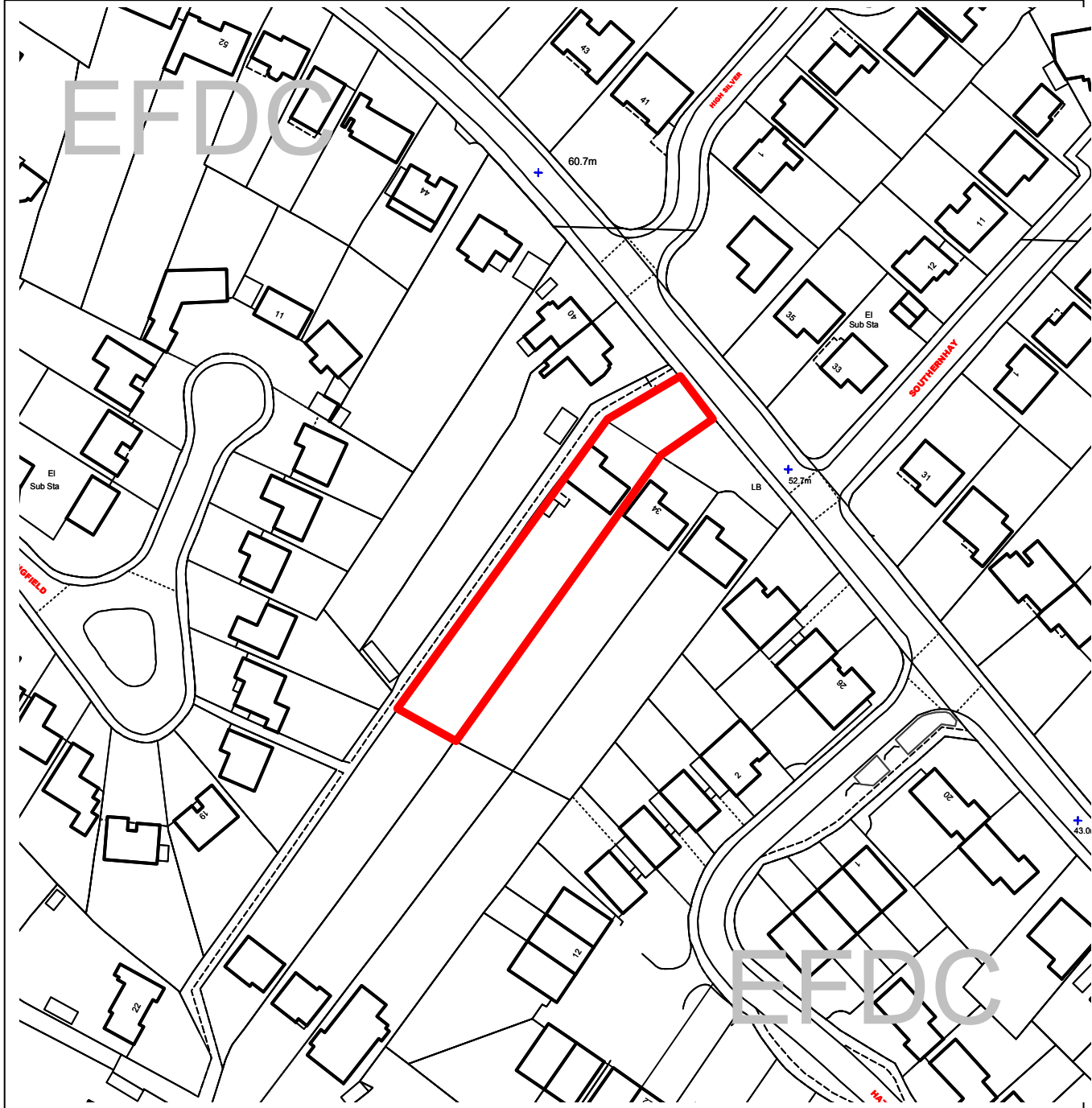
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Agenda Item Number 9



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Application Number:	EPF/0321/16
Site Name:	36 Upper Park, Loughton, IG10 4EQ
Scale of Plot:	1/1250

Report Item No: 9

APPLICATION No:	EPF/0321/16
SITE ADDRESS:	36 Upper Park Loughton Essex IG10 4EQ
PARISH:	Loughton
WARD:	Loughton Forest
APPLICANT:	Mr Robert Anstey
DESCRIPTION OF PROPOSAL:	Construction of a two storey front extension and a loft conversion with two rear dormers. Erection of new gates with brick piers on front boundary, together with fences around front perimeter of the property (revision to EPF/2563/13) ** Revision is ' a reduction in height of the proposed gates **
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=582440

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 Gates installed to the front boundary shall open inwards only and shall not open over the footway, and shall thereafter be permanently retained in that form.

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)

Description of Site:

The application relates to a two storey detached dwelling house on the south west side of the road. The building is set back from the road by over 20 metres and the front falls away steeply from the road such that the dwelling sits considerably lower than the highway. The original house

has been extended by a single storey rear conservatory, but no other works referred to elsewhere in this report have been commenced.

The surrounding area comprises a variety of building styles and form, predominantly detached and semi-detached residential properties, those to the south are set back from the front boundary in a similar fashion to the application site. A pedestrian right of way runs along the northern site boundary beyond which lies a 3 storey building. Land falls steeply to the south.

The house is not listed or locally listed and the site is not within or adjacent to a conservation area.

Description of Proposal:

The current application represents the latest iteration of proposals for extensions to the house. Specifically, the current application seeks approval for a two storey front extension, rooms in the roof with two rear dormers and boundary treatments to the frontage.

The front extension is a modified version of what has been previously approved. The scheme proposes two matching gabled bays with a recessed central section at first floor. The extension projects forward of the existing building by 2.4m on the southern side and 0.8m on the northern side. In addition, at ground floor there are single storey projections to form a bay window on the south side and a garage front on the north (albeit no garage is actually proposed). This represents a reduction in the depth of the front extension from the previously agreed scheme of around 2.5 metres.

The proposed loft conversion will feature two central front roof lights, single roof lights on both flanks and two rear facing dormers with hipped pitched roofs. A small area of flat roof in the centre ensures no increase in ridge height from the previous approval (where the greater depth of the front extension entailed a larger flat roof area).

To the front garden area, the previous application showed an in and out vehicle arrangement but this has been abandoned and the existing access is shown retained. The boundaries will be enclosed, along both flanks 1.8m high timber fencing will be installed linking up with existing boundary treatments. The front boundary treatment, which has been amended since submission, now proposes timber fencing 1m high along much of the boundary with a timber gate to the vehicle access 1.2m high with brick piers 1.3m high.

Relevant History:

- EPF/1943/13 Demolition of existing rear conservatory. Construction of a two-storey front extension and a single-storey rear extension – approved.
- EPF/2563/13 Demolition of existing rear conservatory. Construction of a two-storey front extension and a single-storey rear extension (Revision to previously approved EPF/1943/13 by increasing the depth of the single storey rear extension.) - approved

Policies Applied:

CP2	Quality of Rural and Built Environment
DBE9	Loss of Amenity
DBE10	Residential Extensions
ST4	Road Safety

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

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

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: Nine

Site notice posted: No, not required

Responses received: Objections have been received from the occupiers of 33 Upper Park who are concerned at the proposed fencing to the frontage the objector is concerned at the enclosing of the frontage in a section of the road where frontages are generally open and free from enclosures. The objector refers to a scheme to enclose the boundary at 37 Upper Park that was refused planning permission and is concerned that the works may affect trees on the frontage of the site. The objector has confirmed the amendments do not alter their views.

Loughton Town Council: Objection

The Committee objected to the proposed gates and boundary treatment shown on the original submission (where the gates were 2m high), which would impact on the open aspect of the road and were considered detrimental to the street scene.

The Town Council were reconsulted on the current proposals - Members noted the amended plans but commented that as the reduction in height of the gates and piers was unclear, reiterated their previous comments.

Main Issues and Considerations:

The primary issue in this case relates to the proposals for the enclosure of the frontage, which the Town Council and the local resident have both objected to. It should firstly be noted that most of these works are in fact permitted development. The side fences are under 2 metres high and the majority of the fence along the frontage is 1 metre high. In effect therefore only the gate and piers of these works require planning permission.

While a number of properties in the vicinity do have open frontages, the locality could not be described as a frontage free of boundary treatments. Properties at 32 and 34 have railings along their frontage over 1 metre high, albeit set back from the road frontage behind a greensward. The objector refers to the property at 37 Upper Park which has a stepped wall along its front boundary in places evidently above 1 metre high. The application referred to be the objector proposed railings on top of the wall, was refused in 2012 and is substantially different to the current scheme.

In assessing the merits of the proposal, significant weight is given to the extent of the proposal that could be achieved as permitted development along the whole of the remainder of the boundary. In that context it is difficult to argue the small section of the proposed front boundary treatment that would exceed 1 metre in height together with the short length of side boundary treatment that does require permission are likely to have such a disproportionate impact on the street and surrounding area that refusal would be justified. In terms of safety, due to their low height the proposed fencing and gates at and adjacent to the existing vehicular access would not be harmful.

In all other regards, the works proposed are acceptable. The front extension reflects the form of what has been previously approved, the reduction in overall size will further reduce any limited impact on neighbours. The roof works are of limited scale and the proposed dormers are well designed in the context of the overall appearance of the rear roof profile in general.

Conclusion:

Officers have sympathy with the comments of the Town Council and neighbour that the present open aspect of the site adds to the general street scene and it would be desirable to retain this. However, much of the work objected to is outside the scope of planning control and refusal of the application on this basis will not safeguard that open character and the element of the development that does require planning permission does not in the overall context have any significant additional harmful impact.

The extensions to the building comply with relevant policy and do not have a material impact on the amenities of adjoining occupiers.

The application is therefore recommended for approval, subject to conditions consistent with the previous approvals.

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: Ian Ansell
Direct Line Telephone Number: 01992 564481***

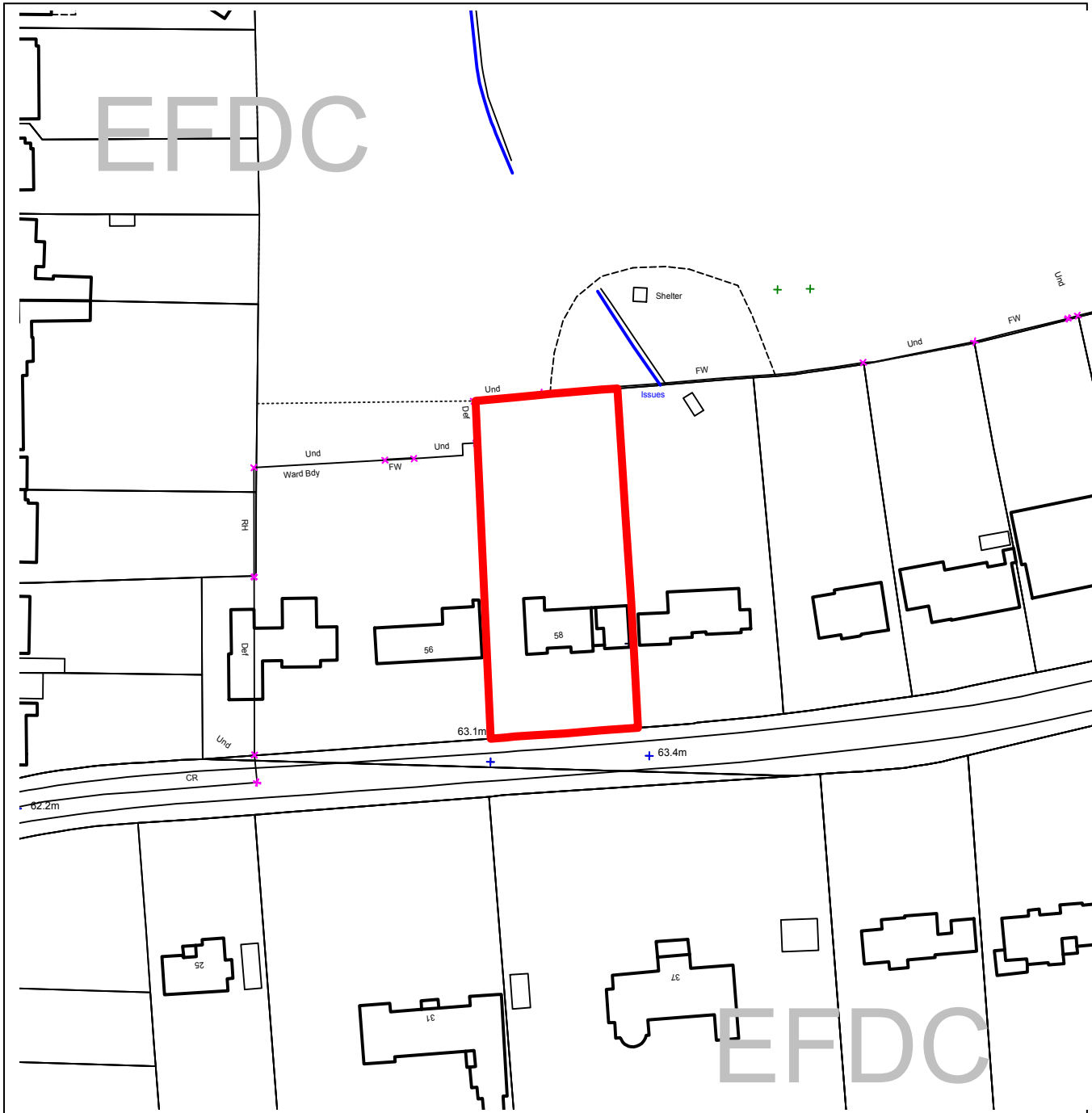
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Epping Forest District Council

Agenda Item Number 10



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Application Number:	EPF/0391/16
Site Name:	58 Manor Road, Chigwell, IG7 5PG
Scale of Plot:	1/1250

Report Item No: 10

APPLICATION No:	EPF/0391/16
SITE ADDRESS:	58 Manor Road Chigwell Essex IG7 5PG
PARISH:	Chigwell
WARD:	Grange Hill
APPLICANT:	Mr S. Govindaraju
DESCRIPTION OF PROPOSAL:	Erection of front boundary wall, installation of solar panels and retention of roof lantern.
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=582594

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 railings and gates hereby permitted shall be painted black, unless an alternative colour is agreed by the Local Planning Authority, and shall thereafter be permanently retained in the agreed form.
- 3 Other than by means of shrub and or tree planting, the front boundary railings hereby permitted shall not be infilled, enclosed by or supplemented by any fence, screen or other means of enclosure without prior consent from the Local Planning Authority through submission of a planning application.

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)

Description of Site:

58 Manor Road is a detached dwelling house on the north side of the road. The property is currently being extended and works are at an advanced stage with the additions substantially complete.

The site lies around 150 metres east of the junction with Forest Lane in an area of similar spacious plots. Chigwell Golf Course abuts the rear boundary.

Description of Proposal:

The application comprises works to the front boundary and to the roof.

The existing front boundary wall, a brick wall of around 1.2m average height will be replaced by railings 1.8m high with brick piers of similar height. Entrance gates to the two existing access points will be 2.2m high at the centre. The railings are indicated as being of an open type.

Earlier extensions to the house have created a central flat section on the main roof. A central roof lantern has been installed which projects above the existing roof by around 900mm, this being predominantly glazed. Four solar panels are proposed along the remainder of the flat roof, these will be laid flat resulting in a minimal projection above the roof.

Relevant History:

EPF/1191/77 Single storey rear extension and summer house approved

EPF/1385/15 Single storey rear extension, two storey side extension, change of roof profile, rear dormer window, front porch and balcony approved.

Policies Applied:

CP2	Quality of Rural and Built Environment
DBE9	Loss of Amenity
DBE10	Residential Extensions

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

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: Five

Site notice posted: No, not required

Responses received: No response received from neighbours.

Chigwell Parish Council: Objection

The Council objects to the height of the boundary wall, but has no objections to the solar panels. The Parish Council was re-consulted when the rooflight was added to the application. It advised that the previously submitted comments remain, however the Committee had no objection to the retention of the roof lantern (skylight).

Main Issues and Considerations:

Comments have been received only in respect of the front boundary treatment. This aspect of the application is consistent with a number of other properties in the area where similar height boundaries have been installed, including a mix of part brick walls with railings above or full height railings as proposed in this case. Many properties have hedges of around 2m height, some grown through railings. The boundary treatment proposed is therefore entirely consistent with local character. A condition can be imposed in order to ensure the railings are not subsequently infilled.

The solar panels on the flat roof will not be visible from ground level while the limited view of the skylight is neither inappropriate in the context of the building nor visually intrusive in the wider context.

Conclusion:

The proposal for the front boundary is consistent with other similar means of enclosure in the vicinity. Overall the proposals comply with relevant planning policy and planning permission should 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: Ian Ansell
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 11



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Application Number:	EPF/0419/16
Site Name:	39 Church Hill, Loughton, IG10 1QP
Scale of Plot:	1/1250

Report Item No: 11

APPLICATION No:	EPF/0419/16
SITE ADDRESS:	39 Church Hill Loughton Essex IG10 1QP
PARISH:	Loughton
WARD:	Loughton St Marys
APPLICANT:	Mr Malcolm Slade
DESCRIPTION OF PROPOSAL:	Additional dropped kerb and new driveway to provide extra off road parking to the front of no. 39 Church Hill.
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=582639

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 There shall be no discharge of surface water onto the Highway.
- 3 No development, including works of demolition or site clearance, shall take place until details of the retained landscaping (trees / hedges) and their methods of protection (in accordance with BS5837:2012 -Trees in relation to design, demolition and construction – Recommendations) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details unless the Local Planning Authority gives its written consent to any variation.

This application is before this Committee since the recommendation 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 the Site:

Two storey detached house, in a locality of similar detached properties in the southern side of Church Hill, in Loughton. There is an existing side garage with a dropped kerb and drive way to the southwest of the application building. Site constraints include significant changes in ground

levels, and a tree under TPO to the front southwest of the building. There are marked car parking spaces on Church Hill, directly to the front of the application building. Several properties in the immediate vicinity have more than one dropped kerb and drive way. The site is not in a conservation area nor listed.

Description of Proposal:

Dropped kerb and driveway to provide extra off road parking to front of property.

Members are advised that the only part of this proposal that requires planning permission is the formation of the vehicular access off the highway. Other works are permitted Development.

Site History:

CHI/0279/53: Proposed garage and run-in –approved 17/12/1953.

Policies Applied:

CP2	Quality of Rural and Built Environment
DBE1	Appearance
DBE9	Loss of Amenity
ST4	Road Safety
ST6	Vehicle Parking

Consultation Carried Out and Summary of Representations Received:

Date of site visit: 15/03/2016

Number of neighbours consulted: 6

Site notice posted: no, not required

Responses received: 1 response was received from the neighbour at no.41 Church Hill objecting to this application on the following grounds:

1. Impact of proposal on existing underpinning to the front of no. 41 Church Hill.
2. Could result in structural damage to no.41 Church Hill.
3. Sketch plans not clear and do not give accurate picture of the impact to no.14.
4. Involves partial removal of front garden, replacement with hard-core and block paving.
5. Removal of soil at the front garden of no.39 would further reduce the ground level relative to the front garden level of no.41.
6. Increased ground instability and risk to no.41.
7. Not much details of expected excavation of front garden have been submitted.
8. Ground levels are steep, paving would require 8 inch gap yet no details of extent of depth have been submitted.
9. Proximity of proposed off road parking to front right –means very high risk of further substance and structural concerns to no.41.

Loughton Town Council: Objection

Objected to this application as originally submitted. Following revision to the proposal, members did not consider that the amended plans had overcome their previous objection, which was: The Committee OBJECTED to this application which was considered detrimental to the street scene and character of the road. Members were also concerned by the loss of the designated parking on the highway.

ECC Highways: Further to the receipt of the amended plans, from a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to a condition that there shall be no discharge of surface water onto the Highway.

