

AREA PLANS SUB-COMMITTEE SOUTH

1 October 2014

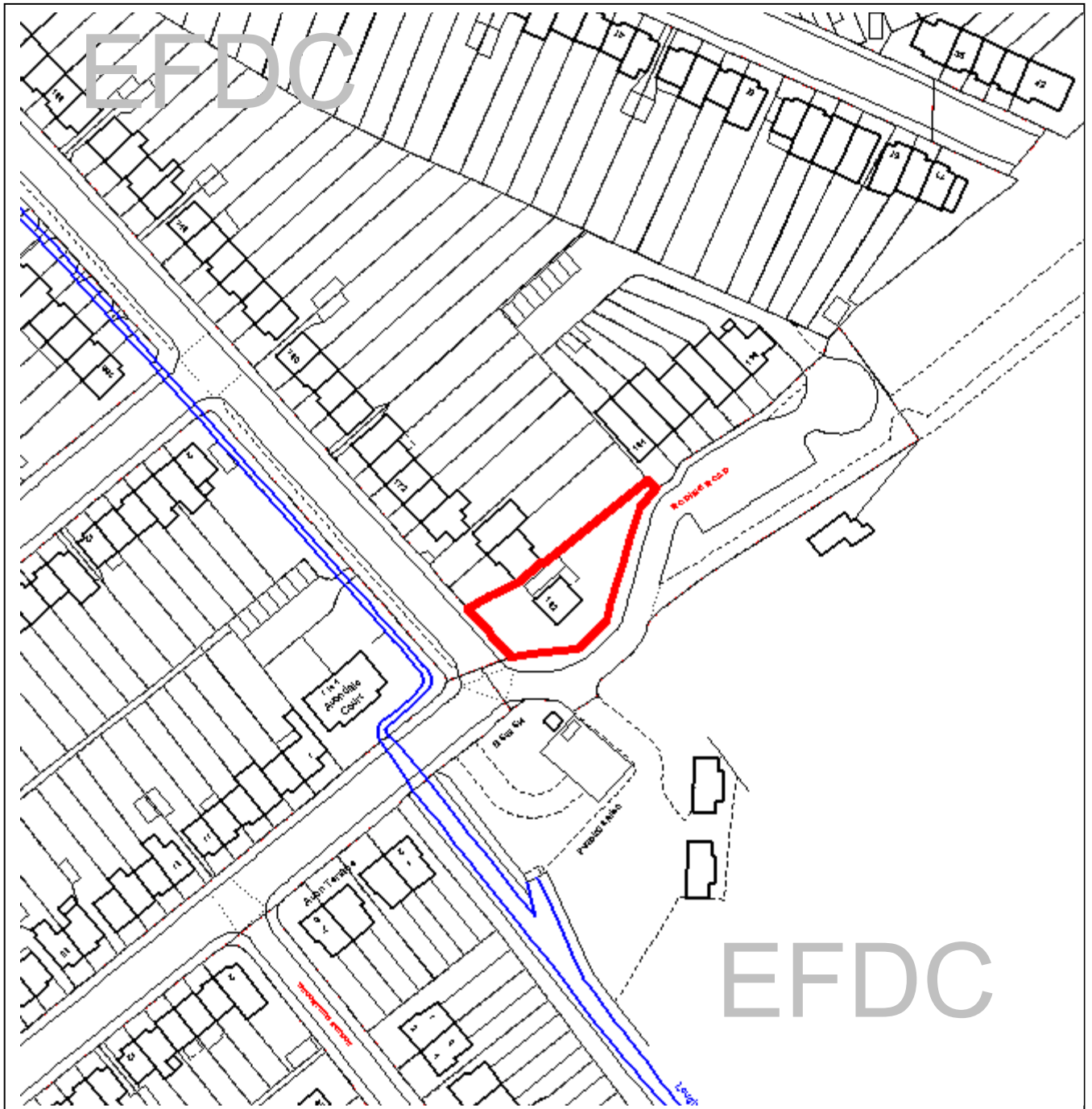
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Epping Forest District Council

AGENDA ITEM NUMBER 1



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Application Number:	EPF/1226/14
Site Name:	182 Roding Road, Loughton IG10 3BS
Scale of Plot:	1/1250

Report Item No: 1

APPLICATION No:	EPF/1226/14
SITE ADDRESS:	182 Roding Road Loughton Essex IG10 3BS
PARISH:	Loughton
WARD:	Loughton Roding
APPLICANT:	Mr Vijay Patel
DESCRIPTION OF PROPOSAL:	Proposed outbuilding to provide storage for maintenance equipment.
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/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=563790

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: 14420/P4/170 Revision C and 14420/P4/171 Revision B together with 14420/P4/Location Plan.

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

Description of Site:

The application site comprises a recently constructed block of 5 flats and associated garden and parking area. The site is situated at the eastern end of Roding Road, opposite its junction with Avenue Road. A cul-de-sac that is the north-eastern end of Roding Road wraps around the south eastern site boundary. Rear of the site is a group of two-storey terraced houses served by the cul-de-sac. To the south east of Roding Road and its cul-de-sac is a recreation ground that is in the Green Belt. It is at higher level and screened from the road by a belt of trees.

Description of Proposal:

This application relates to the erection of an outbuilding at the rear of the garden area for the flats. It would be a utilitarian structure and is required for the purpose of storing maintenance equipment.

The structure would be 3.6m in length, 2.4m wide with a shallow pitched roof with a ridge height of 2.5m. Its external walls would be finished in facing brick to match the external materials of the block of flats. Its roof would be finished in felt. The building would be sited 3.2m from the site boundary with 184 Roding Road.

The proposal includes the provision of a gate in the existing fence to allow access from Roding Road. The land between the building and site boundary would be hard-surfaced with porous asphalt in accordance with previously approved hard landscaping.

The proposal has been significantly revised since it was originally submitted. The original proposal was for a structure 3.1m high with a tiled roof, having a length of 3.9m and width of 2.5m. It would have been sited 2.2m from the boundary with 184 Roding Road. The revisions were made to address the objections of neighbours and the Town Council.

Relevant History:

- EPF/0931/12 Demolition of the existing house and garage. Construction of a block of five one-bedroom flats; new vehicle access cross-overs and external landscaping. Refused but subsequent appeal allowed.
- EPF/1610/13 Application for approval of details reserved by conditions 3, 4, 5, 6, 7, 10, 11, 12 and 13 of Appeal decision APP/J1535/A/12/2185132 for the demolition of the existing house and garage. Construction of a block of five one-bedroom flats; new vehicle access cross-overs and external landscaping. Approved

Policies Applied:

- CP2 Quality of Rural and Built Environment
DBE1 Design of Buildings
DBE9 Loss of Amenity

NPPF

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted. 4
Site notice posted: No, not required
Responses received to re-consultation on revised proposal:

186 RODING ROAD: Objection

The reduction in height of the building is noted, but it would "still result in the lopping of our last remaining piece of green tree shielding the site". The gate off Roding Road should be refused since it will certainly be widened in the future to provide access to a parking area that is likely to be formed adjacent to the building.