Main Issues and Considerations:

The main issues in this case are considered to be covered under three main areas:

- Impact on the character and appearance:
- Living conditions.
- Parking space and highway safety.
- Impact on trees.

Character and appearance:

The character and appearance of the surrounding area is derived in part from a rhythm of existing dropped kerbs along Church Hill, existing crossovers on the front boundaries, driveways with hard-surfacing and block paving to the front of residential properties along Church Hill. The proposed additional dropped kerb onto Church Hill and driveway in this case is considered acceptable in relation to the appearance of the wider street scene.

Living conditions:

The proposal follows the prevailing pattern of development in the surrounding area and it is not expected to result in any harm the residential amenities enjoyed by the occupiers of neighbouring properties, particularly in relation to noise disturbance or visual amenities.

Highway safety and parking:

This proposal under this application was revised since its original submission to address the concerns of the Local Planning Authority and Essex County Council Highway Authority. The revised proposal would now enable a vehicle to enter and exit the site more safely the current existing situation. The additional dropped kerb in question and the new front drive way are of appropriate width and there is a clear visibility splay at the junction of the driveway with the highway to view oncoming traffic and pedestrians passing on the pavement. The revised application was referred to Essex County Council's Highway's officer who has expressed no objection to the proposal subject to a suggested condition.

In regards to the loss of the designated parking on the highway, there is a designated parking area to the front of the application site, on the southern side of Church Hill, which can provide up to about 8 parking spaces for normal cars. The proposal would result in the loss of one designated parking car parking space but achieve off-street parking provision for two cars therefore the proposal has the potential to relieve some demand for use of the designated on street spaces. In addition, there is further opportunity for on-street parking within the immediate vicinity along this street beyond the designated parking area in front of the application site.

Impact on trees:

The case officer's site visit has revealed the presence of a substantial tree with TPO, located no more than 6m from the closest point of the proposed development as shown on the submitted plan. The activities during the development process are likely to damage the tree. No information has been submitted to demonstrate that its retention is possible or the tree would not be damaged

should the development be permitted. The Trees and Landscaping Team was consulted on this application. Whilst no objection has been raised in principal, further information would be required in relation to this adjacent tree. Having regard to the relationship of the tree to the proposal, the circumstances of this proposal are such that it is appropriate to deal with this matter by condition.

Discussion of objections received:

The neighbour at no.41 Church Hill has raised objections to this application mainly on the grounds that the proposed development would severely impact on the underpinning works which were carried out several years ago to the front of this neighbouring property and the application site. These, together with other issues objected upon have been listed under the relevant section of this report. It should be made clear here that the consequence for building works previously carried out on neighbouring land is not a material planning consideration. Moreover, given the nature of the works required for the formation of a vehicular crossover it is difficult to understand how underpinning works at neighbouring land could be affected. Members are advised that the formation of the hard surface for a parking area at the application site is Permitted Development.

The objections received from Loughton Town Council have generally been addressed in the body of this report.

Conclusion:

The proposal is considered acceptable as it would be in keeping with the prevailing pattern of development. Subject to compliance with the conditions to be attached and subsequent approval of details to be submitted in future, the proposal could comply with the aforementioned policies of the Adopted Local Plan. Accordingly, it is recommended that planning permission be granted to this application with 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: Moses Ekole
Direct Line Telephone Number: 01992 56 4109***

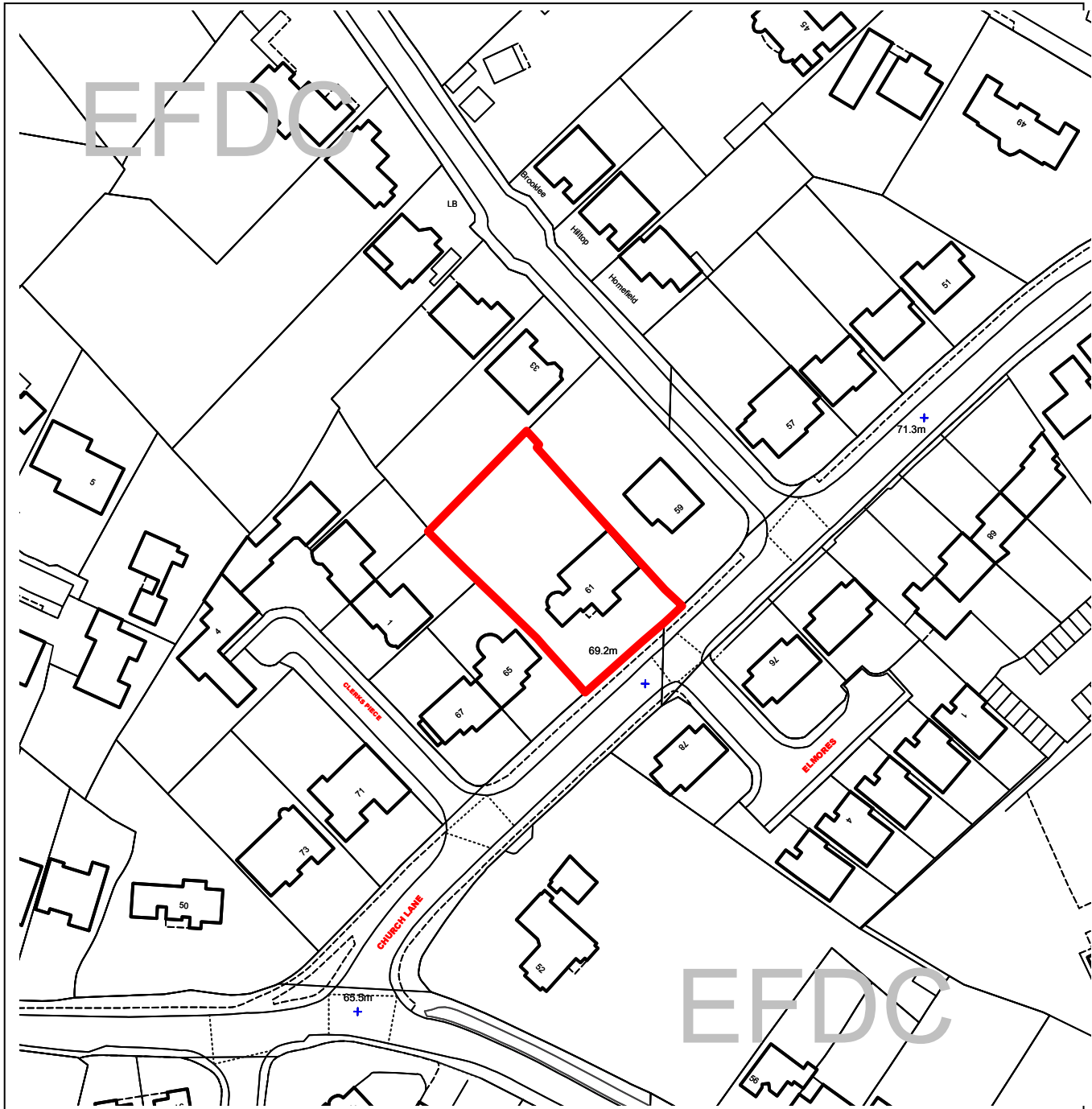
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Agenda Item Number 12



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Application Number:	EPF/0598/16
Site Name:	61 Church Lane, Loughton, IG10 1NP
Scale of Plot:	1/1250

Report Item No: 12

APPLICATION No:	EPF/0598/16
SITE ADDRESS:	61 Church Lane Loughton Essex IG10 1NP
PARISH:	Loughton
WARD:	Loughton St Marys
APPLICANT:	Mr & Mrs Adrian
DESCRIPTION OF PROPOSAL:	Retrospective application for an outbuilding in the rear garden to form a gymnasium and play room
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=583095

CONDITIONS

- 1 The outbuilding hereby approved shall only be used for domestic purposes incidental to the use of the house at no. 61 Church Lane as a dwellinghouse.

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)

Description of Site:

The application site contains a large two storey detached house which has previously been extended. The site is bounded at all shared boundaries by approximately 2m high timber fence and vegetation. There is an existing large outbuilding on site which is now the subject of this planning application. Rear neighbouring property also has an outbuilding but smaller in size and scale than that present at the application site. The site is not in a conservation area and the building is not listed.

Description of Proposal:

Retrospective application for existing single storey rear outbuilding.

Details and Dimensions:

- The existing outbuilding is sited along the common boundary with adjoining neighbour no.59 Church Lane and it is set in by 1m from this shared boundary.
- The outbuilding is also set in by 1.3m from the rear boundary.

- Width: 6m
- Depth: 20.6m.
- Height to the flat roof: 2.5 from natural ground floor level.
- Height to roof lantern: 3.2m from natural ground level.
- Use: Gym, Play Room and Swimming Pool.

Relevant History:

EPF/1500/12: First floor side extension and retention of balustrade across existing ground floor roof –Approved/Con 03/10/2012.

EPF/1652/12: New front brickwork wall with iron railings and gates –Approved/Conditions 23/10/2012.

EPF/1891/12: New rear dormer window –Approved/Conditions03/12/2012.

EPF/0448/87: Two storey and single storey side extensions; single storey rear extensions and new dormer windows –Refused 22/05/1987 but allowed at an appeal on 10/02/1988.

EPF/0779/88: Single storey side and rear extension –Approved/Con 01/07/1988.

Policies Applied:

- CP2: Protecting the Quality of the Rural and Built Environment.
- DBE9: Loss of Amenity.
- DBE10: Residential Extensions.

The National Planning Policy Framework (NPPF) 2012;

The (NPPF) was published on 27 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: 5
 Site notice posted: No, not required

Responses received: 1 response was received from neighbour at no.1 Clerks Piece objecting to this retrospective application of the following grounds:

1. Not in keeping with the character of the neighbourhood.
2. It is an ugly concrete structure.
3. Lead to removal of previously greenfield land.
4. Too height with roof lantern.
5. Can be seen from neighbouring windows.
6. Loss of privacy from overlooking into our bed room.
7. Too large in size and blighted the views from our property.
8. Next to an oak tree.
9. Not comply with both building and planning regulations.

Loughton Town Council: Objection:

The Committee deplored this retrospective application and OBJECTED to the erection of a large outbuilding, which was considered an overdevelopment of the garden and detrimental to the neighbouring properties.

Main Issues and Considerations:

The main issues for consideration in this case are:

- Design.
- Living Conditions.

Design:

- The rear garden area of the application property measures in the region of 517.5m² and the existing outbuilding takes up 123.6m² of the garden. Although relatively large, it is set away from all shared boundaries and its size is well related to the size of the application site.
- The outbuilding has been rendered in yellow cream colour which is similar in appearance to that of the existing house.
- The house at the application site is a very large detached house with rooms in the roof space. As such the outbuilding does not appear disproportionately large in relation to the existing house or.
- The existing outbuilding is situated entirely to the rear of the house at the site and therefore is not visible from any public vantage point or area. Consequently, it does not have any impact on the street scene.
- For all above reasons, Officers find the outbuilding does not cause harm to the character and appearance of the application site or general locality.

Living Conditions:

The height of the existing outbuilding, up to the flat roof, is largely concealed from view from no.59 Church Lane by existing fencing. The only visible part is the roof lantern, which projects 0.7m above the existing fencing. The outbuilding is situated within 2m of the boundary, as such; an overall maximum height of 2.5m would normally be required if it was to benefit from permitted development rights. The visible height of 0.7m above fencing in this case is not considered to appear overbearing or cause any harmful loss of outlook. It certainly does not cause any loss of light or privacy to neighbouring properties.

Other Considerations:

Members are advised the existing outbuilding is only 0.7m higher than a Permitted development outbuilding could be: 2.5m. That height could be achieved by removing roof light lantern.

Conclusion:

The objections from the Parish Council and from neighbouring property have generally been addressed in the body of this report. The proposal does not cause any excessive harm and consequently is considered to be acceptable. It is therefore considered to be compliant with the aforementioned policies of the adopted Local Plan (1998) and Alterations (2006) and guidance in

the NPPF (2012). Accordingly, it is recommended that planning permission be granted to this retrospective application with 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: Moses Ekole

Direct Line Telephone Number: 01992 56 4109

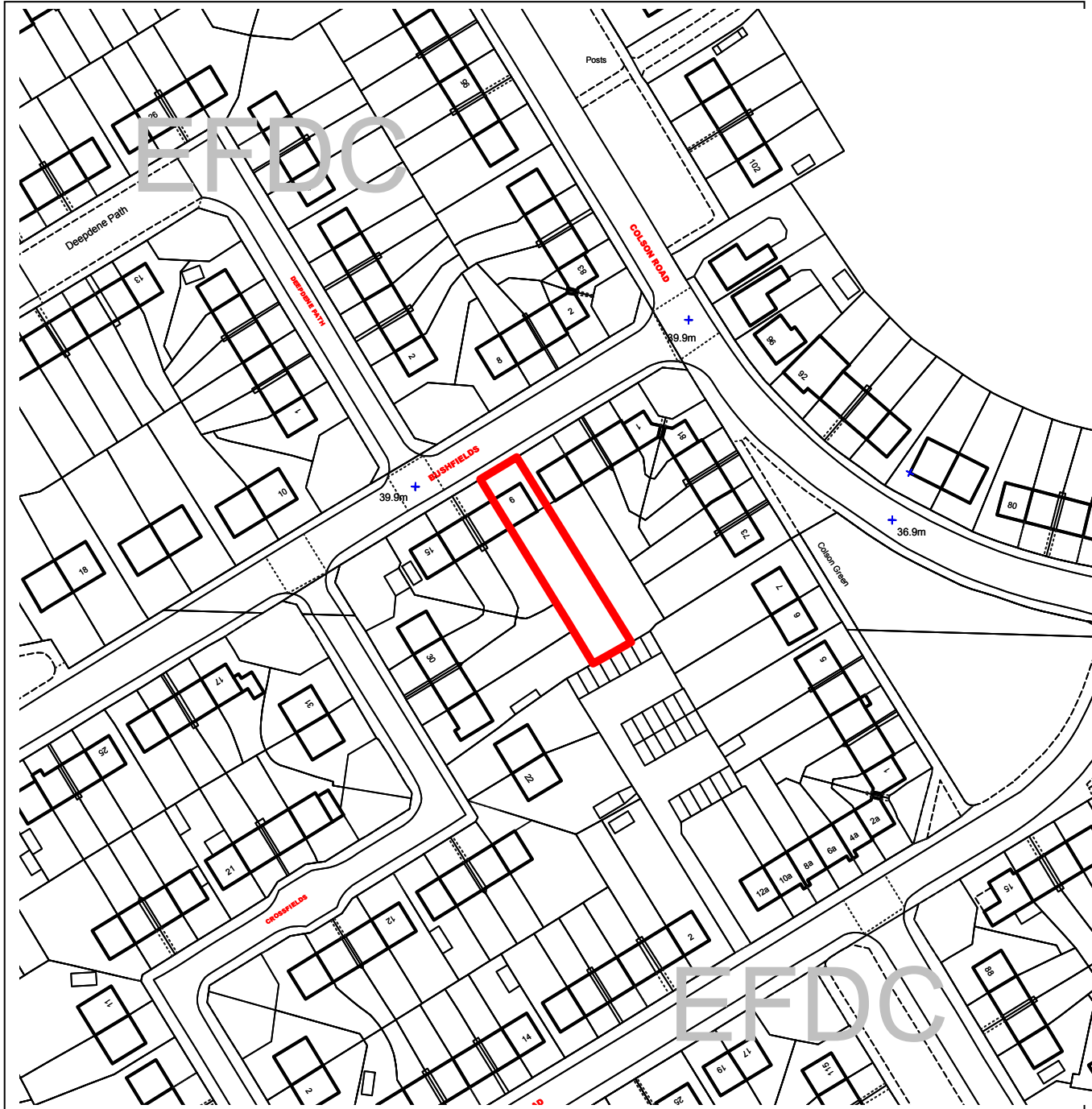
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Agenda Item Number 13



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Application Number:	EPF/0737/16
Site Name:	9 Bushfields, Loughton, IG10 3JT
Scale of Plot:	1/1250

Report Item No: 13

APPLICATION No:	EPF/0737/16
SITE ADDRESS:	9 Bushfields Loughton Essex IG10 3JT
PARISH:	Loughton
WARD:	Loughton Alderton
APPLICANT:	Mr Kulbir Singh
DESCRIPTION OF PROPOSAL:	First floor rear and single storey side 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=583421

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)

Description of Site:

This application relates to a two storey end-terrace property on the south side of the road. This single dwelling house is previously extended with a ground rear extension. An outbuilding in the rear garden adjacent to no 7 extends some distance into the rear garden. It is used for domestic storage. There is a gentle but noticeable slope on the site, falling front to rear.

Property lies at the end of a terrace of four properties. A similar terrace of four adjoins to the east and the two end terrace houses, nos. 7 and 9, have individual side access capable of taking a vehicle, each being just over 2m wide. This is a wholly residential area characterised by properties being semi-detached or in short terraces

Description of Proposal:

The application proposes a single storey side extension and a first floor rear extension. The side extension, which is at ground floor only, would be 2.2m wide, infilling the sideway up to the boundary with no.7. It aligns with the front main wall of the existing dwelling and projects rearwards to align with the rear wall of the existing rear extension. A monopitch roof is provided to the front but otherwise the roof is flat.

At the rear a bathroom extension is proposed over part of the existing rear extension. Its eastern flank would align with the side wall of the original house, being constructed on the eastern flank wall of the existing ground floor extension. This projects 3 metres, the full depth of the ground floor extension. The first floor addition would be set off the boundary with the attached neighbour, no. 11, by 3 metres. A hipped pitched roof is provided to this element aligning at eaves level.

Relevant History:

EPF/1749/78 Rear extension and garage. Approved

EPF/2213/15 Two storey side and first floor rear extension. Refused on grounds of terracing from the side extension and the impact on neighbouring occupiers from scale, mass and bulk.

Policies Applied:

CP2	Quality of Rural and Built Environment
DBE9	Loss of Amenity
DBE10	Residential Extensions

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

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: Six

Site notice posted: No, not required

Responses received: The adjoining occupier at no 7 Bushfields has objected to the application on the following grounds:

- Overshadowing and visual dominance
- Enclosing of the gap between properties
- The proposal will result in bins being kept on the frontage
- The proposal effectively removes parking capacity

The objector also raises issues that are not relevant to the planning considerations, as under:

- A covenant after both properties refers to retention of pedestrian access at the side
- Concerns that suitable drainage is provided to prevent run off onto the adjoining property
- Concerns that gas pipes serving the site run under the site.

Loughton Town Council: Objection

The Committee objected to this application which was considered an overdevelopment of the plot and could potentially create a terracing effect. There was concern as, though the applicant had stated in the accompanying documentation that parking provision would not be affected, members believed parking provision would be reduced by one space. This would then worsen the existing daily on-street parking congestion in the road.

Main Issues and Considerations:

The issues to be considered in this instance are the design of the extension and the effect on neighbours.

In design terms, the key issue appears to relate to the side extension and the failure to set this back from the side boundary. The desire to avoid terracing is a clearly established local policy, but this is consistently achieved through setting back at first floor, unless particular circumstances dictate otherwise. The relevant policy DBE10 was explained in the 1998 Local Plan as:

15.66 Two storey extensions may be permitted to extend to the plot boundary particularly if any visual gap in the streetscene is maintained. Single storey extensions will normally be acceptable.

No subsequent guidance has been issued to amend this, and there are many examples of ground floor side extensions extending to the boundary. Officers are therefore of the view that refusal on the grounds raised by the Parish Council could not be supported.

It is noted that the neighbouring property at no 7 Bushfields has no side windows at ground floor and direct impact would need to be considered in terms of whether enclosing the boundary could be considered intrusive or whether the rear projection affects windows in the rear of the building. As the extensions project only 3 metres to the rear, and as the neighbour at no.7 has kitchen and bathroom windows in closest proximity to the boundary, the impact is not considered significant. The objection does raise the issue that the extension will prevent a vehicle being parked at the side of the property but such parking relies on opening the door over the boundary and a boundary fence could similarly prevent this happening. The frontage of both properties is deep enough to accommodate a vehicle.