190 RODING ROAD: Objection

"I remain convinced that the long term plan for this "shed" is that it will be used as a garage. As previously stated the garden maintenance person provides his own equipment which he takes away each time. Why would a normal wooden shed with reasonable proportions like the rest of us have not be suitable for any remaining "maintenance equipment"? The fact that the applicant is also asking for a gate at the side (although at this stage just a "garden gate" but later very easy to change to a car sized gate) is surely indication of his intention."

Members are advised that no response was received from 184 Roding Road, the immediate neighbour, to either the original consultation exercise or the re-consultation.

LOUGHTON TOWN COUNCIL: Objection. The following comment was made in respect of the original proposal and was reiterated in respect of the revised proposal:

“The Committee OBJECTED to this application. The proposed outbuilding was to be sited adjacent to the front garden of no 184 Roding Road and forward of the building line of this block of terraced houses, which was considered overbearing on the streetscene, particularly as the site was located opposite green belt land.”

Main Issues and Considerations:

The proposal is for a very small-scale building that, if it were in the rear garden of a house, would be Permitted Development. The proposal to provide a pedestrian gate in the fence is a minor material alteration to the external appearance of the fence. No gate for vehicular access is proposed.

The building would be no more than 1.4m higher than the existing boundary fence and would be seen within the context of that boundary treatment and the adjacent terrace. The degree of separation from the adjacent terrace is sufficient for the proposal to not have a cramped appearance.

The approved landscaping scheme for the site shows the planting of a magnolia tree in the approximate centre of the garden area for the flats and the rear part of the garden being entirely hard surfaced with porous asphalt. The removal of any vegetation from the site of the proposed outbuilding has therefore previously been approved. Such vegetation amounts to large bushes rather than trees. The proposal to erect an outbuilding would not prevent the landscaping scheme being fully implemented.

The proposal is therefore considered acceptable within its context in design terms. Furthermore, it would have no impact on the landscape character of the adjacent Green Belt since it is separated from it by the width of the cul-de-sac and associated parking area and since a row of trees obstructs views between the site and land in the Green Belt.

In relation to the matter of consequence for the living conditions of neighbours, the use of the building for ancillary storage would not cause any excessive disturbance and the degree of separation from 184 Roding Road would ensure no harm to outlook. It is therefore concluded the proposal would safeguard the living conditions of neighbours.

Objectors are concerned the land between the outbuilding and 184 Roding Road could be used as a parking space. That is not proposed and since the total depth of that part of the site is approximately 3m it is very unlikely that it could be used for that purpose.

Members are advised the Officers had no objection to the original submission and it was only revised in order to address the concerns of neighbours and the Town Council. By setting the building further away from 184 Roding Road and by reducing its size it is considered the Town Council's comments have been addressed.

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

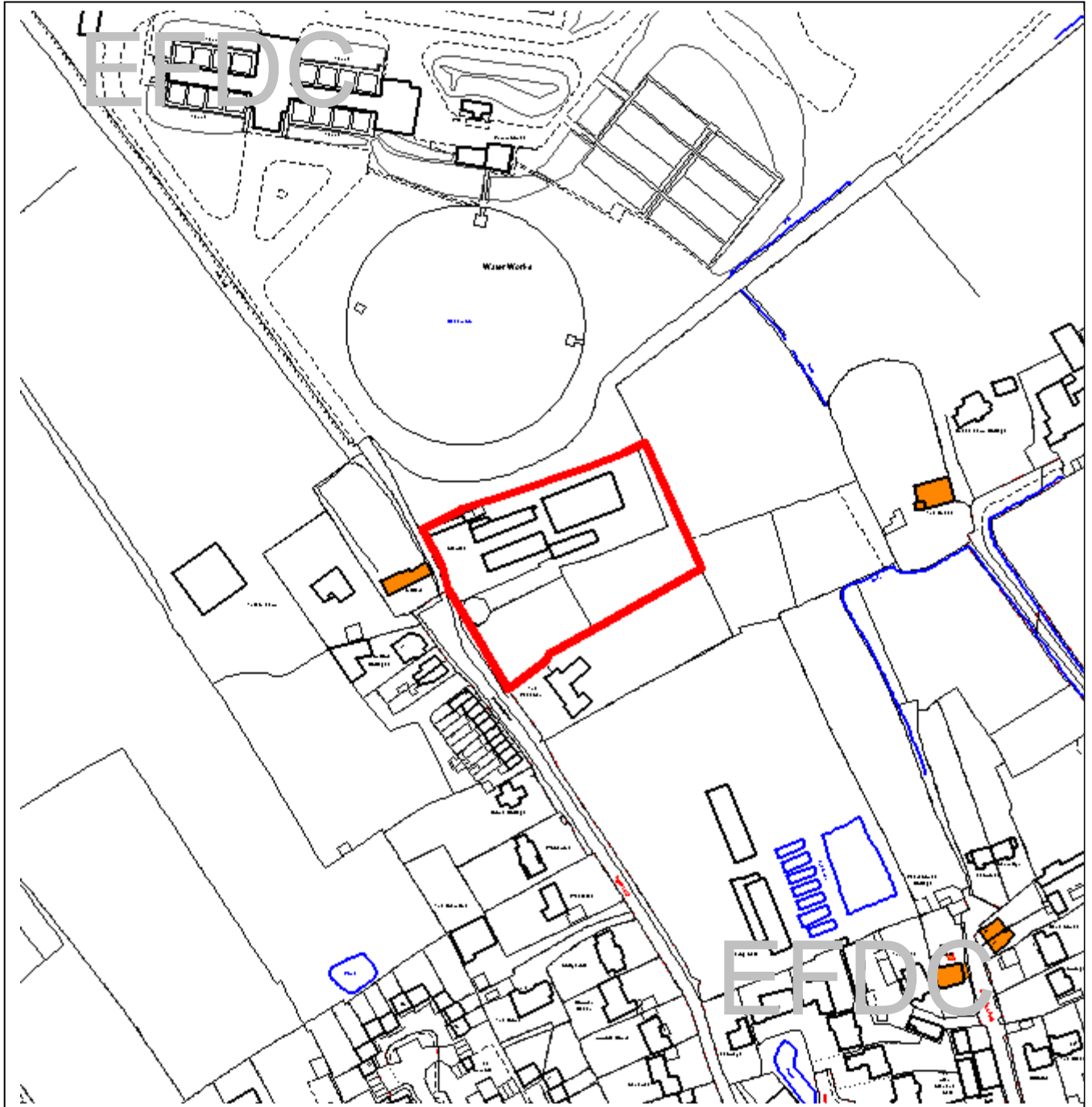
or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

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Epping Forest District Council

AGENDA ITEM NUMBER 2



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Application Number:	EPF/1466/14
Site Name:	The Paddock, Grove Lane Chigwell, IG7 6JF
Scale of Plot:	1/2500

Report Item No: 2

APPLICATION No:	EPF/1466/14
SITE ADDRESS:	The Paddock Grove Lane Chigwell Essex IG7 6JF
PARISH:	Chigwell
WARD:	Chigwell Row
APPLICANT:	Mr Elliot Pomerance
DESCRIPTION OF PROPOSAL:	Demolition of existing stables and warehouse and erection of 6 detached residential dwellings. (Revised application to EPF/2188/13)
RECOMMENDED DECISION:	Refuse Permission

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=564934

REASON FOR REFUSAL

- 1 The site lies within the Metropolitan Green Belt . The proposed development is inappropriate in the Green Belt and, by definition, harmful. It fails to protect the openness of the Green Belt and encroaches into the countryside to a significantly greater degree than existing structures on site. The details accompanying the application do not amount to very special circumstances sufficient to outweigh the harm to the Green Belt that would result from the development. The proposal is therefore contrary to policy GB2A and GB7A of the Adopted Local Plan and Alterations and the aims and objectives of the NPPF.
- 2 The proposed development would be detrimental to the visual amenities of the surrounding area and harmful to the character and appearance of this semi-rural location, contrary to policies DBE1, DBE2 and DBE4 of the Adopted Local Plan and Alterations and the aims and objectives of the NPPF.
- 3 The proposed sub-urban development proposed is at a scale at odds with the surrounding context and would harm the rural setting of Millers Farmhouse, a Grade II Listed Building, by diminishing its significance. Furthermore the materials palette proposed is wholly inappropriate and would detract from the appearance of Millers Farmhouse. Accordingly, the proposal is contrary to policy HC12 of the Adopted Local Plan and Alterations and the aims and objectives of the NPPF.

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))and since it has been 'called in' by Councillor Knapman (Pursuant to The

Description of Site:

The application site is situated at the top of Grove Lane, in a rural location on the north eastern side of the lane. Grove Lane is broadly characterised by linear residential development along the street, with a Grade II Listed building, 'Millers' at the head of the road. The site is an equestrian stables, with low intensity use. A number of low height equestrian related buildings are currently on site.

Beyond the site is the waterworks site and open countryside. The site is within the Metropolitan Green Belt.

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

Description of Proposal:

The applicant seeks full planning permission for the demolition of structures and the erection of 6 dwellings with detached garages, an access road and parking area.

This is a resubmission of a previously refused scheme, amended to reposition the two front dwellings further back from the road, provide additional planting to the front, include 6 unallocated parking spaces and as a late amendment, financial contributions of £40,000.00 towards an adults fitness facility in Chigwell Row recreational ground and £60,000.00 towards affordable housing.

The development proposes three differing house types, all five bedroom properties, with reduced height side projections. The proposed properties provide generous modern size family accommodation. The properties would all benefit from double garages with parking space for two additional vehicles to the front. Good sized private garden areas would also be provided.

Relevant History:

Extensive history, most relevant being:

EPF/1547/04 – Outline application for the demolition of existing stable blocks and the erection of four detached dwellings – Refused and Appeal Dismissed.

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

Policies Applied:

All of the policies listed below are compliant with the aims, objectives and policies contained within the NPPF.

- CP2 – Protecting the Quality of the Rural and Built Environment
- GB2A – Development in the Green Belt
- GB7A – Conspicuous Development
- HC12 – Development affecting the setting of Listed Buildings
- DBE1 – Design of New Buildings
- DBE2 – Effect on Neighbouring Properties
- DBE4 – Design in the Green Belt
- DBE8 – Private Amenity Space
- ST1 – Location of Development

ST4 – Road Safety
ST6 – Vehicle Parking
LL10 – Provision for Landscape Retention

Summary of Representations:

CHIGWELL PARISH COUNCIL: The Council OBJECTS to this application as they cannot see any special circumstances and think this should be dealt with under the Green Belt review.

32 neighbouring properties were notified and a site notice was erected. Properties responded as follows:

Strong objections from 16 properties, one group of residents coming together to appoint a consultant to object on their behalf. Representations have been received from 2, 3, 4, 5, 6, 8, 9, 10 Grove Lane, Grove Cottage, Hollycroft, Westside, Abbots Court, Woodbine, Millers Farm House, 1 Montfort Cottages, Montfort Cottage, Grove Cottage.

Objections raised relate to the status of the land as Green Belt, with low key equestrian buildings onsite towards the frontage and open pastureland to the rear with no very special circumstances being provided. The site has made a number of attempts now to develop, there have however been no changes on site or in the Lane from when these decisions were issued. The Lane remains semi-rural in character, 6 large properties would be out of character and alter the openness of the area. The proposals would impact on the character of the properties opposite, the entire terrace is comparable in size to a single property proposed, the development would also impact on the character and setting of surrounding Listed Buildings. This would conflict with the existing unique character and the development appears disproportionate with surrounding properties. The development would result in increased traffic in a narrow lane, concern regarding potential future access onto Gravel Lane and urge refusal of the scheme again. The submitted Highway statement reflects potential vehicle movements to the site were it an equestrian centre as opposed to the existing nature of use onsite, so should be disregarded. The new dwellings would overlook and overshadow existing properties and the development would significantly alter existing outlook from neighbouring properties. Sewer issues on and around the site. Designation within the Northern Thames Basin in the Landscape Character Appraisal which underpins the Council's evidence base for the next Local Plan. Finally there are concerns regarding inconsistencies between documents submitted and significant frustration that there have been repeated attempts to develop the site for housing. Were the scheme to be permitted there is call for the hedging to the frontage to be retained and protected.

Two letters of support have been received, one from a resident not providing an address and one from The Paddocks. The letters of support have expressed that it is a residential lane, not suitable for equestrian uses and that the site at present is in disrepair, poorly managed and is visually unattractive. The proposals would reduce traffic and prevent horses straying into the property. The development is also preferable to a scheme for 20-30 industrial units which would cause traffic difficulties and devalue property.

Issues and Considerations:

The main issues that arise with this application relate to the previous reasons for refusal and whether the current application has made amendments to overcome these issues or introduced any new concerns.

The previous reasons for refusal for the scheme were as follows:

- 1) The site lies within the Metropolitan Green Belt. The proposed development is inappropriate in the Green Belt and, by definition, harmful. It fails to protect the openness of the Green Belt and encroaches into the countryside to a significantly greater degree than

existing structures on site. The details accompanying the application do not amount to very special circumstances sufficient to outweigh the harm to the Green Belt that would result from the development. The proposal is therefore contrary to policy GB2A and GB7A of the Adopted Local Plan and Alterations and the aims and objectives of the NPPF.