The first floor element lies around 3 metres from the boundary with the attached neighbour at 11 where the nearest window is at least a further metre from the boundary, thus no adverse impact results on this property.

Conclusion:

The proposal complies with relevant planning policy in terms of its general design and appearance. Officers have considered the impact on the adjoining properties in some detail and conclude that there is insufficient impact on amenity to justify refusing permission.

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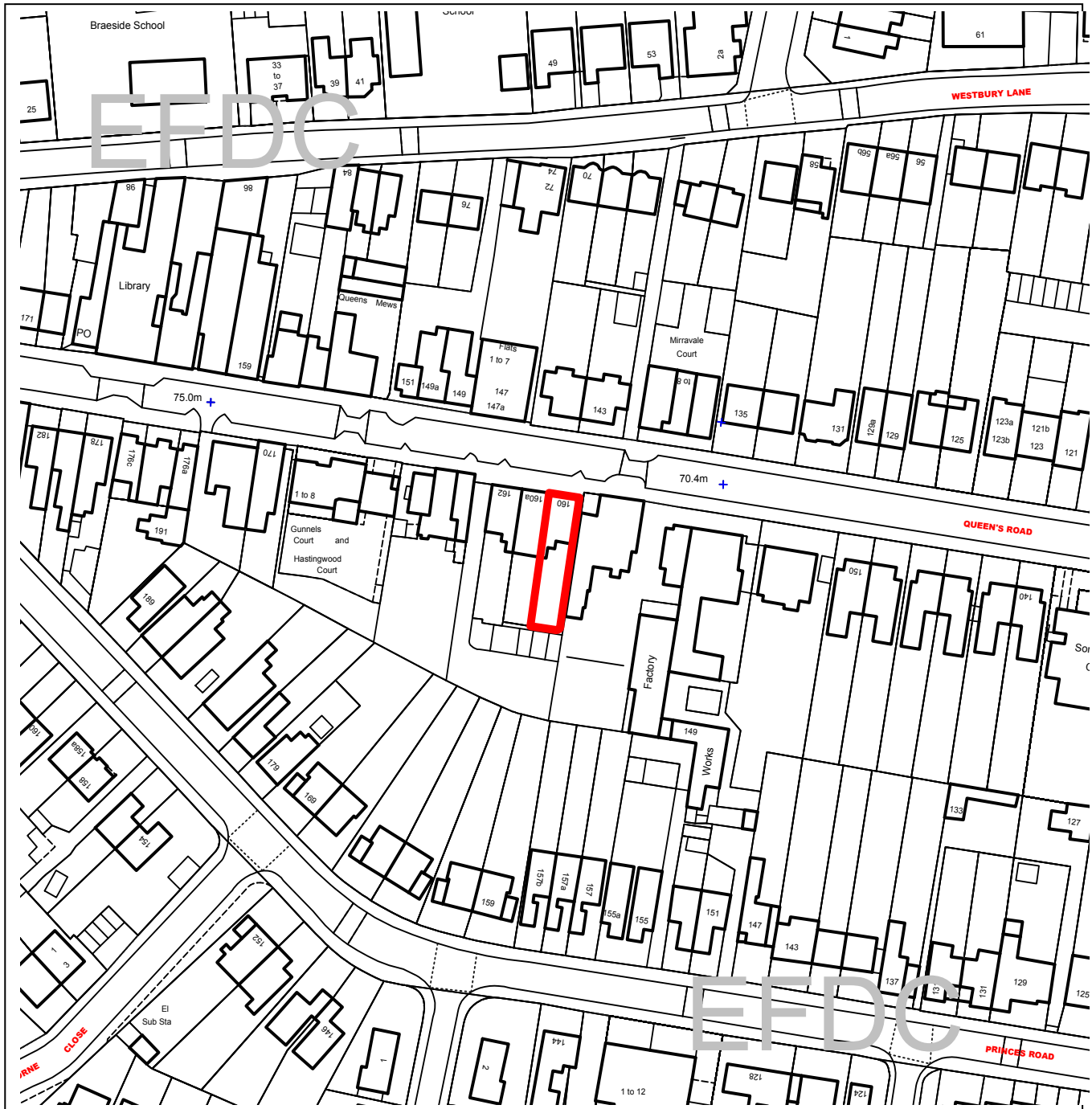
***Planning Application Case Officer: Ian Ansell
Direct Line Telephone Number: 01992 564481***

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



Epping Forest District Council

Agenda Item Number 14



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Application Number:	EPF/0788/16
Site Name:	160 Queens Road, Buckhurst Hill, IG9 5BD
Scale of Plot:	1/1250

Report Item No: 14

APPLICATION No:	EPF/0788/16
SITE ADDRESS:	160 Queens Road Buckhurst Hill Essex IG9 5BD
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
APPLICANT:	L & N Design & Build
DESCRIPTION OF PROPOSAL:	Single storey rear extension and alterations to rear staircase
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=583572

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: LN/1/A and LN/1/B
- 3 The western edge of the first floor landing of the external staircase hereby approved shall be enclosed by a 1.8m high privacy screen prior to its first use. Thereafter the western edge of the landing shall be permanently enclosed by a 1.8m high privacy screen, unless otherwise agreed in writing by the Local Planning Authority.
- 4 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)

Description of Site:

Ground floor shop premises within the Queens Road (west) local centre with yard to rear and flat above. The premises are used as a restaurant. Not listed or in a conservation area. The flat has a rear stair case access from the yard reached via an alley from Queens Road. The yard is used as an outdoor seating area for the restaurant and contains a single-storey store building at its southern end. A 3.6m wide tiled roof canopy projects 4m from the rear elevation of the shop on the boundary with the alley and serves to provide cover for part of the outdoor seating area.

Land rear of the site is the site of former garages, recently redeveloped to provide a pair of houses. Levels fall slightly to the rear and to the east. They rise slightly to the west. The attached neighbour comprises an extended shop (a barbers) with flat above. To the east, separated by the alley, is also an extended shop premises with accommodation above, rear of which is open land that is the subject of a current appeal against the Council's decision to refuse a residential development.

Description of Proposal:

Single storey rear extension and alterations to rear staircase.

The staircase, which provides access to the flat, would remain in the same position but instead of turning, would be a straight flight to an open landing leading to an existing balcony.

The rear extension would replace the canopy. It would be the same depth and width. It would be a simple flat-roofed design with a roof lantern. Patio doors would open out to the remainder of the yard area.

Relevant History:

- EPF/0011/76 Erection of a two storey rear extension to form enlarged shop with self contained flat over. Approved
- EPF/1037/15 Temporary change of use (of ground floor shop premises) from A1 to A3 allowed under current legislation. Deemed approved.

Policies Applied:

- CP2 Quality of Rural and Built Environment
- DBE1 New buildings
- DBE9 Loss of Amenity

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

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 17
Site notice posted: No, not required
Responses received: No response received from neighbours.

Buckhurst Hill Parish Council: Objection

Overdevelopment of site
Potential lack of amenity for neighbours, re sound and encroachment of garden space.

Main Issues and Considerations:

The main issues raised by the proposal are design and consequence for the living conditions of neighbours.

In design terms the proposal is a simple structure that would complement the design of the existing building. It maintains access to the existing flat above and the reconfiguring of the staircase simplifies its design. Taken as a whole, the proposal would rationalise and enhance the appearance of the rear elevation of the building.

The Parish Council comments the proposal is an overdevelopment of the site. Since the proposed addition would replace a tiled canopy covering the same ground area it is clear the extent of site built on would not be materially different than at present. The fact that a rear yard area will continue to extend a further 7m beyond the rear of the proposed extension, which would only cover part of its width, reinforces the conclusion that the proposal does not amount to an over development of the site.

The single-storey rear extension, which would be contained within a yard area away from neighbouring premises, would not result in any harm to the living conditions of neighbouring dwellings. The use of the replacement external staircase would not lead to overlooking of neighbouring flats, however, there is potential for views into flats at an oblique angle from the western edge of the new landing. That can be mitigated by the erection of a privacy screen at the western edge of the landing, which can be secured by condition.

Conclusion:

Subject to the condition recommended above, the proposal is acceptable in terms of its design, scale and impact on neighbouring dwellings. Accordingly, the proposal complies with relevant planning policy and it is recommended that planning permission be granted

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

***Planning Application Case Officer: Stephan Solon
Direct Line Telephone Number: 01992 564018***

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

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**Epping Forest
District Council**

Report to Area Plans Sub-Committee

Date of meeting: South – 1 June 2016

Subject: Probity in Planning – Appeal Decisions, 1st October 2015 to 31st March 2016

**Officer contact for further information: Nigel Richardson (01992 564110).
Democratic Services Officer: Rebecca Perrin (01992 564532)**

Recommendation:

That the Planning Appeal Decisions be noted.

Report Detail:

Background

1. (Director of Governance) In compliance with the recommendation of the District Auditor, this report advises the decision-making committees of the results of all successful allowed appeals (i.e. particularly those refused by committee contrary to officer recommendation).
2. The purpose is to inform the committee of the consequences of their decisions in this respect and, in cases where the refusal is found to be unsupportable on planning grounds, an award of costs may be made against the Council.
3. Since 2011/12, there have been two local indicators, one of which measures all planning application type appeals as a result of committee reversals of officer recommendations (GOV08) and the other which measures the performance of officer recommendations and delegated decisions (GOV07).

Performance

4. Over the six-month period between 1 October 2015 and 31 March 2016, the Council received 57 decisions on appeals (49 of which were planning related appeals, the other 8 were enforcement related).
5. GOV07 and 08 measure planning application decisions and out of a total of 49, 18 were allowed (36.7%). Broken down further, GOV07 performance was 8 out of 27 allowed (29.6%) and GOV08 performance was 10 out of 22 (45.5%).

Planning Appeals

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:

COMMITTEE REVERSALS - APPEALS ALLOWED:

Area Committee South

Buckhurst Hill

- | | | | |
|---|-------------|---|---------------------|
| 1 | EPF/2345/14 | 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 | 71 - 73 Queens Road |
| 2 | EPF/1309/15 | Proposed third floor extension to form a new dwelling | 13 Queens Road |
| 3 | EPF/2773/14 | Demolition of existing three bedroom house with detached garage and erection of two no.four bedroom detached houses. | 6 Scotland Road |

Chigwell

- | | | | |
|---|-------------|---|--------------------------|
| 4 | EPF/1301/15 | Demolish the garage and hall and part of the front wing and build new 2 storey side extension (Resubmission of EPF/0001/15) | Haylands
48 High Road |
|---|-------------|---|--------------------------|

Loughton

- | | | | |
|---|-------------|--|---|
| 5 | EPF/2600/14 | The demolition of an existing outbuilding and a small section of stairwell to the rear. The erection of a 5 storey building to the rear of the site to provide one commercial unit (Use Class A2) at ground floor and 12 flats (6 x 1 bedroom and 4 x 2 bedroom flats) on upper Floors. The refurbishment and revitalisation of the existing building to the front of the property including the erection of an additional floor to provide 2 x 1 bedroom flats. | Lawlors Property
Services, 165 High Road |
| 6 | EPF/0498/15 | Proposed dwelling adjacent to Woodberrie.
Woodbury Hill | Woodberrie |
| 7 | EPF/0645/15 | Residential development comprising 5 no. 2 bed apartments and 2 no. 1 bed apartments. | 94 Lawton Road |

Area Committee East

North Weald Bassett

- | | | | |
|---|-------------|-------------------------------------|--------------------------|
| 8 | EPF/1440/15 | Erection of single storey dwelling. | Rear of 21 Princes Close |
|---|-------------|-------------------------------------|--------------------------|

Area Committee West

Roydon

- | | | | |
|---|-------------|--|-----------------------------|
| 9 | EPF/0995/15 | Change of use of part of the site to a residential Gypsy and Traveller site for a temporary period of four years, involving the siting of two static caravans and two touring caravans, and an extension to, and the change of use of, the office/store building to a utility block. | Sons Nursery
Hamlet Hill |
|---|-------------|--|-----------------------------|

Waltham Abbey

- | | | | |
|----|-------------|---|---------------------------------------|
| 10 | EPF/1076/15 | Retrospective application for the change of use from glasshousing to storage of building materials (Sui Generis use). | Park Farm Nursery
Sewardstone Road |
|----|-------------|---|---------------------------------------|

7. The appeal performance for GOV08, committee reversals, was on target at 45.5%, but the committees are urged to continue to heed the advice that if they are considering setting aside the officer's recommendation it should only be in cases where members are certain they are acting in

the wider public interest and where the committee officer can give a good indication of some success at defending the decision. The 12 cases where the committees were successful are as follows:

COMMITTEE REVERSALS - APPEALS DISMISSED:

Area Committee East

Epping

- | | | | |
|---|-------------|---|-------------|
| 1 | EPF/1324/15 | Two storey extension over existing building, ground floor extension (porch) and internal alterations. (Revised application) | 3 Bury Road |
|---|-------------|---|-------------|

Moreton, Bobbingworth and the Lavers

- | | | | |
|---|-------------|---|------------------------------|
| 2 | EPF/2514/14 | Change of use of land from agricultural to residential garden land, and remodelling and extension including basement and associated landscaping. (Revised application to EPF/1970/14) | Tilegate Lodge
High Laver |
|---|-------------|---|------------------------------|

Theydon Bois

- | | | | |
|---|-------------|---|---------------------------------------|
| 3 | EPF/0180/15 | Demolition of existing two storey dwellinghouse and construction of a new two storey building, with accommodation in the roof, to provide 5 x 2 bedroom apartments, with associated car and cycle parking. Resubmission following refusal of EPF/2751/14. | 47A Theydon Park Road
Theydon Bois |
| 4 | EPF/2040/14 | Demolition of existing Public House and associated buildings and erection of thirteen residential apartments with parking and communal garden. | Sixteen String Jack
Coppice Row |

Area Committee South

Chigwell

- | | | | |
|---|-------------|--|---------------|
| 5 | EPF/0073/15 | The demolition of a large existing dwelling and the erection of a replacement building of 5 luxury apartments with associated parking. | 152 High Road |
|---|-------------|--|---------------|

Loughton

- | | | | |
|----|-------------|---|---|
| 6 | EPF/0749/15 | Erection of a front boundary wall with railing metal above with a combined height of 1.8m. Metal automated sliding gate. (Amended design to EPF/2973/14). | 2A Summerfield Road |
| 7 | EPF/2608/14 | Demolition of three existing properties and associated buildings to be replaced with 10 no. new dwellinghouses, new access road, parking and landscaping. | Trevelyan House
Arewater Green |
| 8 | EPF/0163/15 | Demolition of garage and single storey side extension, erection of two bedroom house at end of resulting terrace. New vehicular crossover for existing house. | 61 Deepdene Road |
| 9 | EPF/0530/15 | Demolition of single storey flat and redevelopment to provide 3 flats in a three storey building with accommodation within the roof and provision of 1 parking space at the rear and 3 off street parking spaces at the front with one space allocated to the adjoining dwelling at number 36 (amended scheme to EPF/2526/14) | 34 Barrington Green |
| 10 | EPF/0097/15 | Demolish church and hall, erection of 7 flats and 7 houses. | St Elisabeth Church,
Chestnut Avenue |

Area Committee West

Waltham Abbey

- | | | | |
|----|-------------|---|---------------------------------------|
| 11 | EPF/1058/15 | Retrospective application for the use of land for open storage of building materials (Sui Generis use). | Park Farm Nursery
Sewardstone Road |
|----|-------------|---|---------------------------------------|

District Development Committee

North Weald

- | | | | |
|----|-------------|--|--|
| 12 | EPF/2670/14 | Demolition of Restaurant. Erection of 3 town houses and 2 detached houses. Resubmission following withdrawn application EPF/1810/14. | Former Carpenters Arms
High Road
Thornwood |
|----|-------------|--|--|

8. Out of 8 **ENFORCEMENT NOTICE APPEALS** decided, 6 were dismissed, 1 allowed with variation of conditions and the other quashed for invalidity. These are as follows:

Dismissed

- | | | | |
|---|-------------|--|--|
| 1 | ENF/0103/14 | Without planning permission the erection of brick wall and metal railings around the front garden of the land | 108 - 110 High Street
Epping |
| 2 | ENF/0241/14 | Without planning permission the erection of a pergola situated to the front of the principal elevation of the dwelling house | Lambourne Park Farm
Hoe Lane
Lambourne |
| 3 | ENF/0298/12 | Building to be demolished as per EPF/2562/11 and Notice 1. | Chase Farm
Vicarage Lane
North Weald Bassett |
| 4 | ENF/0496/14 | Without Planning Permission the change of use of protected woodland to a mixed use of woodland and the stationing of a mobile home | Breach Barns Caravan
Park
Galleyhill Road
Waltham Abbey |
| 5 | ENF/0499/12 | Without planning permission the erection of a building for residential purposes | Moor Hall Lodge
Moor Hall Road
Harlow |
| 6 | ENF/0630/12 | Without planning permission the erection of a building described as "Barn" | Lambourne Park Farm
Hoe Lane
Lambourne |

Enforcement Appeal - Invalid, Notice Quashed

- | | | | |
|---|-------------|--|--|
| 7 | ENF/0504/13 | Without planning permission the stationing eight of mobile homes/caravans for residential purposes on the land | Logic Travel -
Ricotta Transport
Tylers Cross Nursery
Epping Road
Roydon |
|---|-------------|--|--|

Enforcement Appeal: Allowed with Conditions, but Varied

- | | | | |
|---|-------------|--|---|
| 8 | ENF/0721/10 | Without planning permission the material change in the use of the land from a mixed use for leisure and residential occupation of a caravan to the use of the land as a gypsy and traveller caravan site | Plot 38
Roydon Lodge Chalet
Estate, High Street
Roydon |
|---|-------------|--|---|

Costs

9. During this period, there were no award of costs against the Council in respect of a refusal of planning permission and the Council officers successfully defended against 5 claims for costs.

Conclusions

12. Whilst performance in defending appeals at 36.7% appears high, there is no national comparison of authority performance. Members and Officers are reminded that in refusing planning permission there needs to be justified reasons that in each case must be not only relevant and necessary, but also sound and defensible so as to avoid paying costs. This is more important now than ever given a Planning Inspector or the Secretary of State can award costs, even if neither side has made an application for them. Whilst there is clearly pressure on Members to refuse in cases where there are objections from local residents, these views (and only when they are related to the planning issues of the case) are one of a number of relevant issues to balance out in order to understand the merits of the particular development being applied for.

13. Finally, appended to this report are the appeal decision letters, which are the result of Members reversing the planning officer's recommendation (and therefore refusing planning permission) at planning committees, 10 of which were allowed and 12 which were dismissed and therefore refused planning permission. Only those appeals relevant to the relevant Area Plans Sub-Committee are attached.

14. A full list of appeal decisions over this six month period appears below.

Total Planning Application Appeal Decisions 1st October 2015 to 31st March 2016

Allowed With Conditions

Buckhurst Hill

- | | | | |
|---|-------------|---|---------------------|
| 1 | EPF/2345/14 | 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 | 71 - 73 Queens Road |
| 2 | EPF/1309/15 | Proposed third floor extension to form a new dwelling | 13 Queens Road |
| 3 | EPF/2773/14 | Demolition of existing three bedroom house with detached garage and erection of two no.four bedroom detached houses. | 6 Scotland Road |

Chigwell

- | | | | |
|---|-------------|---|--------------------------|
| 4 | EPF/1301/15 | Demolish the garage and hall and part of the front wing and build new 2 storey side extension (Resubmission of EPF/0001/15) | Haylands
48 High Road |
| 5 | EPF/1873/15 | Prior notification for change of use of agricultural barn to residential. | Barn off Millers Lane |

Epping

- | | | | |
|---|-------------|--|--|
| 6 | EPF/1827/15 | Alterations to existing building incorporating part single, part first floor infill extension, increase in height at rear wing to accommodate room in roof space, removal of rear dormer windows and replace with single | The Stables
Houblons Hill
Coopersale |
|---|-------------|--|--|

dormer window.