- 2) The proposed development would be detrimental to the visual amenities of the surrounding area and harmful to the character and appearance of this semi-rural location, contrary to policies DBE1, DBE2 and DBE4 of the Adopted Local Plan and Alterations and the aims and objectives of the NPPF.
- 3) The proposed sub-urban development proposed is at a scale at odds with the surrounding context and would harm the rural setting of Millers Farmhouse, a Grade II Listed Building, by diminishing its significance. Furthermore the materials palette proposed is wholly inappropriate and would detract from the appearance of Millers Farmhouse. Accordingly, the proposal is contrary to policy HC12 of the Adopted Local Plan and Alterations and the aims and objectives of the NPPF.

Since the previous application was determined, the footprints of the frontage properties have been set back by 4.8m, hedging and landscaping is shown to be provided on the frontage. Before this application was submitted, the applicants sought to submit an application for prior notification to change the use of the buildings on site from agriculture to residential. This application was not registered as the site is in equestrian not agricultural use, therefore no lawful change is possible.

It would appear that the applicant believes that as the site is not in agricultural use, it must therefore be brownfield or previously developed land. This is not the case, land does not have to be agricultural or previously developed, it is entirely possible that a site, such as this may fall under neither category.

Green Belt

In regard to the first previous reason for refusal, development within the Green Belt is defined as inappropriate in principle as it inevitably impacts on openness and the purposes of including land in the Green Belt. The proposals are therefore inappropriate unless one of a number of identified exceptions from the NPPF and local policy. The proposals do not result in a reuse of existing structures and do not result in a gain in respect of openness as the proposals are of a significantly greater scale and floor space than currently exists. The proposed development would also cover the entirety of the site including the existing open paddock areas. This would result in encroachment into the open Green Belt. The site is in equestrian use, this is not considered brownfield or previously developed land as this is a rural enterprise akin to agriculture. The site has a number of low built structures of agricultural form in use for equestrian purposes. Such purposes are known as rural enterprises, but fall beyond the definition of agriculture as set out in the Town and Country Planning Act. Similarly stud farms, koi carp farms and alpaca farms are all uses that are not strictly within the definition of agriculture, but are akin in nature and thus are categorised as rural enterprises. This does not result in the sites being previously developed or brownfield sites. Mindful of the above there is no reason to consider this application as an exception to usual Green Belt policies and the applicant has supplied no very special circumstances to be considered. The argument submitted is instead seeking to be categorised as brownfield land and seeking to persuade that the site is therefore in principle acceptable for redevelopment.

In 2004 the site was subject to an application for four dwellings, located around the head of Grove Lane, with gardens extending to the rear of the site. The application was refused for the following reasons:

1. The site lies within the Metropolitan Green Belt. The proposed development is inappropriate in the Green Belt and, by definition, harmful. It fails to protect the openness of

the Green Belt or safeguard the countryside from encroachment. The factors put forward by the applicant do not amount to very special circumstances sufficient to outweigh the harm to the Green Belt that would result from the development. The proposal would therefore be contrary to Structure Plan Policy C2 and Local Plan Policy GB2.

2. The proposed development would be detrimental to the visual amenities of the surrounding area and harmful to the character and appearance of this semi-rural countryside location, contrary to policies DBE1, 2 and 4 of the Adopted Local Plan.

This decision was appealed and the Inspector upheld the Council's decision. The Inspector stated clearly '*I do not accept that the presence of the existing stables and barns accords some kind of brown-field accreditation to the appeal site that validates the scheme*'. The previous scheme was for less properties and encroached to a lesser degree than the present proposals. Since 2004 the main change in circumstance to be considered is the alteration in national policy to the NPPF. This policy change did not alter the thrust of the approach to development in the Green Belt. The only meaningful change took place in PPS3 prior to the publication of the NPPF in respect of the definition of previously developed land. This has been carried through to the NPPF. Previously developed land is clearly defined and excludes agricultural and forestry buildings, recreation grounds and allotments. It is impossible to include every potential use, and equestrian use is not expressly excluded, however the approach is unchanged from when the previous Planning Inspector reached his decision and equestrian facilities are considered a rural enterprise akin to agriculture.

Mindful of all these matters it is clear to Officers that the proposals are contrary to Green Belt policy and the site is not within the definition of previously developed or brown-field land.

Street scene and local character

Turning to the second and third reasons for refusal, Grove Lane narrows to near a single carriageway adjacent the site and the character is largely defined by Millers Farmhouse at the top of the Lane, a grade II listed building and a terrace of what appear to be former workers cottages and smaller properties opposite. The properties and mature landscaping provide a semi-rural character to the end of Grove Lane. Parking problems locally are derived from the lack of on street provision and the nature of the building line of many of the properties being so close to the street. As such there isn't sufficient depth to park a car on many of the property frontages.

The proposed new dwellings would be five bedroom properties of significant size. The properties fronting Grove Lane would be of a similar length to the opposite terrace and of a greater height albeit set back from the road. This would dominate the existing buildings in the street and detract from views of Millers Farmhouse, even were enhanced landscaping provided to the front. The proposed buildings are of a high standard of design, however this does not detract from the scale and prominence of the proposed structures. The proposed design and scale of development would in addition detract from the semi-rural character in this location. This issue is only amplified by the loss of mature landscaping.

The listed Millers Farmhouse draws its identity in part from the surrounding landscape. As a former agricultural property, the open space surrounding the building lends to its character. This would be significantly eroded by the large scale properties proposed and the loss of the entirety of the site to built structures. Meaning that the setting would be disturbed not just when viewed from Grove Lane, but also when viewed from the open countryside to the rear. The proposals would also mean that the eye would be drawn to the large dominant new buildings as opposed to the listed property from any local view points, to the detriment of the listed building's setting. It has also been suggested by the Conservation Officer that the materials palette remains wholly inappropriate and would detract from the appearance of Millers Farmhouse.

Neighbouring amenity

The proposed new dwellings would appear as prominent and overbearing when viewed from neighbouring properties, however this impact would predominantly be to the outlook to the front of the neighbouring properties. Whilst clearly having an impact, this would not result in overshadowing due to the separation provided by the street and frontages to the properties. The proposals would also not detract significantly from outlook to the rear or in the garden areas of neighbouring properties. Therefore whilst clearly having an impact on neighbouring amenities, the impact would not be to a degree sufficient to justify refusal. Everyday living conditions would be maintained albeit views from neighbouring properties would be interrupted. Planning policy provides no protection to a view. Views from the Paddock and Millers Farmhouse adjacent the site would in the most part be retained.