Lambourne

7 EPF/3000/14 Prior Approval of Proposed Change of Use of Agricultural Building to a Dwellinghouse (Use Class C3). Land to rear of 42 -62 Hoe Lane

Loughton

8 EPF/2600/14 The demolition of an existing outbuilding and a small section of stairwell to the rear. The erection of a 5 storey building to the rear of the site to provide one commercial unit (Use Class A2) at ground floor and 12 flats (6 x 1 bedroom and 4 x 2 bedroom flats) on upper Floors. The refurbishment and revitalisation of the existing building to the front of the property including the erection of an additional floor to provide 2 x 1 bedroom flats. Lawlors Property Services, 165 High Road

9 EPF/0498/15 Proposed dwelling adjacent to Woodberrie. Woodbury Hill Woodberrie

10 EPF/0645/15 Residential development comprising 5 no. 2 bed apartments and 2 no. 1 bed apartments. 94 Lawton Road

11 EPF/2422/14 Two storey side extension. 246 Willingale Road

12 EPF/2039/15 Erection of first floor rear extension (as an amendment of previously approved EPF/1718/14 by way of full length doors and windows and juliet balcony) 1A Baldwins Hill

North Weald Bassett

13 EPF/1440/15 Erection of single storey dwelling. Rear of 21 Princes Close

14 EPF/1291/15 First floor side extension above existing ground floor side extension 70 Weald Bridge Road

Roydon

15 EPF/0995/15 Change of use of part of the site to a residential Gypsy and Traveller site for a temporary period of four years, involving the siting of two static caravans and two touring caravans, and an extension to, and the change of use of, the office/store building to a utility block. Sons Nursery Hamlet Hill Roydon

Waltham Abbey

16 EPF/1076/15 Retrospective application for the change of use from glasshousing to storage of building materials (Sui Generis use). Park Farm Nursery Sewardstone Road

Allowed Without Conditions

Loughton

17 EPF/0064/15 Certificate of lawful development for proposed library extension in rear of building at ground floor level. 15A Carroll Hill Loughton

18 EPF/0072/15 Certificate of lawful development for a proposed single storey rear extension. 15 Carroll Hill

Dismissed

Buckhurst Hill

19 EPF/0097/15 Demolition of existing church and hall and erection of 7 new 3 storey flats and 7 new houses with associated car parking and small community facility. Saint Elisabeths Church Chestnut Avenue

Chigwell

20 EPF/0069/15 Conversion of existing dwelling into three self contained flats, erection of front and rear dormer windows and rear and side extensions. 1 Chigwell Park Drive

21 EPF/0632/15 New front boundary wall and gates (already built) Millers Lodge Millers Lane

22 EPF/0073/15 The demolition of a large existing dwelling and the erection of a replacement building of 5 luxury apartments with associated parking. 152 High Road

Epping

23 EPF/0892/15 A new two storey, 2 bedroom dwelling with parking. 93 Sunnyside Road

24 EPF/1620/15 Proposed two storey front and rear extension. 10 Bridge Hill

25 EPF/1324/15 Two storey extension over existing building, ground floor extension (porch) and internal alterations. (Revised application) 3 Bury Road

26 EPF/0340/15 Retention of illuminated front and side fascia signs. 42 High Street

27 EPF/2865/14 Extension at first floor level to increase floor space for existing approved flatted scheme plus associated external alterations, new set back second floor to provide 2 x 2 bedroom flats, associated refuse storage for all flats. 144 High Street

Loughton

28 EPF/2186/15 Single storey side, rear and front extensions. First floor side and rear extensions. Rear dormer window. (Amendment to previously approved EPF/1489/14 by way of provision of rear dormer window at second floor level). 57 Church Lane

29 EPF/2313/15 Revised application for a hip to gable roof extension with 1 no. rear dormer window and 2 no. front dormer windows to facilitate a loft conversion. New window on first floor side elevation. 36 Queens Road

30 EPF/0749/15 Erection of a front boundary wall with railing metal above with a combined height of 1.8m. Metal automated sliding gate. (Amended design to EPF/2973/14). 2A Summerfield Road

31 EPF/2608/14 Demolition of three existing properties and associated buildings to be replaced with 10 no. new dwellinghouses, new access road, parking and landscaping. Trevelyan House Arewater Green

32 EPF/0163/15 Demolition of garage and single storey side extension, erection of two bedroom house at end of resulting terrace. New vehicular crossover for existing house. 61 Deepdene Road

33 EPF/2764/14 Change of use from use as a dwelling house 20 Ollards Grove

(Use Class C3) to use for purposes as a residential institution as an Approved Premises for the management and supervision of offenders or defendants (Use Class C2).

34	EPF/0530/15	Demolition of single storey flat and redevelopment to provide 3 flats in a three storey building with accommodation within the roof and provision of 1 parking space at the rear and 3 off street parking spaces at the front with one space allocated to the adjoining dwelling at number 36 (amended scheme to EPF/2526/14)	34 Barrington Green
Moreton, Bobbingworth and the Lavers			
35	EPF/0355/15	(i) Raising height of existing dwelling to facilitate a loft conversion with two front dormers (ii) side and rear extension with rooms in roof, 3 x rooflights and french doors with Juliet balcony to rear (iii) front porch extension.	8 The Glebe Tilegate Road Magdalen Laver
36	EPF/2514/14	Change of use of land from agricultural to residential garden land, and remodelling and extension including basement and associated landscaping. (Revised application to EPF/1970/14)	Tilegate Lodge High Laver
Nazeing			
37	EPF/0206/14	Demolition of existing garden centre/commercial buildings and erection of 43 dwellings with associated parking and landscaping	Chimes Garden Centre Old Nazeing Road
38	EPF/2000/15	Erection of single dwelling and demolition of existing agricultural buildings	Hillside Nursery Hoe Lane
39	EPF/0962/15	Prior approval application for change of use from Agricultural building to residential.	Osborne Nazeing Road
North Weald Bassett			
40	EPF/2670/14	Demolition of Restaurant. Erection of 3 town houses and 2 detached houses. Resubmission following withdrawn application EPF/1810/14.	Former Carpenters Arms High Road Thornwood
Roydon			
41	EPF/1676/15	Proposed roof extension and conversion	17 Barn Hill
Theydon Bois			
42	EPF/0180/15	Demolition of existing two storey dwellinghouse and construction of a new two storey building, with accommodation in the roof, to provide 5 x 2 bedroom apartments, with associated car and cycle parking. Resubmission following refusal of EPF/2751/14.	47A Theydon Park Road Theydon Bois
43	EPF/0845/15	Single storey rear extension with a roof lantern	42 Morgan Crescent
44	EPF/0800/15	Certificate of Lawful Development for proposed attached front conservatory	Granville 119 Theydon Park Road
45	EPF/0799/15	Certificate of Lawful Development for proposed detached front garage.	Granville 119 Theydon Park Road
46	EPF/2040/14	Demolition of existing Public House and associated buildings and erection of thirteen residential apartments	Sixteen String Jack Coppice Row

with parking and communal garden.

Waltham Abbey

- | | | | |
|----|-------------|---|---------------------------------------|
| 47 | EPF/0637/15 | Application for proposed demolition of existing balcony and retain ancillary garage, cart lodge and games room. | The Dower House
Manor Road |
| 48 | EPF/1058/15 | Retrospective application for the use of land for open storage of building materials (Sui Generis use). | Park Farm Nursery
Sewardstone Road |

Willingale

- | | | | |
|----|-------------|---|-----------------------------|
| 49 | EPF/1522/15 | New utility, study, shower room and garage, with a playroom above. Building is to be thatched and part tiled. New detached carport. | Quires Green
Walls Green |
|----|-------------|---|-----------------------------|

Enforcement Appeals

Dismissed

- | | | | |
|---|-------------|--|--|
| 1 | ENF/0103/14 | Without planning permission the erection of brick wall and metal railings around the front garden of the land | 108 - 110 High Street
Epping |
| 2 | ENF/0241/14 | Without planning permission the erection of a pergola situated to the front of the principal elevation of the dwelling house | Lambourne Park Farm
Hoe Lane
Lambourne |
| 3 | ENF/0298/12 | Building to be demolished as per EPF/2562/11 and Notice 1. | Chase Farm
Vicarage Lane
North Weald Bassett |
| 4 | ENF/0496/14 | Without Planning Permission the change of use of protected woodland to a mixed use of woodland and the stationing of a mobile home | Breach Barns Caravan
Park
Galleyhill Road
Waltham Abbey |
| 5 | ENF/0499/12 | Without planning permission the erection of a building for residential purposes | Moor Hall Lodge
Moor Hall Road
Harlow |
| 6 | ENF/0630/12 | Without planning permission the erection of a building described as "Barn" | Lambourne Park Farm
Hoe Lane
Lambourne |

Enforcement Appeal - Invalid, Notice Quashed

- | | | | |
|---|-------------|--|--|
| 7 | ENF/0504/13 | Without planning permission the stationing eight of mobile homes/caravans for residential purposes on the land | Logic Travel -
Ricotta Transport
Tylers Cross Nursery
Epping Road
Roydon |
|---|-------------|--|--|

Enforcement Appeal: Allowed with Conditions, but Varied

- | | | | |
|---|-------------|--|---|
| 8 | ENF/0721/10 | Without planning permission the material change in the use of the land from a mixed use for leisure and residential occupation of a caravan to the use of the land as a gypsy and traveller caravan site | Plot 38
Roydon Lodge Chalet
Estate, High Street
Roydon |
|---|-------------|--|---|

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Appeal Decision

Site visit made on 23 February 2016

by Susan A F Simpson LLB Solicitor (N-P)

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 22 March 2016

Appeal Ref: APP/J1535/W/15/3128832

71-73 Queens Road, Buckhurst Hill, Essex IG9 5BW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Safraz Ali against the decision of the Epping Forest District Council.
 - The application Ref EPF/2345/14, dated 20 September 2014, was refused by a notice dated 4 February 2015.
 - The development proposed is the 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.
-

Decision

1. The appeal is allowed and planning permission granted for the 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 at 71-73 Queens Road, Buckhurst Hill, Essex IG9 5BW in accordance with the terms of the application, Ref EPF/2345/14, dated 20 September 2014 and the plans submitted with it, but subject to the following conditions
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: QR/200B; QR/201A; QR/202A; QR/301; QR/302 and QR/500.
 - 3) The window in the eastern elevation of the building shall at all times contain obscure glazed glass details of which shall be submitted to and approved in writing by the local planning authority. Thereafter, the said window shall be fitted with the approved obscure glazed glass before the building is first occupied and shall be non opening below 1.7 m from finished floor level.
 - 4) No development shall take place until samples of the materials and finishes to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Thereafter, development shall be carried out in accordance with such approved details.
 - 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
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adhered to throughout the construction period. The Statement shall provide for: the parking of vehicles of site operatives and visitors; loading and unloading of plant and materials; storage of plant and materials used in constructing the development; wheel washing facilities; measures to control the emission of dust and dirt during construction; the erection and maintenance of security hoarding; a scheme for recycling/disposing of waste resulting from demolition and construction works.

- 6) Demolition and construction works shall not take place outside the following times: 0730 hours to 1830 hours Mondays to Fridays and 0800 hours to 1300 hours on Saturdays and shall not take place at all on Sundays or bank holidays.
- 7) Development shall not begin until a surface water drainage scheme for the site has been submitted to and approved by the local planning authority. The scheme shall be implemented in accordance with the approved details before the building is first occupied.

Preliminary Matter

2. The Council has referred to an error in its decision notice. Reference to policy CP2(ix) of the 2006 adopted Alterations to the Epping Forest District Local Plan (ALP) should read CP2(iv). The appellant has accepted, and I have duly noted, the correction.

Main Issues

3. The main issues in the appeal are the effect of the proposal upon:
 - the character and appearance of the area;
 - neighbouring residents' living conditions at 2, 2A and 4 Kings Avenue with specific reference to a loss of privacy due to overlooking.

Reasons

Character and appearance of the area.

4. Nos 71 and 73 (the building) are located at the western end of a terrace of properties that front onto Queens Road. The residential units occupying the first and second floors of the building are well set back from the ground floor A1 units which form part of the shopping area at Buckhurst Hill. Properties fronting the neighbouring street (Kings Avenue) are situated at right angles to the site and their long gardens extend beyond the rear boundary of the site.
5. I am informed that, in 2004, the appeal premises was granted planning permission (Ref EPF/1260/04) (the 2004 scheme) for the development described as "extension of the existing building involving the retention of existing A1 units at ground floor level together with the creation of six flats on upper floors and at rear". There are differences between this scheme and the proposal but these have not been specifically identified and agreed at appeal stage. Thus, although I have taken the approval of the 2004 scheme into account, I shall proceed to determine the appeal proposal on its own merits.
6. The development would involve the erection of various extensions to the front, side and rear of the building in order to accommodate the provision of six flats

- and the retention of the two ground floor retail units. Parking for this commercial aspect of the proposal would be provided to the rear of the site and accessed via a lane that adjoins the western boundary of the site.
7. Queens Road benefits from a wide range of properties of differing heights, scale and appearance. There are terraces with ground floor retail units, two storey dwellings, large three storey premises and others with accommodation in the roof space. These buildings and their varied architecture together with the mix of residential and commercial uses combine to form a diverse and interesting built environment.
 8. The accommodation to be provided within the new roof space would increase the bulk of the building at upper floor level. It would extend further forward, be perceived as being three storeys in height and project above the other properties in the terrace. The development would undoubtedly change the appearance and size of the building and its resulting presence would be more noticeable when travelling in both directions along Queens Road.
 9. However, such changes would provide a well balanced and proportioned building that in terms of height, scale and mass would not be out of place with other buildings that front and form part of the street scene along Queens Road. Further, its relationship with the remainder of the terrace would not be more assertive or dominant than that which exists in respect of the terrace on the corner of Queens Road and Kings Place.
 10. To the rear, the proposed two storey extension would be 5 m from the northern boundary of the site. Thus, together with the increase associated with the single storey extension, there would be a material increase in the already large footprint of the appeal premises but not to the extent that it would be deemed wholly incompatible with the site coverage of some premises in this mixed commercial and residential area.
 11. The increased size and bulk of the rear projections would be larger than others in the terrace but, in terms of the overall size of the resulting building, it would not be inconsistent with others in the locality. The rear extensions would have little impact upon the appearance of the street scene but, as argued by the Council, they would be apparent to nearby residents along Kings Avenue.
 12. Even so, whilst this aspect of the development may materially alter the current outlook from within the dwellings and the garden/balcony to the rear of these properties which are most likely to be used for sitting out purposes (the sitting out space), the intervening distance would ensure that it would not be to the extent of being unduly oppressive or overbearing.
 13. I conclude that the height, bulk, size and design of the building would not be out of place with the diverse built forms found in the locality but satisfactorily integrate into the mixed character and appearance of this area.
 14. It follows from my conclusion that I find there to be no conflict with policies CP2(iv) CP7 and DBE1 of the ALP which, amongst other things, require that proposals should: safeguard and enhance the setting, character and townscape of the urban environment; maintain and improve existing urban areas as attractive places to live, work and visit; not result in overdevelopment,

unsympathetic change or loss of amenity; respect their setting in terms of matters such as scale, proportion, siting, massing, height and roofline.

15. The scheme also would be consistent with government guidance in the National Planning Policy Framework (the Framework) which attaches great importance to the design of built development and states that it is important to plan positively for the achievement of high quality and inclusive design for all development.

Neighbouring residents' living conditions.

16. The existing two flats at the appeal premises already have views across to the neighbouring gardens in Kings Avenue and closer and more intrusive views of their sitting out space currently exist from the actual/potential occupation of the upper floor accommodation at Nos 65, 67 and 69 Queens Road. Thus, this is an area where intervisibility between properties is already commonplace and, therefore, forms part of the living environment for residents of this mixed use location.
17. The drawings indicate that, although most of the new openings at first and second floor level in the rear elevation of the building would be larger and all of them would serve habitable accommodation, there would not be as many as in the present situation relating to the two current flats. Also, the windows would be located closer to the rear boundary, where the principal outlook associated with their use would be across to the bottom end of the long gardens belonging to the Kings Avenue properties as opposed to their sitting out space.
18. The position of the roof lights would preclude any overlooking but the dormer window in the eastern elevation of the building would provide an outlook across to the sitting out space for Nos 2, 2A and 4 Kings Avenue and beyond. As such there would be opportunities to intrude upon the privacy of their neighbours during periods of relaxation. However, as a secondary window designed to serve a living room/kitchen, I consider it reasonable to eliminate the potential for overlooking by imposing a condition requiring the window to be fitted with obscure glazed glass.
19. Accordingly, for the reasons given above and, in the light of the prevailing intervisibility that currently exists between properties along Queens Road and Kings Avenue, I conclude that the proposed habitable room windows associated with this scheme would not result in an excessive loss of amenity for neighbouring properties at 2, 2A and 4 Kings Avenue as a result of overlooking.
20. It follows from this conclusion that I find there to be no conflict with the provisions of: - policy DBE9 which states that development should not result in an excessive loss of amenity for neighbouring properties in terms of overlooking; Government guidance in the Framework which states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Other Matters

21. With regard to the objections lodged by local residents, I consider that the development would be sufficiently distant to ensure that there would be no

harmful degree of overshadowing, loss of light or noise and disturbance to occupiers of the Kings Avenue properties.

22. The Council has not objected on the grounds that the development provides insufficient amenity space for future occupiers and my attention has not been drawn to any policies or supplementary planning guidance which specifies minimum standards for the provision of amenity space for new development in locations such as this.
23. Turning to the access road to the side of the building, I understand that this is currently being used by the occupiers of the appeal premises. In the light of this, and in the absence of any firm highway evidence to support local residents' views that its increased use by pedestrians and cyclists associated with this scheme would lead to conditions that would be prejudicial to highway safety, I find there to be insufficient grounds to dismiss the appeal on this issue alone.
24. As the provision of parking to the rear of the site is for the sole use of the commercial units, I note the concerns that have been expressed regarding any increased demand for kerbside parking in this busy area from the residential element of the scheme. However, Buckhurst Hill is well supported by public transport and benefits from a wide range of shopping facilities. Given this highly sustainable location, I see no reason to disagree with the professional views that have been expressed regarding the lack of on-site parking associated with the residential aspect of the development.
25. The Buckhurst Hill Parish Council has questioned the adequacy of the emergency means of escape for future occupiers of the second floor residential accommodation but this is a matter which is regulated and controlled by other legislation. With regards to the adequacy of refuse storage, this is shown on the drawings and without any firm evidence to the contrary, I have no reason to question the Council's judgment that the provision would be acceptable.
26. Various references have been made to the planning decisions and appeals relating to 69 Queens Road but I can find no direct comparison with any of these and the proposal before me. I also note the pre-application discussions that took place with the planning officers and the appellant's dissatisfaction with the way the application was subsequently dealt with by the Council.

Conditions

27. I have considered the Council's suggested conditions in the light of the guidance contained in the Planning Practice Guidance, Annex A of the former Circular 11/95, and government policy in paragraphs 203 and 206 of the Framework. In order to accord with the aforementioned and, in the interests of clarity and succinctness, I have modified the wording of some of the suggested conditions.
28. In the interests of certainty and proper planning, I shall attach a condition requiring the development to be built in accordance with the agreed plans. In order to protect the character and appearance of the area I shall require samples of the materials and finishes for the building to be submitted and approved by the Council. Given the commercial location, I consider it reasonable and necessary to impose conditions requiring a construction method

statement to be agreed and specifying the hours during which construction works can take place so that local residents are able to enjoy some periods of peace and quiet.

29. A condition requiring the window in the eastern elevation to contain obscure glazed glass will be imposed for the reasons given in paragraph 18 above. Given the comments made by the Council's land drainage team, I see no justification for a flood risk assessment to be carried out but I have imposed a condition requiring details of surface water drainage to be submitted, approved and implemented.
30. Lastly, I have not imposed the suggested condition regarding the provision of residential travel information packs as no indication has been given as to their content, status or how the Council would expect the developer to implement their provisions.

Overall Conclusion

31. Having taken into account all the matters that have been raised, I find that none alter my conclusion that, for the reasons given above, this appeal should succeed.

S A F Simpson

INSPECTOR

Appeal Decision

Site visit made on 2 February 2016

by Daniel Hartley BA (Hons) MTP MBA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 11 February 2016

Appeal Ref: APP/J1535/W/15/3133522

13 Queens Road, Buckhurst Hill, Essex IG9 5BZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Howard Winston against the decision of Epping Forest District Council.
 - The application Ref EPF/1309/15, dated 2 June 2015, was refused by notice dated 29 July 2015.
 - The development proposed is a third floor extension to form a new dwelling.
-

Decision

1. The appeal is allowed and planning permission is granted for a third floor extension to form a new dwelling at 13 Queens Road, Buckhurst Hill, Essex IG9 5BZ, in accordance with the terms of the application Ref EPF/1309/15, dated 2 June 2015, subject to the conditions set out in the attached schedule.

Main Issue

2. The main issue is the effect of the proposal upon the character and appearance of the area.

Reasons

3. The appeal property is a three storey and mid terraced building and comprises a shop on the ground floor and residential units on the upper floors. It falls within Buckhurst Hill District Centre, is approximately 200 metres from Buckhurst Hill Underground Station and is surrounded by flats to the north (Pegasus Court), bungalows to the south (Queens Road) and a Waitrose Supermarket to the west. Queens Street is a cul-de-sac, but leads to a large pay and display car park. The appeal property falls within a terrace of seven buildings which are all three storeys, apart from the Railway Bar and Grill which is two storeys.
4. It is proposed to extend the third floor of the building by means of the erection of a mansard roof to create a one bedroom flat. The mansard roof would have sloping sides and a flat top. It would have two dormer windows, both in the front and rear elevations, and would be finished in slate. The mansard would be contained within proposed brickwork parapet walls.
5. The mansard would be set back from the rear of the existing parapet and would project approximately 1.6 metres above it. The dormer windows would

align with existing windows in the front and rear elevations and would be smaller in size. Taking all of these factors into account, I am satisfied that the extension would appear subservient in scale to the host building and would be appropriately designed.

6. Whilst I acknowledge that this would be the first mansard roof extension within the terrace, there are a variety of roof additions and extensions in the immediate locality, and in this sense, the proposal would not appear out of place. I note the concerns raised by the Council about the effect of the proposal on the symmetry of the terrace, but the terrace is not currently symmetrical given the scale and roof designs of the two ends of terrace properties (numbers 5 and 17 Queens Road). Consequently, I do not consider that the proposal would have a detrimental impact on the appearance of the terrace, nor appear incongruous when viewed from the wider area.
7. For the above reasons, I conclude that the proposal would not have an adverse impact on the character and appearance of the area. Therefore, it would accord with the design aims of saved Policies CP2(iv) and DBE1 of the Epping Forest District Adopted Local Plan 1998 and the National Planning Policy Framework.

Other Matters

8. The nearest property at Pegasus Court is approximately 24 metres from the development. I do not consider that the proposal would lead to unacceptable overlooking or loss of light issues. The proposal is for one flat and this would not lead to a material change to existing levels of noise in the locality. The proposal includes an area to store refuse, and I have no evidence to substantiate the claim that the proposal would lead to litter and rubbish being left for long periods of time. Whilst there is no on-site car parking proposed, the site is nonetheless within a District Centre, close to good public transport services and there are a number of car parks close by.
9. I give little weight to the concern that the proposed development would have a detrimental effect on the value of neighbouring properties. The basic question is not whether owners or occupiers of neighbouring properties would experience financial or other loss from a particular development, but whether the proposal would unacceptably affect amenities and the existing use of land and buildings, which ought to be protected in the public interest. I have found that the proposal would be acceptable in all respects.
10. Reference has been made to the need for a secondary means of fire escape, but this is a matter to be determined as part of a separate Building Regulations application. I have considered the Council's argument that the current proposal would set a precedent for similar development in the terrace. Given that I have concluded that the proposal would be acceptable, I can see no reason why it would lead to harmful development in the area. In any event, each application and appeal must be determined on its individual merits.
11. None of the other matters raised, including comments made by interested parties, outweigh my conclusion on the main issue.

Conditions

12. The conditions set out in the accompanying schedule are based on those suggested by the Council. Where necessary I have amended the wording of

the suggested conditions, in the interests of precision and clarity, and in order to comply with advice in the Planning Practice Guidance.

13. Planning permission is granted subject to the standard three year time limit condition.
14. Otherwise than as set out in this decision and conditions, it is necessary that the development shall be carried out in accordance with the approved plans, for the avoidance of doubt and in the interests of proper planning. I have therefore imposed a condition to this effect.
15. In the interests of the character and appearance of the area, it is necessary to impose a condition relating to materials. In the interests of the living conditions of the occupiers of neighbouring properties, it is necessary to impose planning conditions relating to hours of construction and the storage of refuse.

Conclusion

16. The proposal would not have an adverse effect on the character and appearance of the area. For the reasons outlined above, and taking into account all other matters raised, I conclude that the appeal should be allowed.

Daniel Hartley

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall begin not later than three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, DRG:QR-P-1001, DRG:QR-P-1002, DRG:QR-P-1003 and 14019_P_003 Rev B.
3. No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such approved details.
4. The refuse storage facility shown on the approved plan 14019_P_003 Rev B shall be completed prior to the first occupation of the development, and shall thereafter be retained free of obstruction and used for the storage of refuse and recycling only.
5. All construction/demolition works and ancillary operations, including vehicle movement on site, 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.

Appeal Decision

Site visit made on 10 November 2015

by **H Baugh-Jones BA(Hons) DipLA MA CMLI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 10 December 2015

Appeal Ref: APP/J1535/W/15/3127876

6 Scotland Road, Buckhurst Hill, Essex IG9 5NR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Carl Hellen against the decision of Epping Forest District Council.
 - The application Ref EPF/2773/14, dated 13 June 2014, was refused by notice dated 1 April 2015.
 - The development proposed is demolition of existing house and replacement by two no. detached houses.
-

Decision

1. The appeal is allowed and planning permission is granted for demolition of existing house and replacement by two no. detached houses at 6 Scotland Road, Buckhurst Hill, Essex IG9 5NR in accordance with the terms of the application, Ref EPF/2773/14, dated 13 June 2014, subject to the conditions set out in the Schedule to this decision.

Main Issues

2. The main issues in this appeal are the effect of the development proposed on (i) the character and appearance of the area and (ii) the living conditions of neighbouring occupiers with regard to light and sunlight.

Reasons

Character and appearance

3. Scotland Road comprises a mix of detached and semi-detached dwellings of varied appearance so there is no dominant overall architectural style within this residential area. The appeal site is currently occupied by a detached two-storey dwelling set back behind a front garden that rises from the road. The plot is wider than many of those nearby which results in a significant separation distance between the existing house and its neighbours.
 4. The appeal proposal would see the existing house demolished and two new dwellings erected in its place. This would necessitate greater use of the plot's width and the current separation distances between properties would be reduced. However, this would not appear at odds with a street scene within which a significant number of dwellings span the majority of their plot widths or with the smaller separation distances that result. Consequently, the introduction of two dwellings on the appeal site would appear little different in terms of overall built form compared to many other residential plots.
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5. The style of the proposed dwellings would be redolent of the character of the existing house and other properties in Scotland Road. Further, their roof heights would be stepped slightly to follow the east-west rise of the road and would be generally in keeping with the overall roof line in the street. I accept that the dwellings' elevations fronting the street would be narrower than the immediate neighbouring properties and that this could create a perception of increased height. However, it is clear from the submitted plans that the dwellings would be of two-storey height and that the one nearest to No 4 would not be significantly higher. Therefore, the dwellings would not appear discordant in the street scene or disrupt the general rhythm of development along it.
6. Whilst the proposed front elevations would be staggered, the degree of set back between the two dwellings would be modest and at my site visit, I observed that there is some variation in the building line to the east of the appeal site, notwithstanding the dramatic change created by the set back of the semi-detached dwellings forming Nos 8-14. Therefore, this aspect of the appeal scheme would not appear incongruous given this context.
7. I note from the Council's officer report that the proposed frontage layout of the development was not considered to be satisfactory. However, I am satisfied that this matter could be dealt with by means of a suitably worded condition and does not materially affect the consideration of this appeal.
8. I also note the neighbour's comments with regard to the lack of details in terms of materials. Notwithstanding that there is much variation in property elevation treatments and fenestration present within Scotland Road, this is also a matter that could be the subject of a condition with the aim of ensuring the materials used reflected the general built character and appearance of the area.
9. For the above reasons, the development would not be out of keeping with the overall character or appearance of the area or appear cramped on the plot. Consequently, the proposals would be in accordance with saved policy DBE1 (i) and (ii) of the Adopted Epping Forest District Local Plan (1998) (LP) that requires new buildings to respect their settings and the street scene by way of their form and design. The proposals would also be consistent with the requirements of saved policy DBE2 in terms of the functional relationship with the surrounding properties. Additionally, the appeal scheme would be consistent with the National Planning Policy Framework (the Framework) requirement for good design with particular regard to paragraphs 60 and 61.

Living conditions

10. The spatial relationship between the appeal property and its neighbour at No 8 is unusual in that the building line changes dramatically between the two dwellings with No 8 set much further back on its plot. The proposed dwelling closest to No 8 would be positioned tight up against the boundary thereby potentially affecting the amount of light to the front of the property. However, the existing boundary vegetation within the curtilage of the appeal site already creates a similar effect and the level of change would not therefore, be of sufficient magnitude to count against the appeal scheme.
11. Turning to sunlight, the orientation of dwellings on the southern side of Scotland Road in relation to the east-west arc of the sun means that there

would be no effect on the amount of sunlight to the front windows of No 8. Further, given that the positioning of the proposed dwellings on the plot would be well forward of the rear of No 8, there would be no effect on the amount of sunlight reaching any part of the rear of that property.

12. The proposed dwelling next to No 4 would project marginally further forward than the existing dwelling and would be in close proximity. However, given that No 4's main ground floor window is located in the eastern part of the front elevation, any effects on the available light to No 4's front rooms would be minor and acceptable.
13. The proposed dwelling nearest to No 4 would have a stepped rear elevation. From my observations at my site visit, the submitted plans and the photographic evidence provided by the neighbouring occupier, it is clear that the closest rear corner of the proposed dwelling next to No 4 would be only marginally closer than the corresponding corner of the existing dwelling at No 6. By means of the proposed 1m separation between No 4 and the nearest proposed dwelling with its stepped rear elevation, any reduction in the available light to the rear of No 4 would be minimal and acceptable. Whilst there would be a reduction in sunlight, this would also be very minimal and restricted to the latter part of the afternoon. On balance, there would be no unacceptable effects on the living conditions of No 4 with regard to sunlight.
14. The appeal scheme would result in a change to the outlook from No 8's front rooms. Whilst I have some sympathy with the neighbours in this regard, given that there would be a reasonable separation distance maintained between dwellings, the effects would not amount to a level of harm over and above the existing situation that could be considered 'excessive' for the terms of saved policy DBE9. On balance, whilst the arrangement is by no means perfect, the effects on the outlook of No 8's occupiers do not outweigh my other conclusions that the appeal scheme is acceptable.
15. I note the argument of the occupier of No 4 regarding his loss of views along the road. However, the effects suggested appear to me to be exaggerated given that the nearest proposed dwelling would project only marginally further forward of the building line of No 4. In any case, loss of views does not constitute a valid planning argument.
16. For the above reasons the appeal proposal accords with the requirements of saved policy DBE2 which seeks to prevent detrimental effects on neighbouring properties and saved policy DBE9 that deals with matters concerning loss of daylight and sunlight.

Other matters

17. A third party has suggested that the proposed dwellings would not meet lifetime homes requirements. However, in March 2015, the Government introduced the *Technical housing standards – nationally described space standard*. The Council has not made me aware of any requirement for the proposed development to meet the new optional standards.
18. I have had regard to the various other matters raised by third parties but do not consider they constitute any planning arguments that tip the balance against the appeal scheme and therefore do not outweigh my conclusions on the main issues.

Conditions

19. I have had regard to the various conditions suggested by the Council, having also had regard to paragraph 206 of the Framework and Planning Practice Guidance (PPG). The conditions imposed are based on those suggested by the Council but with some variation in the interests of clarity.
20. Those relating to the standard time limit and the approved plans are necessary in the interests of proper planning and for the avoidance of doubt. A condition requiring details of the frontage layout and materials is necessary in order to ensure that the functional relationship between vehicles and pedestrians and the appearance of the development are satisfactory and in the interests of highway safety. A condition requiring the approval of materials is necessary to ensure the appearance of the development is satisfactory.
21. A condition relating to the discharge of surface water is necessary in the interests of highway safety. Given the residential character of the area, it is necessary to control the hours of demolition and construction. The Council's suggested conditions relating to vehicular access, parking space dimensions and footway crossings are adequately covered by [my] condition 3. In the interests of the proper development of the site, given the amount of material to be excavated, it is necessary to impose conditions relating to the submission of existing and proposed levels prior to any development taking place and the removal of material from site.
22. PPG makes it clear that conditions restricting the future use of permitted development rights will rarely pass the test of necessity and should only be used in exceptional circumstances. However, in this case some limited removal of permitted development rights relating to additional windows is necessary in order to protect the living conditions of the occupiers of No 8 Scotland Road. Additionally, in order to ensure the character and appearance of the street scene is not affected by future unsympathetic enlargements, I have imposed a condition restricting the alterations that can take place to the dwelling's roofs. However, the blanket of removal of permitted development rights as suggested by the Council, would not pass the test of necessity, hence the more targeted approach demonstrated by the conditions I have imposed.
23. The Council's suggested conditions relating to contamination are not supported by any evidential need and given the domestic use of the land are unduly onerous. Accordingly, I see no reason to impose them. For a development of this scale and on this particular site, I consider the suggested condition relating to wheel washing to be over-prescriptive and unnecessary. Neither is it necessary to require the landscaping of private gardens.

Conclusion

24. For the above reasons and having had regard to all other matters raised, the appeal succeeds.

Hayden Baugh-Jones

Inspector

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) With the exception of the area to the north of the front elevations of the dwellings, the development hereby permitted shall be carried out in accordance with the following approved plans: Land Registry Current Title Plan, HEL 04P A, HEL 05P.
- 3) Notwithstanding the details shown on the approved plans referred to in Condition 2, the dwellings shall not be occupied until full details of the layout of the area to the north of the front elevations of the dwellings have been submitted to and approved in writing by the local planning authority. These details shall include pedestrian and vehicular access, parking arrangements, all hard surfacing materials and the provision of dropped kerbs. These works shall be carried out in accordance with the approved details before the dwellings are occupied.
- 4) With the exception of demolition works, no development shall take place until samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 5) No development shall take place until details of all floor levels in relation to existing and proposed ground levels have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 6) Before the dwellings are occupied, full details of 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. These works shall be carried out before the dwellings are occupied and/or before the access is brought into use and shall thereafter be retained.
- 7) Demolition or construction works shall not take place outside 0730 hours to 1830 hours Mondays to Fridays and 0800 hours to 1300 hours on Saturdays nor at any time on Sundays or Bank Holidays.
- 8) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows/dormer windows other than those expressly authorised by this permission shall be constructed on the western elevation of the westernmost dwelling.
- 9) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the dwellings hereby permitted shall not be enlarged under the provisions of Schedule 2, Part 1, Class B.

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Appeal Decision

Site visit made on 19 January 2016

by Michael J Hetherington BSc(Hons) MA MRTPI MCIEEM

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 26th January 2016

Appeal Ref: APP/J1535/D/15/3135339

Haylands, 48 High Road, Chigwell, Essex, IG7 6DL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Bambi Sofroniou against the decision of Epping Forest District Council.
 - The application ref. PL/EPF/1301/15, dated 1 June 2015, was refused by notice dated 26 August 2015.
 - The development proposed is: demolish the garage and hall and part of the front wing and build new 2 storey side extension.
-

Decision

1. The appeal is allowed and planning permission is granted to demolish the garage and hall and part of the front wing and build a new two storey side extension at Haylands, 48 High Road, Chigwell, Essex in accordance with the terms of the application, ref. PL/EPF/1301/15, dated 1 June 2015, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: C14/12/01, C14/12/02, C14/12/03, C14/12/04, C14/12/05, C14/12/06, C14/12/07A, C14/12/08A, C14/12/09A, C14/12/10A, C14/12/11A, C14/12/12, C14/12/13.
 - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing dwelling.

Main Issues

2. The main issues in this appeal are:
 - (a) whether the scheme would amount to inappropriate development in the Green Belt; and
 - (b) its effect on the character and appearance of the area.

Reasons

3. Paragraph 89 of the National Planning Policy Framework (the Framework) states that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this include the extension or alteration of a building provided that it does not result in

disproportionate additions over and above the size of the original building. Policy GB2A of the Epping Forest District Local Plan and Alterations (LP) allows limited extensions to existing dwellings subject to LP policy GB14A: however the latter policy has not been saved and is not part of the development plan.

4. Haylands is a large detached dwelling occupying a generous plot within the Green Belt. It represents a replacement dwelling that was erected after 1997. The Council states that it is that structure that represents the original building in terms of Green Belt policy and I have no reason to take a different view. While further additions to the dwelling took place in 2012 these are not considered to form part of the original building.
5. The existing dwelling comprises an L-shaped two storey section with single storey wings to the side and rear. In summary, it is proposed to remodel the building to create a more symmetrical structure. The two-storey section that projects to the front of the building would be substantially reduced, while the single storey northern wing (comprising a lobby linking to a garage with a pitched roof) would be replaced by a two-storey structure. This would be of a similar style to the building's existing two-storey element.
6. The Council calculates that, taking into account the demolitions that are intended, the present scheme would represent a roughly 20% increase above the volume of the original building (as defined above). While Council officers stated that this would not be considered disproportionate, Council members felt that the scheme would amount to more than limited additions to the dwelling. However, their reasons for taking a different view on this matter are not explained in any detail in the relevant Committee minutes.
7. When applying the Framework's Green Belt policy in this regard it is clearly necessary to take into account the scale of the original building. To my mind, the *relative* size of the increase that is described above, taking into the account the demolitions that are proposed, would not be sufficiently great to be considered as being disproportionate in that context. While there would be some reduction in openness resulting from the net increase in accommodation at first floor level, this would not amount to material harm to the Green Belt given the circumstances of this already-large dwelling set within its substantial grounds. Accordingly, the scheme would not amount to inappropriate development in the Green Belt in the terms of the Framework.
8. As already noted, policy GB2A of the LP provides for an exception in the case of limited extensions to existing dwellings. It does not explicitly set out what would constitute a limited extension in that context. However, this wording is consistent with the national policy on house extensions in the Green Belt that applied at the time of the LP's adoption, as set out in paragraph 3.4 of Planning Policy Guidance: *Green Belts* (PPG 2). That policy was subject to paragraph 3.6 of PPG 2 which stated that 'provided that it does not result in disproportionate additions over and above the size of the *original* building, the extension or alteration of dwellings is not inappropriate in the Green Belt'. It therefore seems to me that LP policy GB2A can reasonably be considered in the same terms. For the reasons set out above, the appeal scheme would therefore amount to a limited extension in the terms of that policy. Drawing the above matters together I conclude that the proposal would not amount to inappropriate development in the Green Belt.