Amenity of future occupiers

The properties provide sufficient parking, garden area and have little by way of mutual overlooking, therefore no concerns are raised.

Highways and parking

Grove Lane currently has parking and access issues due to pressures from existing residents and the width of the lane. Access is clearly an issue around parked vehicles, but highways have been consulted and have returned no objections. This is subject to conditions covering the width of the access drive, provision of travel packs, submission of details of surface water drainage, provision of no unbound materials within 5m of the highway and seeking payment in advance for construction of the new street.

The development proposed onsite meets all of the relevant highway standards or can be made to do so via condition. The access issues that are offsite would be no different for traffic visiting new homes than for traffic visiting the equestrian facilities.

A number of objections have been raised regarding construction traffic. Highways have raised no objection. Whilst disruptive, unfortunately construction disturbance and access challenges can not be a material consideration as these issues would arise irrespective of the type or scale of the proposed development and can be overcome.

Landscaping

The proposed development would result in the loss of landscaping. Issues regarding the impact this would have on street scene and character are considered above. In respect of landscaping preservation, the Council's Tree Officer has assessed the scheme and considers any concerns can be addressed with appropriate conditions for tree protection and submission of details for hard and soft landscaping.

Refuse

The refuse team were consulted and have no objections subject to conditions requiring details of bin stores, permission being issued for heavy refuse trucks to use the new surface, the entrance being engineered to support the weight of the fully loaded refuse truck, key fobs and access codes being provided, detailing of a turning circle being provided and should any of the above fail to be provided, an obligation on homeowners to move refuse to the boundary of the site for collection.

Existing access and collection issues have been noted however subject to the above being provided, then access issues should not differ from those which already exist.

Drainage

Thames water have been consulted and have confirmed they have capacity to supply water and sewage services.

Land drainage have been consulted and have no objections subject to provision of a land drainage flood risk assessment due to the size of the development.

Other matters

The latest application has been accompanied by proposed contributions for affordable housing and leisure facilities. Whilst encouraged, such contributions have not been justified in any way and appear to have no direct correlation with the application. As such the offer of such contributions does little to address the harm identified in the reasons for refusal.

Conclusion:

Officers views remain unchanged from the previous application. The proposed development is within the Green Belt therefore is inappropriate and harmful to openness. The scale of the buildings proposed, irrespective of standard of design, is such that the proposals would dominate the street scene, appear visually overbearing and detract from the semi-rural character of the lane. The development in terms of amount, scale and location would detract from the setting of the neighbouring listed building and the materials proposed would be out of character and harmful. Mindful of the above, the application is recommended for refusal on three grounds, but deferred to Members for decision as the application has been 'called in', the officer's recommendation differs from the views of the Parish Council.

Officers would note however that had a subtle adjustment in footprint and enhanced landscaping been all that had been required to make the scheme acceptable, then of course revisions would have been sought. As it is, the proposal to build over the entirety of the site is in Officers views unacceptable. It is suggested that any future plans for redevelopment should be constrained to the existing area of built form, should include smaller properties more characteristic of this area, and dependant on layout, potentially less properties.

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

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

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



Epping Forest District Council

AGENDA ITEM NUMBER 3



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Application Number:	EPF/1524/14
Site Name:	19 Kings Avenue, Buckhurst Hill IG9 5LP
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/1524/14
SITE ADDRESS:	19 Kings Avenue Buckhurst Hill Essex IG9 5LP
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
APPLICANT:	Mr Mehmet Gulseren
DESCRIPTION OF PROPOSAL:	Detached garage to be extended in size and converted to granny annexe. Existing vehicular crossover to be extended.
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/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=565172

CONDITIONS

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

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

Description of Site

Kings Avenue is located within the built up area of Buckhurst Hill. The existing building is a two storey detached dwelling situated within a long and wide plot. The dwelling is located on a junction between two roads and fronts onto both Langfords and Kings Avenue. To the rear of the site is an existing single storey garage used ancillary to the existing building. There is a neighbouring property to the rear which backs onto the site and the garage projects to the boundary between them. The application site is not located within the boundaries of the Metropolitan Green Belt and it is not in a Conservation area.

Description of proposal

The proposed development is to extend the existing garage forward and convert its use to habitable space.

Relevant History

No relevant history

Policies Applied

CP2: Quality of Rural and Built Environment

DBE9: Loss of Amenity

DBE1: Residential outbuildings

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

Consultation carried out and summary of representation received

BUCKHURST HILL PARISH COUNCIL – OBJECTION – Loss of amenity to neighbours, change of use from garage to habitable area, loss of amenity e.g. parking, overdevelopment of site.

9 Neighbours consulted –

7 LANGFORDS – OBJECTION – This development is inappropriate in this locality.

15 KINGS AVENUE – OBJECTION – The introduction of a granny annexe is inappropriate in this residential area.

26A PALMERSTON ROAD – OBJECTION – The annex will be an overdevelopment of the site and is inappropriate in this area.

2 LANGFORDS – OBJECTION – The development is inappropriate in this residential area.

11 LANGFORDS – OBJECTION – The flat roof design and the placing of bins at the front will appear unattractive in the street scene. The annex is out of character with the existing street and will cause excessive noise to my property. The loss of privacy and light will harm my living conditions.

1 LANGFORDS – OBJECTION – The development would appear ugly and would not be in keeping with the residential area. The excessive noise and parking will be harmful to the living conditions of the neighbours.

BUCKHURST HILL RESIDENTS ASSOCIATION – OBJECTION - We strongly object to this application on the grounds that the development is inappropriate to the area, loss of amenity to neighbours, overdevelopment of the site and the inadequate design.

Issues and considerations

The main issues to consider when assessing this application are the effects of the proposed development on the amenities of neighbours and the design in regards to the existing building and its setting.

Neighbour Amenity

The proposal seeks to move the existing garage building forward towards Langfords. There is concern from the adjacent neighbour (no.11) that this will cause a significant loss of light to their property. This neighbour has a window on the front elevation which is situated relatively close to the application site. However there is a reasonable gap of approximately 2m between the flank wall of the neighbour and the proposed extended annex. Views across the front of the site will still be possible given its width and the loss of light will not be significant. Furthermore the development is single storey to a height of 2.8m which will further reduce its potential harm.

The use of the garage as residential accommodation will likely increase the number of traffic and pedestrian movements around the site, there will also be associated residential noise from the occupants, however the harm caused to neighbours will not be significant. In any case this is a residential area, with properties in close proximity to each other. As such a certain level of disruption is expected. The annex will be used incidental to the enjoyment of the existing dwelling house. There is no need to impose a planning condition to ensure that it is not used as a separate dwelling as this would require planning permission in its own right.

Design

The garage will be extended and the flat roof will be moved forward towards Langfords, increasing its prominence in the street scene. There are many examples of properties on Langfords with single storey side garages with flat roofs. Therefore this extension will not appear overly prominent or harmful to the street scene.

Conclusion

The use of the garage as an annex will not harm the living conditions of neighbours and will be used incidental to the enjoyment of the existing dwelling house. The extension to the garage will not harm the living conditions of neighbours and is not harmful to the street scene. Therefore it is recommended that planning permission is granted.

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

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

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



Epping Forest District Council

AGENDA ITEM NUMBER 4



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Application Number:	EPF/1588/14
Site Name:	384 Fencepiece Road, Chigwell IG7 5DY
Scale of Plot:	1/1250

Report Item No: 4

APPLICATION No:	EPF/1588/14
SITE ADDRESS:	384 Fencepiece Road Chigwell Essex IG7 5DY
PARISH:	Chigwell
WARD:	Grange Hill
APPLICANT:	Mrs Vicki Brustolin
DESCRIPTION OF PROPOSAL:	Conversion of garage to habitable 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/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=565430

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: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A. (g))

Description of Site

Fencepiece Road is located within the built up area of Chigwell. The existing building is a two storey end terrace property situated within a relatively large plot. The neighbours are similar terrace dwellings. The application site is not located within the boundaries of the Metropolitan Green Belt and it is not in a conservation area.

Description of proposal

The proposed development is to convert the garage, which is located at the rear of the site into habitable living space.

Relevant History

EPF/0831/76 - Erection of a double garage. – Approved

EPF/1025/14 - Certificate of lawful development for the proposed use of an existing outbuilding as habitable room in connection with the use of the main house as a single dwelling house (Use Class C3) – Not Lawful

Policies Applied

CP2: Quality of Rural and Built Environment
DBE9: Loss of Amenity
DBE1: Design

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

Consultation carried out and summary of representation received

4 Neighbours consulted – No comments received

CHIGWELL PARISH COUNCIL – OBJECTION – it is out of character with the surroundings.

Issues and considerations

The proposed use does not amount to a material change in the use of the building therefore it is not development that, of itself, requires planning permission. However, condition 2 of the planning permission for the erection of the garage (EPF/0831/76) prohibits the new use, consequently generating a need for planning permission.

Condition 2 states:

“The proposed garage shall be retained solely for the garaging of a private motor vehicle incidental to the enjoyment of the dwelling and not for any industrial, commercial or business use.”

Therefore the use of the garage as habitable space requires planning permission. As such the main issues to consider when assessing this application are the effects of the proposed development on the amenities of neighbours and the design in regards to the existing building and its setting.

Neighbour Amenity

The garage to be converted is located on the shared boundary with the neighbours at no.22 and 24 Clayside. Given that this is a residential area with properties in close proximity to each other, the noise generated from residential use of the garage will not be excessive. In any event the garage will be used incidental to the enjoyment of the existing dwelling house and will not be used as a separate dwelling; as such there will not be an increase in pedestrian movements. It is not necessary to impose a planning condition requiring that it must not be used as a separate dwelling as this would require planning permission in its own right. The proposal clearly complies with policy DBE9 of the Adopted Local Plan and Alterations.

Design

Chigwell Parish Council has raised an objection to the proposal on the grounds that the garage will be out of character with its surroundings. Given that the applicant proposes only minor changes to the external appearance of the garage, which will not be visible from public areas of the street scene, it will not appear in contrast to the character of the locality. Furthermore the use of outbuildings for ancillary living accommodation is not unusual for residential locations, as such there will be no harm caused to its character.

Conclusion

The proposal will not harm the living conditions of neighbours and will not appear out of character in the locality. Therefore it is recommended that planning permission is granted.

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

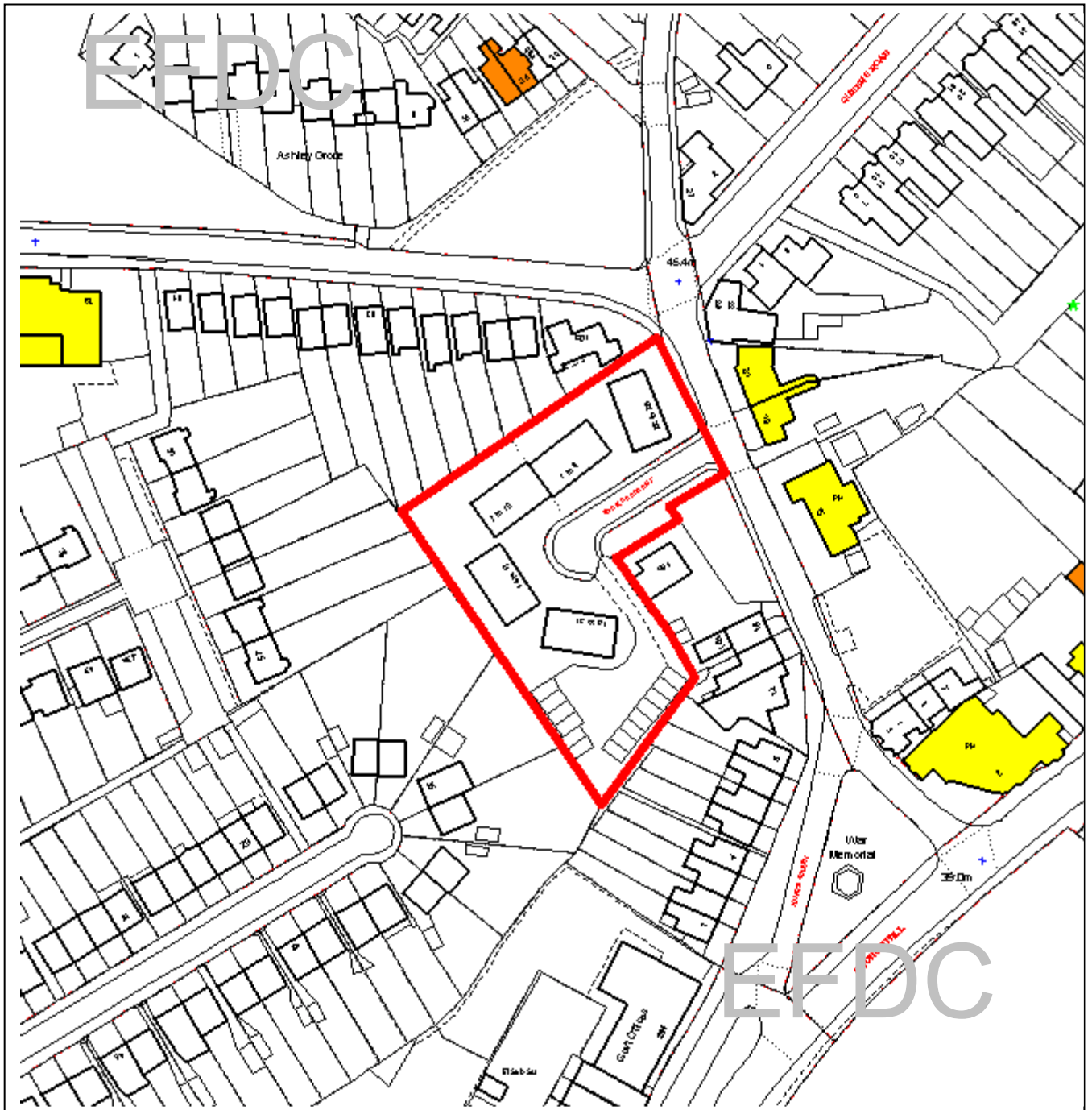
***Planning Application Case Officer: James Rogers
Direct Line Telephone Number: 01992 564 371***