9. Paragraph 60 of the Framework states that planning policies and 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.
10. In the present case, it is noted that there are local objections to the particular architectural style that is proposed, notably the addition of a central portico feature. However, given the degree of separation between the house and its neighbours, the building appears as a somewhat isolated feature within the large grounds referred to above. Views from the public road are limited by boundary fencing and mature landscaping, including protected trees.
11. It is clear that the appeal scheme would both derive from and respond to the dwelling's existing style and appearance. Articulation would be provided by the inclusion of a number of design features including the above-noted central portico. The resulting main façade of the building would be marginally shorter than the existing front elevation. Although the bulk of the building at first floor level would be greater, this would not amount to a substantial overall increase in volume at first floor level given the intended demolition of part of the front wing as already described.
12. Taking these factors together, it seems to me that the proposed extension would complement the existing dwelling. For these reasons, I conclude that the character and appearance of the area would not be materially harmed. This would accord with LP policies DBE4 and DBE10.
13. Otherwise than as set out in this decision and conditions, it is necessary that the development should be carried out in accordance with the approved plans for the avoidance of doubt and in the interests of proper planning. In order to ensure a satisfactory appearance, it is necessary that the external materials of the proposed extension should match those of the existing dwelling.
14. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

M J Hetherington

INSPECTOR

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Appeal Decision

Site visit made on 12 October 2015

by S Stevens BSc (Hons) MSc DipTP DMS MCMi MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 15 October 2015

Appeal Ref: APP/J1535/W/15/3065764
165 High Road, Loughton, Essex IG10 4LF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Lawlors Estate Agents against the decision of Epping Forest District Council.
 - The application Ref EPF/2600/14, dated 30 October 2014, was refused by notice dated 4 March 2015.
 - The development proposed is described as the demolition of an existing outbuilding and a small section of stairwell to the rear. The erection of a 5 storey building to the rear of the site. The refurbishment and revitalisation of the existing building to the front of the property.
-

Decision

1. The appeal is allowed and planning permission is granted for the demolition of an existing outbuilding and a small section of stairwell to the rear, the erection of a 5 storey building to the rear of the site, the refurbishment and revitalisation of the existing building to the front of the property at 165 High Road, Loughton, Essex IG10 4LF in accordance with the terms of the application, Ref Ref EPF/2600/14, dated 30 October 2014, subject to the conditions set out in the schedule below.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the locality.

Reasons

3. The site is located within part of the key frontage of Loughton Town Centre and the area comprises a mix of commercial, retail and residential uses.
4. A previous proposal for, amongst other elements, a 4 storey rear extension was dismissed on appeal solely on the grounds that the developer failed to provide contributions towards education provision¹. Planning permission has subsequently been granted, subject to a S106 for educational contributions, for the refurbishment and enlargement of the existing building by way of basement storage area, construction of additional storey, and erection of a four storey rear extension incorporating 5 parking spaces, extension to ground floor commercial units (12 additional flats) comprising 6 studio flats, 8 one bedroom flats and 2 three bedroom flats - Ref EPF/0708/12.

¹ APP/J1535/A/11/2162394, dated 20 March 2012.

5. The appeal proposal differs from the previously approved scheme in that the proposed building to the rear of the site would be 5 storeys and would be separated from the building at the front of the site. The proposal also includes the addition of a rooftop extension to the front building and a variety of elevational and design changes. Essex County Council has also reviewed when it would seek educational contributions and has stated that it would not require any in respect of the appeal proposal.
6. The Council accepts the site is in a sustainable location and that the principle of the development is acceptable. From the submissions I see no reason to take different view.
7. The site is in a prominent position which is visible when entering Loughton and is also on the corner of the access road that serves a major retailer. Nearby on the opposite side of the road is also the entrance to High Beech Road and an area of public open space. In the vicinity of the site there is a wide range of building styles, sizes, roof designs, material and heights. There are a number of very substantial buildings as well as some very modest ones and the High Road retains a pleasant appearance.
8. The proposed addition to the front building would result in a structure that would not be dissimilar in height to the existing building on the opposite side of the access road and to a number of other buildings along the High Road. The proposed additional floor would be set back from the front and side elevations which would limit views of the extension when viewed from close by the site. The set back would also result in the height of front elevation abutting the High Road appearing to remain similar to that which currently exists.
9. The proposal would include elevational changes, partial rendering and new fenestration to the frontage building. The existing building is a 1960s 3 storey flat roofed, rectangular structure built predominantly of red brick. Its current appearance is functional and somewhat dated. The elevational changes would result in a more contemporary appearance with a simple form that would add to rather than detract from appearance of the High Street. I consider the scale and design of the frontage property would provide a satisfactory development that would respect character and form of the area.
10. The rear of the appeal site is currently occupied by single storey structures and behind the site there is a public car park. The existing rear and side elevations of the frontage building and single storey structure are functional and lack design detailing so they appear as 'dead' elevations.
11. Whilst the proposed rear building would have 5 storeys the submissions show the actual height of the building would not be significantly higher than some of the nearby buildings. This is because many of the existing larger buildings, such as Crown House on the corner of the High Road and Old Station Road, appear to have a larger ground or other storeys floor to ceiling distance. Although such buildings may only contain 4 stories, due to the greater head height these buildings are higher per storey than that which is proposed.
12. The rear of the appeal site is relatively well screened from the High Road and the proposed building would be located to the rear of and some considerable distance away from the High Road. Only a limited section of the upper part of the building would be visible and it would not appear unduly prominent within the context of the High Road or from the public open space. Furthermore, the

proposal would not detract from buildings such as the Lopping Hall which would remain a distinctive feature of the area.

13. To the rear of the site is a public car park and behind this is Station Road that contains predominantly residential properties. The rear of the site and the adjoining commercial buildings are visible from this road although partially screened by mature trees. The proposed rear building would be visible but due to the distance between it and the road to the rear I do not consider the building would appear dominant or prominent in the streetscene.
14. The design of the development also introduces more active frontages within the site and enhancements to the service road that runs off the High Road and the opposite retail store. These elements of the proposal would lead to an improvement in the appearance of the area.
15. Having considered carefully all the submissions, including those of interested parties, I conclude the proposal would lead to enhancement of the area and that the height of the proposed rear building would not be unduly prominent or overly dominant. The proposal would therefore respect the character and appearance of the area and comply with Epping Forest District Local Plan and Alteration Policies CP2(iv), CP7 and DBE1 (i) and (ii) which seek, amongst other things, to safeguard and enhance the urban environment, provide a high quality of design and be of a scale, massing and height that respects their setting.

Other matters

16. Interested parties have raised a number of concerns and those relating to the main issue have been considered above. Concerns have also been raised in respect of loss of privacy, light and view, overdevelopment, parking and precedent.
17. Given the relative positions of the proposed development and existing developments nearby and the design of the rear building including positioning of windows and balconies the proposal would not result in a loss of privacy, light or view that would make the proposal unacceptable. The development would result in the efficient use of a previously developed site which would contribute towards the vitality and viability of the town centre.
18. The site is within an area that is well served by public transport and close to services and facilities. The proposal does not provide any off street parking provision but given the town centre location the Council has confirmed that the proposal is in accordance with its Vehicle Parking Standards.
19. In respect of precedent given that I have concluded that the proposal would be acceptable, I can see no reason why it would lead to harmful developments on other sites in the area. No directly similar or comparable sites to which this might apply were put forward. Each application and appeal must in any event be determined on its individual merits and a generalised concern of this nature does not justify withholding permission in this case.

Conditions

20. I have considered the conditions suggested by the Council and, where appropriate, amended them to ensure they comply with the advice in the Planning Practice Guidance. In addition to the standard time limit conditions

requiring the development to be completed in accordance with the approved plans and the submission of external materials are necessary to ensure the development provides a satisfactory appearance.

21. To ensure the living conditions of the occupants of the proposed units and nearby properties are protected conditions restricting the times demolition and construction works can be undertaken; requiring the submission of a construction method statement; and details of glazing and ventilation are necessary. As the site has been previously developed and to ensure the wellbeing of persons living or working on or near the site conditions are necessary regarding the mitigation of any contamination found on the site and the removal of excavated material from the site.

Conclusion

22. For the reasons given above I conclude that the appeal should be allowed.

Sarah Stevens

INSPECTOR

Schedule of 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: 229-PL-01, 229-PL-02, 229-PL-03, 229-PL-04, 229-PL-05, 229-PL-06, 229-PL-07, 229-EX-01, 229-EX-02 and 229-EX-03
- 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.
- 4) 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/disposal of waste resulting from demolition and construction works.
- 5) The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site.

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

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

- 6) 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.

- 7) 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.
- 8) All bedrooms within the new residential top floor of the existing building hereby approved shall be provided with sufficient double glazing and acoustically treated trickle ventilators, or other means of ventilation that will provide adequate ventilation with the windows closed, to ensure that the occupiers are provided with reasonable resting/sleeping conditions with reference to British Standard BS8233: 2014 - Guidance on Sound Insulation and Noise Reduction for buildings - Code of practice (or such other standard which may supersede it from time to time).
- 9) Details of the double glazing and acoustically treated trickle ventilators, or other means of ventilation, referred to in Condition No 8 shall be submitted to and agreed in writing by the Local Planning Authority and installed before any of the proposed residential development is occupied.

Appeal Decision

Site visit made on 2 February 2016

by Daniel Hartley BA (Hons) MTP MBA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 11 February 2016

Appeal Ref: APP/J1535/W/15/3136657
Woodberrie, Woodbury Hill, Loughton, Essex IG10 1JB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Patricia Colley against the decision of Epping Forest District Council.
 - The application Ref EPF/0498/15, dated 2 March 2015, was refused by notice dated 3 June 2015.
 - The development proposed is a dwelling adjacent to Woodberrie.
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of a dwelling adjacent to Woodberrie at Woodberrie, Woodbury Hill, Loughton, Essex IG10 1JB, in accordance with the terms of the application Ref EPF/0498/15, dated 2 March 2015, subject to the conditions set out in the attached schedule.

Main Issues

2. The main issues are the effect of the proposal upon (i) the character or appearance of the York Hill Conservation Area; and (ii) the living conditions of the occupiers of 13 and 15 Woodbury Hill in respect of outlook.

Reasons

Conservation Area

3. The appeal site comprises part of the garden area of Woodberrie and falls within the York Hill Conservation Area (CA). Woodberrie is a locally listed building dating from the turn of the 20th Century. It is an Arts and Crafts style property with a distinctive cat slide roof. This part of the CA is characterised by large residential properties, set within large plots and positioned well back from hedgerow lined narrow lanes. The more traditional properties are timber framed and include timber weatherboard cladding. Collectively these characteristics give the CA its distinctive character.
4. The proposal is to demolish an existing linked attached garage to Woodberrie and a detached outbuilding in the part of the garden adjacent to the rear garden boundary of 13 Woodbury Hill, and to erect a two storey (three bedrooms) dwelling, with space to park two vehicles. The proposed dwelling would share the existing drive (leading from Woodbury Hill) with Woodberrie

and would include white painted timber weatherboarding to the walls with a red brick plinth, and a slate tiled roof.

5. The dwelling would be set well back from Woodbury Hill and would follow a similar building line to Woodberrie. The removal of the garage and the outbuilding would ensure that the dwelling was positioned within a large plot. The retention of the existing mature hedgerow (particularly along the boundaries with the lane and 13 and 15 Woodbury Hill) would ensure that the property was well assimilated into the wider landscape.
6. I am satisfied that the proposed dwelling would suitably reflect the elevation treatment and material palette of the properties immediately surrounding the site. The scale and bulk of the property would be similar to other properties in the area. Woodberrie would continue to occupy a large plot, and I am satisfied that the proposed dwelling would not cause harm to this designated heritage asset.
7. For the above reasons, and taking into account Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I consider that the proposal would have a neutral impact on the character and appearance of the CA. The proposal would maintain the defining characteristics of the CA, namely that of dwellings in spacious plots positioned well back from narrow lanes; and given the overall design and use of materials, it would not jar with the existing pattern of development surrounding the site. Therefore, I conclude that the proposal would preserve the character and appearance of the CA. Accordingly, there would be no conflict with the conservation and design aims of the National Planning Policy Framework and saved Policy HC6 of the Epping Forest District Council Local Plan 1998 (Local Plan).

Living Conditions

8. The side elevation of the proposed dwelling would be approximately 17 metres from the rear elevations of numbers 13 and 15 Woodbury Hill. These properties are positioned at a higher level to the appeal site. The ground floor of the proposed dwelling would not be conspicuous when viewed from these properties, given the height and position of existing boundary treatment and mature vegetation.
9. Whilst the proposed first floor would be seen from these properties, taking into account separation distances, the height of the building, and the differences in levels, I am satisfied that the proposal would not have an overbearing impact nor lead to a material loss of outlook for the occupiers of 13 and 15 Woodbury Hill. The proposed dwelling would be at an angle to the rear of 15 Woodbury Hill thereby lessening its impact, and to some extent the outlook from parts of the rear of 13 Woodbury Hill would be improved, given the demolition of the outbuilding.
10. Therefore, I conclude that there would be no conflict with the amenity aims of saved Policy DBE2 of the Local Plan. Furthermore, the proposal would accord with one of the 12 principles of the National Planning Policy Framework which is to *"always seek to secure a high quality design and a good standard of amenity for all existing and future occupants of land and buildings."*

Other Matters

11. I have taken into account representations made by interested parties. Taking into account the separation distances from surrounding residential properties, I do not consider that the dwelling would lead to a material loss of light, outlook or privacy for their respective occupiers. Whilst there are windows proposed to the side elevation facing 13 and 15 Woodbury Hill, these would be non-habitable room windows. A planning condition is imposed to ensure that obscure glazing is used. I acknowledge that the proposal would have some effect on long distance views from these properties, but the right to a view is not a material planning consideration.
12. Reference has been made to "garden grabbing", but I have not been provided with any policy that specifically precludes housing development in gardens. Therefore, I attach limited weight to this issue. I have been provided with no evidence to suggest that the proposal would cause harm to wildlife and the existing hedgerow would be retained. Planning conditions are imposed relating to construction hours and construction management. Proposed on-site car parking provision would be adequate.
13. Comments have been made that approval of planning permission will set an unacceptable precedent in the area. Given that I have concluded that the proposal would be acceptable, I can see no reason why it would lead to harmful developments on other sites in the area. Furthermore, each planning application and appeal should be determined on its merits.
14. None of the other matters, nor representations made by interested parties, outweigh my conclusions on the main issues.

Conditions

15. The conditions set out in the accompanying schedule are based on those suggested by the Council. Where necessary I have amended the wording of the suggested conditions in the interests of precision and clarity and in order to comply with advice in the Planning Practice Guidance. I have amended a number of the conditions where I do not consider that they need to be pre-commencement conditions.
16. Planning permission is granted subject to the standard three year time limit condition.
17. Otherwise than as set out in this decision and conditions, it is necessary that the development shall be carried out in accordance with the approved plans, for the avoidance of doubt and in the interests of proper planning. I have therefore imposed a condition to this effect.
18. In the interests of the character and appearance of the area it is necessary to impose conditions relating to materials, window details, boundary treatments, landscaping, tree protection and the final finish to the flank wall of Woodberrie.
19. In order to retain a large garden area/plot associated with the appeal dwelling, and in the interests of the character and appearance of the CA, it is necessary to remove permitted development rights and that the outbuilding / garage are demolished before construction of the dwelling. However, I have amended the wording of the Council's suggested permitted development rights condition so that it removes reference to Woodberrie. A condition removing permitted

development rights from Woodberrie would not be enforceable as such rights could be exercised in advance of the implementation of the planning permission. Furthermore, I do not consider that it is necessary to remove permitted development rights from Woodberrie as the resultant garden area associated with this property would still be spacious.

20. In the interests of highway safety, it is necessary to impose planning conditions relating to the discharge of water onto Woodbury Hill and the surface treatment of the access drive.
21. In the interests of the living conditions of the occupiers of surrounding properties, conditions are necessary relating to construction hours, the method of construction and demolition, the management of flood risk, the provision of obscure glazing to the first floor windows facing 13 and 15 Woodbury Hill, controls over potential land contamination and the submission of details relating to foul and surface water drainage.

Conclusion

22. The proposed development would not have an adverse effect upon the character and appearance of the York Hill Conservation Area, nor upon the living conditions of the occupiers of surrounding properties. For the reasons outlined above, and taking into account all other matters raised, I conclude that the appeal should be allowed.

Daniel Hartley

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall begin not later than three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: Drawings 239-PL 05 A, 239-PL-06 A, 239-PL-07 A, 239-PL-08 A and 239-PL-09.
3. No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such approved details. For the purposes of this condition, the samples shall only be made available for inspection by the Local Planning Authority at the planning application site itself.
4. No construction works above ground level shall take place until additional drawings (section and elevation at scales between 1:20 and 1:1) that show details of proposed new windows and external doors have been submitted to and approved in writing by the Local Planning Authority. The windows and doors shall thereafter accord with approved details.
5. No construction works above ground level shall take place until details of the proposed boundary treatments and finishes have been submitted to and approved in writing by the Local Planning Authority. The approved boundary treatments shall be in place prior to first occupation of the dwelling and shall be retained as approved thereafter.
6. No demolition works shall take place until additional drawings that show details of the proposed method of demolition and finish to the flank wall of the donor property (Woodberrie) has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any other Order revoking, further amending or re-enacting that Order) no development permitted by virtue of Class A, C or E of Part 1 of Schedule 2 to the Order shall be undertaken within the curtilage of the dwelling hereby approved, without the prior written permission of the Local Planning Authority.
8. All construction/demolition works and ancillary operations, including vehicle movement on site, shall only take place between the hours of 07.30 to 18.30 hours Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays.
9. 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:
 - The parking of vehicles of site operatives and visitors.

- Loading and unloading of plant and materials.
 - Storage of plant and materials used in constructing the development.
 - Measures to control the emission of dust and dirt during construction, including wheel washing.
 - A scheme for recycling/disposing of waste resulting from demolition and construction works.
 - Details of delivery schedules or restrictions in place to ensure no construction deliveries take place during school term time between the hours of 8.30-9.30 and 14.45-15.45.
10. Prior to the commencement of the development, a flood risk assessment and management and maintenance plan shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall demonstrate that adjacent properties shall not be subject to increased flood risk and, dependant upon the capacity of the receiving drainage shall include calculations of any increased storm run-off and the necessary on-site detention. The approved measures shall be carried out prior to the substantial completion of the development hereby approved and shall be adequately maintained in accordance with the approved management and maintenance plan.
11. Prior to first occupation of the development hereby approved, the proposed window openings at the first floor facing 13 and 15 Woodbury Hill, 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 thereafter be permanently retained in that condition.
12. Prior to the commencement of development details of the means of discharge of foul and surface water shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and maintained thereafter.
13. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
14. There shall be no discharge of surface water onto the Highway.
15. The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site. Should any discoloured or odorous soils be encountered during the development works or should any hazardous materials or significant quantities of non-soil forming materials be found, then all development works should be stopped, the Local Planning Authority contacted and a scheme to investigate the risks and / or the adoption of any required remedial measures be submitted to and approved in writing by the Local Planning Authority, prior to the recommencement of development works. Following the completion of development works, and prior to the first occupation of the site, information must be submitted to the Local Planning Authority to demonstrate that any required remedial measures were satisfactorily implemented or confirmation provided that no unexpected contamination was encountered.

- 16.No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and an 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, destroyed, dies, or becomes seriously damaged or defective, another tree, shrub or plant of the same species and size as that originally planted shall be planted at the same place.
- 17.No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with approved details.
- 18.The dwelling hereby approved shall not be constructed until the detached outbuilding (to the north west of the site) and the attached garage (to the property known as Woodberrie) have been demolished.