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



Epping Forest District Council

AGENDA ITEM NUMBER 5



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Application Number:	EPF/1591/14
Site Name:	14-21 York Crescent, Loughton IG10 1RW
Scale of Plot:	1/1250

Report Item No: 5

APPLICATION No:	EPF/1591/14
SITE ADDRESS:	14-21 York Crescent Loughton Essex IG10 1RW
PARISH:	Loughton
WARD:	Loughton St Marys
APPLICANT:	Ms Sally Hearne
DESCRIPTION OF PROPOSAL:	Proposed second floor extensions to Nos. 14-17 & 18-21 York Crescent to provide 4 no. additional 1 bed flats. Revised Application to EPF/0248/14.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=565470

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: FCP_001, FCP_002, FCP_003, FCP_004, FCP_100 rev. A, FCP_101 rev. C and FCP_102 rev. C
- 3 Prior to first occupation of the development hereby approved, the proposed rear elevation window openings (south and south-west facing elevations) shall have fixed frames and be obscure glazed to a height of 1.7 metres above the floor of the room in which the windows are installed and shall be permanently retained in that condition.
- 4 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.
- 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 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.
 6. A scheme for recycling/disposing of waste resulting from demolition and construction works.
- 7 Prior to the commencement of the development the details of the number, location and design of cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. The approved facility shall be secure, convenient and covered and provided prior to occupation and retained at all times.
- 8 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.

This application is before this Committee since it is for a type of development that cannot be determined by Officers if more than two objections material to the planning merits of the proposal to be approved are received (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(f).)

Description of Site:

The application site comprises a group of four blocks of flats served by York Crescent, a cul-de-sac off York Hill. The two blocks of flats nearest the junction are three-storey and those at the southwest end of the cul-de-sac are two-storey buildings.

In the surrounding area outside of the cul-de-sac, there are a variety of single and two-storey properties, detached and semi-detached, some of which are locally listed. There are ground level changes due to local topography and the surroundings are predominantly residential, albeit in walking distance of the Town Centre.

The site is not within the Green Belt or any area of special designation. The site is visible from the York Hill Conservation Area, which bounds the entrance to the site.

Description of Proposal:

The applicant seeks full planning permission for provision of a further storey over the two existing two-storey blocks at the head of York Crescent. The proposed additional storey over each block would provide 2 x one-bedroom units over the existing flats below. In total, 4 x one-bedroom flats are proposed.

The new floor would be designed to appear externally the same as the floors below, the envisaged result being that the blocks would appear the same as the remaining three-storey blocks in the crescent.

There is no change to parking or garden area.

The proposal is a revision to a similar proposal refused by the Area Plans South Sub-Committee at the meeting held on 7 May 2014, ref EPF/0248/14. The current proposal differs from that refused by providing rear elevation windows that are non-opening and obscure glazed up to a height of

1.7m above the level of the floor they serve. Associated internal alterations have been made to ensure the rear elevation windows do not serve habitable rooms. The proposal is designed to address the reason for refusal of application EPF/0248/14, which concerned the potential for overlooking of the gardens of neighbouring dwelling houses.

Relevant History:

EPF/0248/14 Proposed second floor extensions to 2 no. 2 storey residential block to provide 4 no. additional 1 bed flats. Refused for the following reason:

“By reason of its height, orientation and detailed design, the proposed development would give rise to overlooking of the gardens of neighbouring dwelling houses, particularly 33 and 34 Habgood Road and 45 Woodland Road. The degree of overlooking would result in an excessive loss of privacy which could not reasonably be mitigated by obscure glazing. Accordingly, the proposal is contrary to Local Plan and Alterations policy DBE9, which is consistent with the National Planning Policy Framework.”

Policies Applied:

All of the policies listed below are compliant with the aims, objectives and policies contained within the NPPF.

CP1	Achieving Sustainable Development Objectives
CP2	Protecting the Quality of the Rural and Built Environment
HC6	Character, Appearance and Setting of Conservation Areas
HC13A	Local List of Buildings
DBE1	Design of New Buildings
DBE2	Effect on Neighbouring Properties
DBE8	Private Amenity Space
DBE9	Loss of Amenity
ST1	Location of Development
ST4	Road Safety
ST6	Vehicle Parking
LL10	Provision for Landscape Retention

Summary of Representations:

33 neighbouring properties were consulted and 10 responses were received raising objection. In addition, the Hills Amenity Society objects to the proposals. The detail of the objections raised is set out below. Loughton Town Council has commented on the detail of the submission.

34 HABGOOD ROAD: Strongly object.

The proposals will create two mini tower blocks, in a Conservation Area which currently has a low skyline. The proposals would dominate views. York Crescent already suffers parking overcrowding. There is no room for more cars. I rent a garage in York Crescent and already have difficulties accessing it. The area is also congested around school time and from the nearby 15 premises. Loss of privacy to my property from overlooking, the existing two storeys already results in negative comments from buyers.

I am particularly concerned that the revised application ignores the Council's decision that: 'The degree of overlooking would result in an excessive loss of privacy which could not reasonably be mitigated by obscure glazing' and seeks to secure a consent by proposing obscured glazing. The application statement says 'As outlined in this statement, the reason for refusal of the previous scheme have been clearly addressed and resolved.' This is just not true.

89 STAPLES ROAD: Strong Objection

I feel that this corner of Loughton already has enough problems with Bar 15 (The Old Wheatsheaf) and Staples Road School. Parking in and around York Hill already causes major problems and now the school wants to expand and you want to build additional flats.

York Hill is the gateway to a number of conservation roads – weekends and evenings it is already dangerous with bad parking from Bar 15. On occasions there is no way an ambulance or fire engine could get through.

Staples Road will have a considerable amount of disruption if the school expansion scheme goes ahead and on top of this you want to build more flats. Where are the additional households to park their cars?