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Appeal Decision

Site visit made on 8 December 2015

by Nick Palmer BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 01 February 2016

Appeal Ref: APP/J1535/W/15/3131042

Land to rear of 94 Lawton Road, Loughton, Essex

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Brendan McParland of Brenland Ltd against the decision of Epping Forest District Council.
 - The application Ref EPF/0645/15, dated 18 March 2015, was refused by notice dated 3 June 2015.
 - The development proposed is residential development comprising 5 N^o 2 bed apartments and 2 N^o 1 bed apartments.
-

Decision

1. The appeal is allowed and planning permission is granted for a residential development comprising 5 N^o 2 bed apartments and 2 N^o 1 bed apartments at Land to rear of 94 Lawton Road, Loughton, Essex in accordance with the terms of the application, Ref EPF/0645/15, dated 18 March 2015, subject to the conditions set out in the attached schedule.

Procedural Matters

2. I have used the site address given on the appeal form in my decision as this appears to be more accurate than that given on the application form.
3. Amended site plans were submitted with the appeal¹. Those plans were not before the Council when it made its decision. The amendments show the distances between adjacent houses and the proposed development and do not alter the proposal. I consider than no party would be prejudiced by my considering the proposal on the basis of those plans.

Main Issues

4. The main issues in the appeal are the effects of the proposed development on:
 - i) the character and appearance of the area;
 - ii) highway safety; and
 - iii) the living conditions of adjacent residents.

¹ Ref 2013-510-002 Revs A and B

Reasons

Character and Appearance

5. The site is to the rear of residential development on Lawton Road. The frontage building was previously used as a day care centre and has been converted and extended to form four dwellings. To the rear of the site is an area of open space forming part of a residential estate at Fairmeads. The site is accessed via a drive to the side of 92 Lawton Road and was previously used as garden and a car park in association with the day care centre. In the immediately surrounding area the houses are of two storeys and predominantly semi-detached and terraced. Open spaces adjacent to the main roads give a spacious quality to the area.
6. Policy CP7 of the Epping Forest Local Plan Alterations (LPA) (2006) seeks to make efficient use of land in urban areas while avoiding over-development. That policy supports the recycling of vacant land and the use of higher densities where this is compatible with the character of the area.
7. The density of the proposed development would be higher than that of the surrounding dwellings but the overall scale of the building in comparison with the adjacent terraces would not be excessive. Its roof height would be similar to those of the adjacent houses and the setting of the first floor accommodation partially within the roof would limit its scale. The building would adjoin the public open space within the Fairmeads estate and the rear gardens of the adjacent properties thereby maintaining space around it. An area of shared amenity space would also be provided within the site. These aspects would avoid the development having a cramped appearance. The proposal would accord with policy DBE1 of the Epping Forest Local Plan (LP) (1998) in terms of its scale and height respecting the setting.
8. The lime tree within the site is protected by a Tree Preservation Order. Works would be undertaken to reduce the height of the crown and the lateral branches and remove epicormic growth in the interest of good arboricultural practice. Tree protection measures are to be provided during construction works in respect of that tree and other adjacent trees.
9. Whether or not the site was previously a residential garden no policy specifically resisting garden development has been put forward and there are no grounds for considering the proposal to be contrary to the National Planning Policy Framework (the Framework) in this regard.
10. For these reasons the proposed development would not be harmful to the character and appearance of the area. The proposal would accord with policies CP7 and CP2 (iv) of the LPA, the latter requiring the setting, character and townscape of the urban environment to be safeguarded and enhanced.

Highway Safety

11. The site has good accessibility by public transport with bus services along Lawton Road and Pyrles Lane. Debden underground station is about 0.7 miles away. There are shops, schools and medical services in the area. A bicycle storage facility for 7 bicycles would be provided as part of the development.

12. The Framework seeks to make fullest possible use of public transport, walking and cycling². Paragraph 39 of the Framework advises that, in setting local parking standards, local planning authorities should take into account the accessibility of the development and the availability of public transport. Although there is provision in the Essex County Council Parking Standards (2009) for its minimum standards to be relaxed where there is good public transport and access to other services, this approach is not entirely consistent with the Framework.
13. The proposal would fall some way short of the minimum parking standard but there are alternative sustainable modes of transport available, the use of which is encouraged by the Framework.
14. There is unrestricted on-street parking on Lawton Road and Pyrles Lane. Interested parties have referred to parking congestion. However the Highway Authority considers that the proposal would be acceptable in terms of highway safety and I see no reason to disagree.
15. For these reasons the proposal would not be prejudicial to highway safety. The proposal would not accord with policy ST6 of the LPA but that policy is not consistent with the Framework. I give reduced weight to policy ST6 and greater weight to the Framework in this regard.

Living Conditions

16. The part of the building containing windows would be over 23 metres away from the rear of 92 – 98 Lawton Road. The windows facing towards the rear of 102-104 Lawton Road would be a minimum of 21metres away from those dwellings and at an angle to them. The first floor windows would include living room windows but those separation distances would in my view be sufficient to avoid unacceptable levels of overlooking. The existing trees within the site would further reduce the potential for any overlooking by providing screening when in leaf.
17. The part of the building facing the rear of the houses on Pyrles Lane would not contain windows. The part adjacent to 48 Fairmeads would contain a first floor window but this would not directly face its rear garden. For these reasons the proposal would not result in unacceptable overlooking of neighbouring properties.
18. Given that the proposed building would be separated from adjacent houses by reasonable distances and its height would be similar to those houses it would not be unacceptably overbearing or obstructive of sunlight and daylight.
19. I have taken into account the concerns of local residents about noise and disturbance from car parking. The access drive and rear car park were previously used in association with the former day care centre. It is unlikely that the volume of traffic using the drive and car park would significantly increase such as to cause unacceptable disturbance or that on-street parking would do so.
20. I see no reason why the use of the communal garden by residents would be harmful to amenity. For the reasons given the proposal would not harm the

² Paragraph 17

living conditions of adjacent residents and would accord with policies DBE2 and DBE9 of the LP which require that there is no detrimental effect upon amenity.

Other Matters

21. I have taken into account all other matters raised, including accessibility by service and emergency vehicles. Those matters do not alter my conclusions on the main issues.

Conditions

22. I have had regard to the tests in paragraph 206 of the Framework in imposing conditions. The Council has not suggested the imposition of any conditions. However I have had regard to the responses from Council officers, interested parties and other bodies and the recommended conditions in the Council's committee report.

23. A condition requiring the development to be carried out in accordance with the approved plans is necessary for the avoidance of doubt. Details of external facing materials would require approval in order to ensure the appearance of the development is acceptable.

24. A condition requiring wheel washing is necessary to ensure that mud is not deposited on the road in the interest of highway safety. A condition restricting working hours during construction is necessary to safeguard the amenities of adjacent residents.

25. The provision of a Travel Information Pack to the occupiers of the development is necessary to maximise the use of sustainable transport.

26. A condition restricting the discharge of surface water onto the highway is necessary in the interest of highway safety.

27. The appellant's Arboricultural Statement includes a Method Statement which makes provision for protective fencing adjacent to the trees. The Council's Trees and Landscape Officer requested further information but I consider the submitted information to be sufficient to ensure the protection of the adjacent trees. I have imposed a condition requiring work to be carried out in accordance with those details.

28. A condition requiring the submission and approval of hard and soft landscaping works is necessary to ensure that the development is visually acceptable in the context of the adjacent open space.

29. Conditions requiring a flood risk assessment and drainage details to be approved are referred to in the committee report. However no evidence has been provided to indicate a need for those conditions and thus they would not pass the test of necessity in paragraph 206 of the Framework.

Conclusion

30. For the reasons given I conclude that the appeal should be allowed.

Nick Palmer

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 2013-510-002B, 2013-510-010, 2013-510-011, 2013-510-012 and 2013-510-014.
- 3) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 4) No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall have previously been submitted to and approved in writing by the local planning authority.
- 5) Construction works shall only take place between 07:30 and 18:30 hours Mondays to Fridays, between 08:00 and 13:00 hours on Saturdays and not at all on Sundays and bank/public holidays.
- 6) A Travel Information Pack for sustainable transport which shall include 6 N^o one day travel vouchers for use on local public transport shall be provided to each dwelling upon its occupation. Details of the Travel Information Pack shall be submitted to and approved in writing by the local planning authority before any unit is first occupied.
- 7) There shall be no discharge of surface water onto the highway.
- 8) The development shall be carried out in accordance with the Arboricultural Method Statement by Tim Moya Associates Ref 140330-PD-21.
- 9) No development shall commence until there shall have been submitted to and approved in writing by the local planning authority a scheme of hard and soft landscaping. This shall include details of proposed finished levels or contours, services, lighting, hard surfacing and means of enclosure. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

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Appeal Decision

Site visit made on 29 October 2015

by George Arrowsmith BA, MCD, MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 26 November 2015

Appeal Ref: APP/J1535/W/15/3127872
152 High Road, Chigwell, Essex, IG7 5BQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr T Offord against the decision of Epping Forest District Council.
 - The application Ref: EPF/0073/15, dated 9 January 2015, was refused by notice dated 1 April 2015.
 - The development proposed is the demolition of a large existing dwelling and the erection of a replacement building of 5 luxury apartments with associated parking.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are whether the proposal would, i) have a detrimental impact on the character of the surrounding area and the street scene in particular, ii) be an unsustainable form of development in that it would not be capable of adopting to changing family sizes and compositions and/or, iii) be unacceptably harmful to the amenity of the neighbouring residential property at 150 High Road by virtue of loss of sunlight and overbearing impact.

Reasons

Street Scene and Character of the Area

3. The buildings in the vicinity of the appeal site and on this side of High Road generally consist of large buildings of various designs typically standing in generous plots. Some of the buildings, including 154 High Road, immediately to the north east of the appeal site, are occupied as flats.
 4. The existing 2-storey dwelling takes up about half the site's width. Most of the remainder is filled by an attached garage with a hipped roof. The proposed replacement would have the same eaves and roof height but its 2½-storey form would occupy most of the site's width with the result that it would have a more marked presence in the street scene. This is nevertheless a scene which already includes several imposing properties, many extending over much of their plot widths. Given this existing character I consider that the proposed building, which would be set back from the road behind a landscaped area and would incorporate many design features seen in nearby buildings, would not
-

appear out of place. An additional consideration is that the three mature protected horse chestnut trees in the adjoining highway verge would help to soften the building's impact. For these reasons I am satisfied that the proposal would not have a detrimental impact on the street scene or the character of the area. In that regard I consider that it would comply with the relevant objectives of saved policies CP2, CP7 and DBE1 in the adopted Epping Forest District Local Plan and Alterations and the guidance in the National Planning Policy Framework.

Sustainability

5. The Council's justification for claiming that the proposal is not a sustainable form of development is unclear. The reasons for refusal say that the flats are not capable of being adapted to changing family sizes and compositions. There is however some potential for adapting spacious flats to different household sizes. Whilst there is not unlimited potential, limitations are inherent in most dwellings. I see no justification for the view that the scope for adaptation would be especially limited in the proposed development.
6. In their appeal statement the Council make the further claim that that 2-bedroom flats offer little flexibility in an area where family housing is much needed. I do not see a direct link between the need for family housing and the flexibility offered by 2-bedroom flats. The Council have not produced any evidence on the requirement for housing of different types nor have they produced evidence to show that there is an objection in principle to the replacement of a large family house by flats. In conclusion I do not consider that the provisions of local plan policies CP1, CP5 or CP7 have any close relevance to this part of the Council's case or that the proposal would be an unsustainable form of development.

Residential Amenity of 150 High Road

7. My greatest concern is the effect the proposal would have on the residential amenity of the neighbouring property at 150 High Road. I read in the case officer's report that the appellant is able to demonstrate that the proposal "*would achieve a 45 degree angle of outlook from this property at first floor*" and thus that the development "*would achieve the required standard*". I am not provided with any policy document defining the 'standard' and I do not know whether the angle is measured from the centre or nearside edge of the window. I am not provided with any diagram illustrating the angle in this particular case but, from my examination of the submitted plans and the evidence of my site visit, it appears that angle of outlook only marginally exceeds the 45 degree requirement.
8. In considering the impact of the proposal on No 150 it is important to recognise that planning standards are not intended to preserve the outlook that a property might enjoy at a particular point in time. Rather they are intended to ensure that acceptable standards are met and maintained. In this instance I have no doubt that the outlook from No 150's rear windows would deteriorate but, in the context of the Council's standard, I accept that the effect falls within the limit of acceptability. There is however the additional consideration that the wall would be almost directly to the south of the windows so that its effect on the light they receive would be exacerbated.

9. The proposed building would have a greater effect on that part of No 150's garden immediately to the rear of the house and especially the patio which is adjacent to the boundary. Anyone using this area and looking towards the appeal site would face a 2-storey high wall extending the length of the patio at a distance of around 3m from the boundary. For that part of the wall immediately to the rear of No 150 the distance from the boundary would reduce to just one metre. I am aware that the ground level at No 150 is somewhat higher than that at the appeal property but this would only marginally reduce the wall's impact. I am also aware that there is existing boundary landscaping; however this is not necessarily permanent and in any event would obscure only the lower parts of the wall. Again, it is relevant that the wall would be directly to the south of the patio thereby increasing its overshadowing effect.
10. Taking all the above effects into account I consider that the replacement building would unacceptably detract from the amenity of No 150 through overbearing impact and loss of sunlight. In so doing it would conflict with the objectives of saved local plan policies DE2 and DE9. I am aware that this is a balanced judgement, as is recognised in the case officer's report. As explained in my paragraph 8 above the issue is not whether the proposal would affect No 150 but whether the effect would cross the boundary into unacceptability. In this regard my assessment accords with the Council's corporate view. Despite my findings in relation to the first two issues I therefore find that the refusal of permission is justified.

Other Matters

11. No 150's occupants are also concerned about overlooking. The windows in the new building's rear elevation would have a clear view of the rear part of their garden but the overlooking of rear parts of gardens from the upper floors of neighbouring properties is not uncommon, and I do not think the arrangement would lead to an unacceptable loss of amenity. It would be possible to see No 150's open air swimming pool from an angled first floor kitchen at this side of the new building and the swimming pool could also be viewed by leaning over upper storey balconies. These effects are not sufficient to justify a refusal of permission but they marginally add to the overall unacceptability of the proposal.

George Arrowsmith

INSPECTOR

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Appeal Decision

Site visit made on 7 December 2015

by **J L Cheesley BA(Hons) DIPTP MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 14 December 2015

Appeal Ref: **APP/J1535/D/15/3133548**

2A Summerfield Road, Loughton, Essex IG10 4QD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Aaron Cresswell against the decision of Epping Forest District Council.
 - The application Ref PL/EPF/0749/15 was refused by notice dated 1 July 2015.
 - The development proposed is the erection of a boundary wall with metal railing above and metal sliding gate.
-

Decision

1. The appeal is dismissed.

Main Issues

2. I consider the main issues to be:

the effect of the proposal on the character and appearance of the surrounding area; and

the effect of the proposal on setting a precedent for similar development in the area.

Reasons

3. The appeal property lies within a predominately residential area where front boundaries are characteristically low walls or open in character. The side boundaries of properties on the corner to Spring Grove have close boarded fences. Otherwise, the character of the frontages of properties in Summerfield Road is that of openness. Where there are metal railings, they are low and retain the open character of the front gardens.
4. The proposal includes railings above a front boundary wall with a combined height of some 1.80 metres. In addition, there would be a metal automated sliding gate.
5. From my observations, due to the scale, height and design of the proposal, I consider that it would appear unduly dominant in this open frontage streetscene, to the detriment of the character and appearance of the surrounding area.

6. For the above reasons, the proposal would be contrary to Policy DBE1 in the Epping Forest District Adopted Plan (1998) and Policy CP2(iv) in the Local Plan Alterations (2006), with regard to development respecting and enhancing its setting.
7. I consider the Council's policies referred to above are broadly in accordance with the National Planning Policy Framework as far as they meet the Framework's core principles; particularly that planning should be taking account of the different roles and character of an area.
8. I note the Council has raised concern regarding precedent. I have determined the proposal before me on its individual merits but acknowledge that to allow the appeal would make it difficult for the Council to resist similar proposals.

J L Cheesley

INSPECTOR

Appeal Decision

Site visit made on 16 September 2015

by **Claire Victory BA (Hons) BPI MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 07/01/2016

Appeal Ref: APP/J1535/W/15/3028109

Trevelyan House, Arewater Green, Loughton, Essex IG10 2SP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Trevelyan House Ltd. against the decision of Epping Forest District Council.
 - The application Ref EPF/2608/14, dated 4 September 2014, was refused by notice dated 4 February 2015.
 - The development proposed is the demolition of three existing properties and associated buildings to be replaced with 10 no. new dwellinghouses, new access road, parking and landscaping.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. The appellant has confirmed that the red line boundary as originally submitted included a strip of land not within their ownership. This has now been corrected and I was aware of the correct boundary in determining this appeal.

Main Issues

3. The main issues in the appeal are:
 - the effect of the proposed parking and access arrangements on the safety and convenience of users of the highway network in the vicinity of the appeal site; and
 - the effect of the proposal on the character and appearance of the area.

Reasons

4. Trevelyan House is a detached property, with several outbuildings, including a large workshop in the north east of the appeal site. Two semi-detached cottages also form part of the site, which is bounded by allotment gardens, known as the Loughton Potato Ground to the north, Grade II listed almshouses to the south west, residential properties on Monkchester Close to the north east, and Arewater Green, a wooded green space to the south east that forms part of Epping Forest.
5. Ground levels vary significantly throughout the site, with the land rising towards the Potato Ground and Monkchester Close, and sloping down towards the south east. The site is generally secluded, with screening from mature

trees along the south east and south west boundaries, although the northern part of the site is overlooked by the rear gardens of properties on Monkchester Close, that are set higher than the ground level within the site.

Proposed parking and access arrangements

6. The proposal would involve the demolition of the existing buildings and construction of 10 new dwellings. Policy ST6 of the Epping Forest District Council Local Plan and Alterations (LP) (2008) requires developments to provide on-site car parking in accordance with the Essex County Council Car Parking Standards 2001 or successor document. The latest iteration of the parking standards (2009) require minimum car parking standards for dwelling houses. It notes that the 2001 maximum standards for residential uses were ineffective in discouraging car ownership and dwellings, as trip origins, should provide sufficient vehicle parking arrangements for residential properties in Essex.
7. The parking standards require 2 off-street car parking spaces for each dwelling formed of two bedrooms or more, and 0.25 visitor spaces per dwelling, rounded up to the nearest whole number. 10 allocated car parking spaces are proposed, one for each dwelling, and six unallocated spaces for visitors. The appellant contends that there would be a minor shortfall against these standards. However, whilst the full requirement for unallocated visitor parking would be met, there would be a 50% shortfall of allocated parking for each dwelling when assessed against the standard.
8. The parking standards state that a relaxation of the standards may be appropriate within urban areas with good links to sustainable transport. Although there are local shops nearby on Goldings Hill and Lower Road, and bus stops some 200m from the site, serving the centres of Loughton and Debden centres, the site is on the edge of Loughton, and the dwellings are all large three or four bedroom properties. It is reasonable to expect that the occupiers of some of these family dwellings would have at least two cars.
9. The proposed layout includes a shared pedestrian and vehicular access road, and the sole access for the site would be from Monkchester Close via Old Lane. However, space is limited within the site itself for additional on-street parking as there are parking spaces along much of the length of the access road. The Highway Authority made no comment on the assessment of parking provision, noting that it was the remit of the Council as Parking Authority. Whilst there is provision for flexibility in applying the car parking standards, in these particular circumstances, the level of off-street car parking proposed is inadequate to serve the needs of the future occupiers of the development, and the shortfall of 10 allocated car parking spaces within the site would be likely to result in vehicles parking within the road or turning area. This would cause inconvenience for pedestrians, cyclists and drivers of other vehicles using the shared space and increase risks to highway safety.
10. Within the wider area, parking is restricted along Goldings Hill, but not on Monkchester Close. Houses in that road have some off-street parking and there is some on-street parking capacity, albeit this is reduced somewhat by the garages serving properties on Firs Drive. It has also been pointed out that there is a greater level of parking demand within Monkchester Close during particular times, for example school drop off and pick up times.

11. Photographs submitted by the appellant, taken at approximately 11:30 on a weekday indicate that there was some capacity for on-street parking in this location at that time. This correlates with observations at the site visit, undertaken at about the same time of day. Photographs submitted by a third party show a greater number of cars parked on-street, albeit the time the photographs were taken is not stated. Although the photographs submitted are merely a snapshot in time, on balance, the available evidence does not suggest that the area currently suffers from a high level of parking stress.
12. Due to the high gradient leading up from the site to Monkchester Close and the distance from the site access to most of the proposed dwellings, I consider most occupants would choose to park within the appeal site closer to their properties, but it is likely that there would be some overspill parking on Monkchester Close. Whilst this would not be a sole reason to justify dismissal of the scheme, it would add to the harm I have already identified.
13. Turning to the adequacy of the site access, whilst the access would be relatively narrow in width, a tracking plan has been submitted to show that a refuse vehicle could enter and leave the site in forward gear, and the proximity to the Potato Ground access combined with the gradient of the road within the appeal site means that vehicles would be expected to travel at low speeds when entering and leaving the site. In addition, the existing access road from Goldings Hill would be blocked up with bollards to prevent vehicular access to the proposed dwellings, and this could be secured by condition. As such I find no compelling evidence to disagree with the Highway Authority's view that there would be no highway safety or capacity issue with the proposed access.
14. Taking all of the above into account, I conclude that although the access would be satisfactory, the proposed parking arrangements would have an adverse effect on the safety and convenience of users of the highway network. The development would thus be contrary to policies ST6 and CP7. Policy CP7 states that development in all urban areas which results in overdevelopment, unsympathetic change or loss of amenity will not be permitted. It would also conflict with the Framework, insofar as it requires a high quality design and a good standard of amenity for all existing and future occupants of land and buildings, and to create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians.

Character and appearance

15. The site is situated on the edge of Epping Forest and adjacent to the Potato Ground, but lies within the built up area and the proposed houses would cover broadly the same footprint as existing buildings on the site. Although the orientation of the dwellings and plot layout would be different to the nearby almshouses and dwellings in Monkchester Close, the height, scale and form of dwellings would be appropriate for the surrounding area, and the density would be broadly comparable. The dwellings on plots 3 to 6 would be three storeys in height. Whilst most dwellings in the immediate vicinity are two storeys, the proposed three storey houses would not be significantly out of scale with other dwellings in the locality, taking into account the lower ground level at the south western end of the site.
16. The proposed dwellings are of a simple contemporary design. The appellant has indicated that traditional materials would be used in their construction, such as weather-boarding, render, and brick and the details of exact types and

colours of the external materials could be secured by condition. Turning to landscape, the scheme would retain the large Monkey Puzzle tree and a number of other significant trees within the site which are covered by a Tree Protection Order. Conditions could be put in place to ensure that these trees, along with the hedge and sections of the original fence along the boundary with the Loughton Potato Ground would be retained and protected during construction, should the development be acceptable in all other respects.

17. Whilst the general design, scale and form of the dwellings would be acceptable, for the reasons I have described, the parking provision would be inadequate for the number of dwellings proposed. The shortfall in parking provision would lead to vehicles being parked on the road within the development. This would dominate the street scene, and would result in an unacceptably cramped appearance.
18. For these reasons I conclude that the proposal would cause material harm to the character and appearance of the surrounding area. It would be contrary to policies CP2 (iv), CP7 and DBE (i), which seek, amongst other things, to safeguard and enhance the setting, character and townscape of the urban environment, make the fullest use of existing urban areas whilst protecting them from overdevelopment, unsympathetic change or loss of amenity, and respect their setting in terms of scale, proportion, siting, massing, height, orientation, roof-line and detailing. It would also conflict with the Framework, insofar as it seeks to reinforce local distinctiveness.

Other Matters

19. The Almshouses to the west of the appeal site are grade II listed. However, due to the separation of the proposed dwellings from these buildings and the substantial screening provided by a tall Yew hedge along the common boundary, I concur with the Council that the effect of the proposed development on these listed buildings would be neutral.
20. It has been put to me that the appellant has no rights of access across a section of the access road immediately adjacent to the appeal site. However, this is a private legal matter and outside the scope of this appeal. I have had regard to all other matters raised, including biodiversity, subsidence, and potential for noise and disturbance arising from the location of the site access, but none of these matters, either individually, or cumulatively, would lead me to any different overall conclusion.

Conclusion

21. For the above reasons I conclude that the appeal should be dismissed.

Claire Victory

INSPECTOR

Appeal Decision

Site visit made on 17 November 2015

by **M C J Nunn BA BPL LLB LLM BCL MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 18th December 2015

Appeal Ref: APP/J1535/W/15/3129031

61 Deepdene Road, Loughton, Essex, IG10 3PH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr H S Sanghera against the decision of Epping Forest District Council.
 - The application Ref: EPF/0163/15, dated 20 January 2015, was refused by notice dated 1 April 2015.
 - The development is described as "proposed demolition of existing detached garage and erection of two bedroom dwelling, proposed new crossover for existing house".
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are: (i) the effect of the proposal on the character and appearance of the area; (ii) the effect on living conditions at neighbouring properties, particularly No 22 Cherston Road; and (iii) whether the amenity space for the new dwelling would be satisfactory.

Reasons

Character and Appearance

3. The appeal property is a semi-detached dwelling set on a tapered plot close to the junction of Deepdene Road and Cherston Road. Immediately adjacent is an open grassed area, dominated by a mature tree, which extends across the corner of the two roads. Similar open grassed areas exist on the other three corners of this road junction. The surrounding area is characterised by low rise, post-war, two-storey semi-detached and terraced dwellings, of varying designs, some of which have been extended. The area has a spacious and open character by virtue of the grassed areas that have been incorporated into the estate layout.
4. The new dwelling would be attached to the existing property, and built on an area currently occupied by a single garage. I acknowledge that an attempt has been made to design a dwelling to fit with the locality and blend with the host dwelling. The design seeks to overcome the concerns raised in a previously refused scheme. It would have a pitched roof reflecting the profile of the existing dwelling. The windows and doors, and proposed palette of materials,

would also echo those of the host building. The rear bedroom window has also been repositioned to prevent overlooking.

5. All that said, I consider that the scheme would appear as an unduly bulky and dominant addition to the existing dwelling. The harmful effect would be exacerbated by the fall in ground levels towards the south. The existing pairs of semi-detached houses on this side of the road each 'step down' reflecting the falling ground levels. However, the ridge height of the new dwelling would be set at the same uniform level as the host dwelling, rather than reflecting the changing ground levels. This means the dwelling would appear more imposing, obtrusive and conspicuous in the street scene. The dwelling's impact would be accentuated by the prominent, highly visible position of the plot, close to the road junction. Notwithstanding the gap retained to the side, the new dwelling would occupy a significant portion of this diminutive severed plot and appear cramped and shoe-horned on to the site.
6. My attention has been drawn to other examples of additions in the locality, including on corner plots. I examined these carefully at my site visit. However, none of these comprise new dwellings, but are extensions to existing houses. As a result, although they vary in design and size, some appearing more subservient to the host property than others, none create the impression of an additional dwelling, as would be the case here. Therefore, these examples do not provide a justification for this proposal.

Living Conditions

7. The appellant has submitted detailed evidence to show that any loss of direct sunlight to the rear garden of No 22 Cherston Road would be minimal, and only occur very early in the morning during the summer. On this basis, the appellant submits that no materially harmful effect would occur. However, from my site visit, it was clear that the property at No 22 extends significantly closer to the common boundary with the appeal site than is indicated on the block plan. This proposal would, because of its close proximity, size, height and position at right angles to No 22, create a significantly increased sense of enclosure at that property, as well as a more 'hemmed in' feeling. This would make living conditions much less pleasant at No 22.

Amenity Space

8. The Essex Design Guide ('the Guide') does not prescribe a garden area for houses of this size, and notes that different Councils have varying standards, 50m² being the most common. The Guide advises that applicants should consult the relevant Council planning department. The Council has referred to Policy DBE8 of the Epping Forest District Local Plan ('the Local Plan'), and its supporting text at Paragraph 15.52. This expects an amenity area of 20m² for each habitable room. In this instance, the Council says a garden area of 60m² would be required rather than the 45m² proposed.
9. The appellant has questioned the weight to be given to Policy DBE8 and its supporting text, given that the Local Plan was originally adopted in 1998. The appellant also argues that the Guide should be accorded very limited weight. Reference is made to a 2007 'Direction' letter from the Secretary of State in respect of the policies of the Local Plan. This says where policies were adopted some time ago, it is likely that material considerations, in particular the

emergence of new national and regional policy, will be afforded considerable weight in decisions. The appellant raises doubts over the consistency of the Council's approach with the National Planning Policy Framework ('the Framework'). The Framework does not change the statutory status of the development plan as a starting point for decision making. Importantly, however, the Framework advises at Paragraph 215 that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework.

10. I acknowledge that the Framework at Paragraph 59 advises against unnecessary prescription or detail in design policies. Nonetheless, it seems to me that whatever criteria are used, this rear garden would, in essence, comprise a relatively meagre, oddly shaped, tapering strip of land, largely reflecting the space left over after severing the plot and accommodating a new dwelling on this site. I do not consider it would provide a particularly high quality or usable amenity space for future residents of the dwelling.
11. In reaching my overall decision, I have carefully weighed in the balance the benefits of the scheme, including the contribution the new dwelling would make to the supply of much needed housing. I am aware that the officer recommendation was that permission should be granted. I acknowledge the scheme would make efficient use of a site within an established residential area. However, I find the harm caused would not outweigh the benefits.
12. I have considered the proposal in the context of the presumption in favour of sustainable development set out in the Framework. I acknowledge that the Framework states that planning decisions should not attempt to impose architectural styles or particular tastes. However, the Framework seeks to promote or reinforce local distinctiveness as well as the achievement of a good standard of amenity for all existing and future occupiers. This proposal would fail to achieve those objectives.

Conclusion

13. Overall, I conclude that the proposal would harm the character and appearance of the area. It would harm the living conditions at the neighbouring property, No 22, and fail to provide satisfactory amenity space. As such, the scheme would conflict with Policies DBE1, DBE2, DBE8 and DBE9 of the Local Plan. Together, these require new buildings to respect their settings; not have a detrimental effect upon existing neighbouring or surrounding properties in amenity terms; and provide amenity space which is of a size, shape and nature that enables reasonable use. For the reasons above, the appeal is dismissed.

Matthew C J Nunn

INSPECTOR

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Appeal Decision

Site visit made on 19 January 2016

by Michael J Hetherington BSc(Hons) MA MRTPI MCIEEM

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 6 February 2016

Appeal Ref: APP/J1535/W/15/3133888

34 Barrington Green, Loughton, Essex, IG10 2BA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs L Schalkwyk against the decision of Epping Forest District Council.
 - The application ref. EPF/0530/15, dated 4 March 2015, was refused by notice dated 1 July 2015.
 - The development proposed is described as: demolition of single storey flat and redevelopment to provide 3 flats in a three storey building with accommodation within the roof and provision of 1 parking space at the rear and 3 off street parking spaces at the front with one space allocated to the adjoining dwelling at number 36 (revised scheme).
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the scheme's effect on the area's character and appearance.

Reasons

3. The appeal site is occupied by a single storey flat at the end of a terrace of houses. To the south, the site is adjoined by a lane providing access to the rear of the property and its neighbours to the north. Land to the south of the access lane is currently under development for a mixed-use scheme.
4. The appeal scheme would have a strong visual association with the adjoining terrace of houses. The proposed ridge and eaves lines would be consistent with those of its neighbours. Matching materials would be used. However, although the existing flat occupies a raised position, the intended creation of a lower ground floor unit would be out of keeping with the characteristically two-storey nature of the dwellings to the north.
5. While the entrance to the lower unit would not be easily seen from the front of the site, the scheme's uncharacteristic nature would be apparent in views towards its side elevation. This would contain windows on four levels – a design that would be at odds with the prevailing character noted above. To my mind, the resulting scale of this elevation, which would be amplified by a proposed rear projection, would appear as an over-dominant addition to the terrace rather than a subordinate side extension. Bearing in mind that the appeal site is narrower than the plots occupied by the dwellings to the north,

I agree with the Council that the resulting effect would appear cramped. For these reasons I also agree that it would amount to overdevelopment of a restricted site.

6. Although the Council also considers that the proposed arrangements would create a visually intrusive amount of parking at the front of the property, I do not feel that this would be markedly out of keeping with other dwellings to the north, many of which contain front garden parking areas. The detailed layout of the parking spaces themselves could be addressed by a planning condition were matters otherwise acceptable. However, these matters do not over-ride the adverse effects described above.
7. For these reasons, I conclude that the proposal would unacceptably harm the area's character and appearance. This would conflict with relevant policies of the Epping Forest District Local Plan and Alterations (LP), notably policies CP2(iv), CP7 and DBE1(i).
8. With reference to an appeal decision dated February 2015¹, the appellants state that the Council cannot demonstrate a five year supply of land for housing. This is not disputed by the Council. As such, the appellants consider that the LP is substantially out of date. They point to the likely benefits of the appeal scheme, most particularly in terms of its ability to provide smaller market dwellings in a location with good accessibility to services and facilities, including local bus routes and Debden station.
9. Nevertheless, I am satisfied that the relevant requirements of the above-noted LP policies in respect of the design and layout of new development reflect objectives of the Framework, notably the core principle that planning should always seek to secure high quality design. I consider that the adverse effects that I have described above in respect of harm to the area's character and appearance are such as to significantly and demonstrably outweigh the scheme's benefits. The proposal would not therefore amount to sustainable development in the terms of the Framework.
10. I note the appellants' concern that the Council's Planning Committee decided to over-ride an officer-level recommendation that planning permission should be granted for the proposed development. I am also aware that the scheme took into account changes intended to satisfy the Council's objections to a previous proposal. Nevertheless, for the reasons given above and having regard to all other matters raised, I conclude that the appeal should not succeed.

M J Hetherington

INSPECTOR

¹ Appeal ref. APP/J1535/A/14/2228901 The Paddock, Grove Lane, Chigwell.

Appeal Decision

Site visit made on 8 December 2015

by Nick Palmer BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 04/01/2016

Appeal Ref: APP/J1535/W/15/3134305

St Elisabeth's Church, Chestnut Avenue, Buckhurst Hill, Essex IG9 6BN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr D Gascoigne of the Parochial Church Council of the Parish Church of St John against the decision of Epping Forest District Council.
 - The application Ref EPF/0097/15, dated 14 January 2015, was refused by notice dated 3 June 2015.
 - The development proposed is demolition of existing church and hall and erection of 7 new 3 storey flats and 7 new dwellings with associated car parking and small community facility.
-

Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by the Parochial Church Council of the Parish Church of St John against Epping Forest District Council. This application is the subject of a separate Decision.

Main Issue

3. The main issue in the appeal is the effect of the proposal on the character and appearance of the area including consideration of the demolition of the locally listed St Elisabeth's Church.

Reasons

4. St Elisabeth's Church is located between Chestnut Avenue and Hornbeam Road close to the junction of those two roads. It is a brick building with gabled roofs and was built in the 1930s at about the same time as the adjacent houses. Those houses are of traditional appearance and mainly terraced but include some semi-detached properties. Between the site and the road junction there is an open landscaped green.
5. The church has been vacant for a number of years. It is included on the Council's List of Buildings of Local Architectural or Historic Interest. Paragraph 6.65b of the Epping Forest Local Plan Alterations (LPA) (2006) states that buildings should be recognisably of their time and either of architectural or historical significance to be included on that List.

6. The overall form of the building and its architectural detailing are recognisably of the 1930s. The domestic scale of its features reflects the scale of the adjacent housing which is of a similar period. Extensions have been added to the building but the integrity of the original design remains intact and recognisable. The building is of historical significance in that it was constructed by the local building company that developed the adjacent estate. It is notable in terms of its social history and reflects the economic success at the time of the builder. For these reasons the building satisfies the criteria for inclusion on the local list under paragraph 6.65b of the LPA in terms of its authenticity and historical significance. The appellant's Heritage Report also confirms this.
7. The appellant says that there are cracks in the building as a result of ground settlement. However no detailed evidence has been provided in this respect. A sketch scheme for conversion of the building into flats has been provided with the appeal but there is no information before me to demonstrate that the conversion of the building would be unviable. The proposal would result in the total loss of the heritage asset to which I give significant weight.
8. There is uncertainty as to whether the Council can demonstrate that it has a five year supply of housing land. The Council indicates that it is currently investigating this. Although the reason for refusal does not concern housing supply policies, the proposal may be of benefit in contributing to housing supply if there is found to be a shortfall. Because the housing supply position is indicated to be uncertain I can only attach limited weight to the potential benefit of the proposal in this respect.
9. The proposal would include a community meeting room which would compensate to some extent for the loss of the church and the adjacent church hall as community facilities. The National Planning Policy Framework¹ (the Framework) encourages the provision of community facilities and this aspect weighs in favour of the proposal. However, the other churches within the parish provide community facilities and no evidence has been submitted in terms of a specifically identified need for the proposed facility. This limits the weight that I can give to this benefit.
10. The appellant says that the proposed development would enable the refurbishment of the other parish church facilities but no evidence in this regard has been provided.
11. For these reasons whilst the proposal may be of benefit in some respects any benefits would be limited on the basis of the information before me. The significant weight I give to the harm that would result from the loss of the heritage asset is not outweighed by the limited weights I give to the identified benefits.
12. The demolition of the locally listed building would not accord with policy HC13A of the LPA which encourages the maintenance of such buildings.
13. The 1930s housing along Chestnut Avenue and Hornbeam Road provide a unified appearance to those roads but there are also modern developments including blocks of flats in the immediate area. Those flats are generally surrounded by open areas. The proposed flats would be built close to the site

¹ Paragraphs 69 and 70

- boundaries but they would adjoin the open green and for this reason would not have an over-developed appearance.
14. The distances between the rear elevations of the proposed dwellings would be less than those of the dwellings to the north because of the narrowing of the area between the roads. While those distances would be less than those recommended in the Essex Design Guide the reason for refusal does not concern residential amenity. Although closer than the dwellings to the north, reasonable distances would be maintained and this aspect would not be harmful to the character and appearance of the area.
 15. The modern design of the proposed dwellings would contrast with the traditional appearance of the adjacent dwellings but their height and massing would be similar. For the reasons given I consider that the proposed development would accord with policy DBE1 of the Epping Forest Local Plan (LP) (1998) in terms of design.
 16. The church is prominently located adjacent to the road junction and the green. The loss of the building as a non-designated heritage asset would be harmful to the character and appearance of the area given that it makes a significant contribution to the character of the area. The proposal would provide a frontage onto the green but this does not overcome my concern.
 17. The proposal would result in the loss of a protected hornbeam tree but this is in a poor condition and it is proposed to plant a replacement tree within the site. The Council's Trees and Landscape Officer has no objection regarding the effect of the proposal on protected trees and I see no reason to differ.
 18. Although I find that the proposed dwellings would be generally in keeping with the character of the area, for the reasons given the loss of the heritage asset would unacceptably harm the character and appearance of the area. This aspect of the proposal would not accord with policy CP2 (iv) of the LPA which requires the townscape to be safeguarded and enhanced.
 19. Policy CP7 of the LPA seeks to make the fullest use of urban land but also requires that buildings of historic importance are strongly protected. The proposal would not accord with that policy.
 20. I have taken all other matters into account, including the location of the site close to public transport and shopping facilities, the energy efficiency and sustainability measures to be incorporated and the surveillance of the green that would be provided. Those matters do not alter my conclusion.

Conclusion

21. For the reasons given I conclude that the appeal should be dismissed.

Nick Palmer

INSPECTOR

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