99 STAPLES ROAD: Objection

I am against the extensions in York Crescent as we have I believe reached saturation point regarding traffic especially at school times, and although these flats are 1 bed, they could house at least 2 people, and if they have two cars where are they to park?... there's no room in York Crescent so nearby roads including Staples Rd. could be in their sights...and what with the proposed extension to Staples Rd. school for 90 pupils plus more teachers and parking for the Wheatsheaf(15} which at times is atrocious it will be a nightmare...

Even now residents who have run ins, me included find people are parking between them. The no parking signs on the road have been eroded and never been repainted.

105 STAPLES ROAD: Objection

The proposal is out of character with the more established 2 storey streetscape and would set a precedent for the extension of other two storey blocks within this development.

The locality has an established density and more three storey units are out of context.

12 YORK CRESCENT: Objection

I object to the proposed planning application on top of the flats 14-17 and 18-21 for the following reasons...

1) The parking in this area is already very, very difficult. Any more residents would make it impossible to operate in any way shape or form.

2) The view from the other flats, myself included, would be blocked. I live at number 12 and my view across Loughton and London would be obliterated as well as having other people to look at me in my bedroom and living room.

3) This is a conservation area. More high-rise building so close to the forest cannot be desirable.

4) The buildings are Art Deco buildings from the 1930's and their character would be affected.

5) The buildings already have cracks and damp problems. Are they going to be able to deal with more weight on top of them?

6) I bought my flat mainly because of the view. Is it fair to put a large building just a few metres in front of me preventing me from this lovely view that I have paid for?

17 YORK CRESCENT: Objection

Many logical and practical reasons why this application should not proceed from a tenant's perspective. The site is in a Conservation Area, will devalue my property, result in parking issues and cause significant disruption during construction. Also issues regarding the storage of additional refuse.

20 YORK CRESCENT: Objection

I wish to object to this development, above all on the grounds that it is inappropriate unless radical steps are taken to improve the car parking facilities. Local parking is already a nightmare, exacerbated by the proximity of the bar "Fifteen" and Staples Road School, and this development would make it worse.

Secondly, in such a small cul-de-sac, additional flats built on the top of existing ones on the southern and western sides would change its whole appearance, cutting out sunlight in many areas.

I am also worried about the serious, and no doubt extended, disruption to all residents that the building works would cause.

14 YORK HILL: Objection

Objection to the extensions - would be based upon the changes do not appear to be in keeping with the remainder of the buildings that they are attaching to, as they are quite an unusual style, or surroundings and would bring the height of the buildings to much more than the immediate surrounding buildings, there are no other high buildings close by as it is a residential area.

21 YORK HILL: Objection

We object any further development that will spoil the view from our residence and increase parking problems in the York Hill area.

30 YORK HILL: Objection

May I take this opportunity to strongly object to the proposed plans, due to the fact no additional parking is being created. There are ongoing issues relating to parking in the area which the council and Essex police are aware of. This development will only provide further issues if parking is not created for the additional dwellings.

HILLS AMENITY SOCIETY: Objection

At the moment there is insufficient parking. We believe the existing garages are not currently all used by tenants. We understand some are let separately and some used for storage rather than tenant parking. The parking area in front of the flats is overcrowded.

It is wishful thinking that, although this area is covered by public transport, people will not own cars. The majority of tenants own at least one car per household.

The exit into York Hill is very dangerous, especially at weekends and certain weekdays due to dangerous and illegal parking from the users of "No. 15" York Hill, which also causes hazards to drivers using Staples Road, York Hill and Queen's Road and emergency vehicles.

We would like to see revised proposals to include additional parking to cater for the extra units by either redeveloping the garage area or by introducing parking bays in the grassed areas of these

flats. Only by addressing the shortage of parking will the development begin to enhance the local environment and surrounding community.

LOUGHTON TOWN COUNCIL: Objection

The Committee NOTED that the revisions were not clear from the plans and although the proposal was to provide 4 no additional 1 bed flats and the floor plans appeared to support this the Design and Access Statement actually referred to 4 no 2 bedroom flats.

Issues and Considerations:

This proposal is a revision to a refused proposal for a very similar development. It has been clarified that the proposal would provide four additional one-bedroom flats. That is an identical number and size to the refused development.

The sole reason for withholding planning permission was the potential for excessive overlooking of gardens of houses to the rear of the site. The reason for refusal focuses on the potential for overlooking of the rear gardens of 33 and 34 Habgood Road and 45 Woodland Road. The District Council raised no objection to the principle of the development, its design or consequence for parking in the locality. Accordingly, the main planning issue to deal with when assessing the merits of the revised proposal is the potential for harm to be caused to the living conditions of houses rear of the application site by reason of excessive overlooking of their gardens.

The gardens of neighbouring properties, which are some 30m in length, are already overlooked by the rear facing first floor windows of the blocks this application relates to. The proposed additional floor could significantly exacerbate the degree of overlooking since the additional height would give a wider field of view from flats contained within it. The revised proposal deals with the matter of potential for overlooking from the additional floor by ensuring all the rear elevation windows would be fixed shut and obscure glazed up to a height of 1.7m above the floor level of the room they serve.

The provision of obscure glazing in the form proposed would ensure that the proposed development would not increase the degree of overlooking of neighbouring gardens beyond that which already occurs from the existing first floor flats. Consequently, the development would not give rise to any excessive overlooking and it therefore would safeguard the living conditions of neighbouring properties.

The arrangement for safeguarding privacy of neighbours is specified on the submitted drawings and can be secured by condition. Such a condition is necessary.

The internal arrangement of the flats is such that the windows concerned would only serve bathrooms and kitchens that are below the size specified in the Local Plan for being counted as habitable rooms. It is therefore concluded that the proposed arrangements for safeguarding privacy would not result in poor living conditions for the proposed flats. That was not possible to achieve with the previously refused proposal since two of those flats would have had habitable rooms at the rear.

The proposal therefore overcomes the reason for refusal of the earlier proposal without causing any other harm.

The objections raised by neighbours that do not relate to the reason for refusal are noted. However, they relate to matters which the Council previously found were not sufficient grounds to withhold consent. It is an established principle that an applicant is entitled to rely on the Council's previous decision when redesigning a proposed development. Members are advised that in cases

where the Council introduced new reasons for refusal of a subsequent very similar proposal, the inclusion of those reasons was found to be unreasonable at appeal.

All other matters, including disturbance during construction, can be addressed through planning conditions.

Conclusion:

The proposed development is in an urban area and would provide 4 residential units in an area where new housing is needed and difficult to provide. The construction of the units will result in noise and disturbance during construction, however this disturbance can be mitigated to a significant degree by conditions and is to an extent unavoidable with any construction.

On the main planning issue, the proposal is acceptable and would properly safeguard the privacy of neighbours. The reason for previously withholding consent has therefore been overcome. Accordingly, 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:

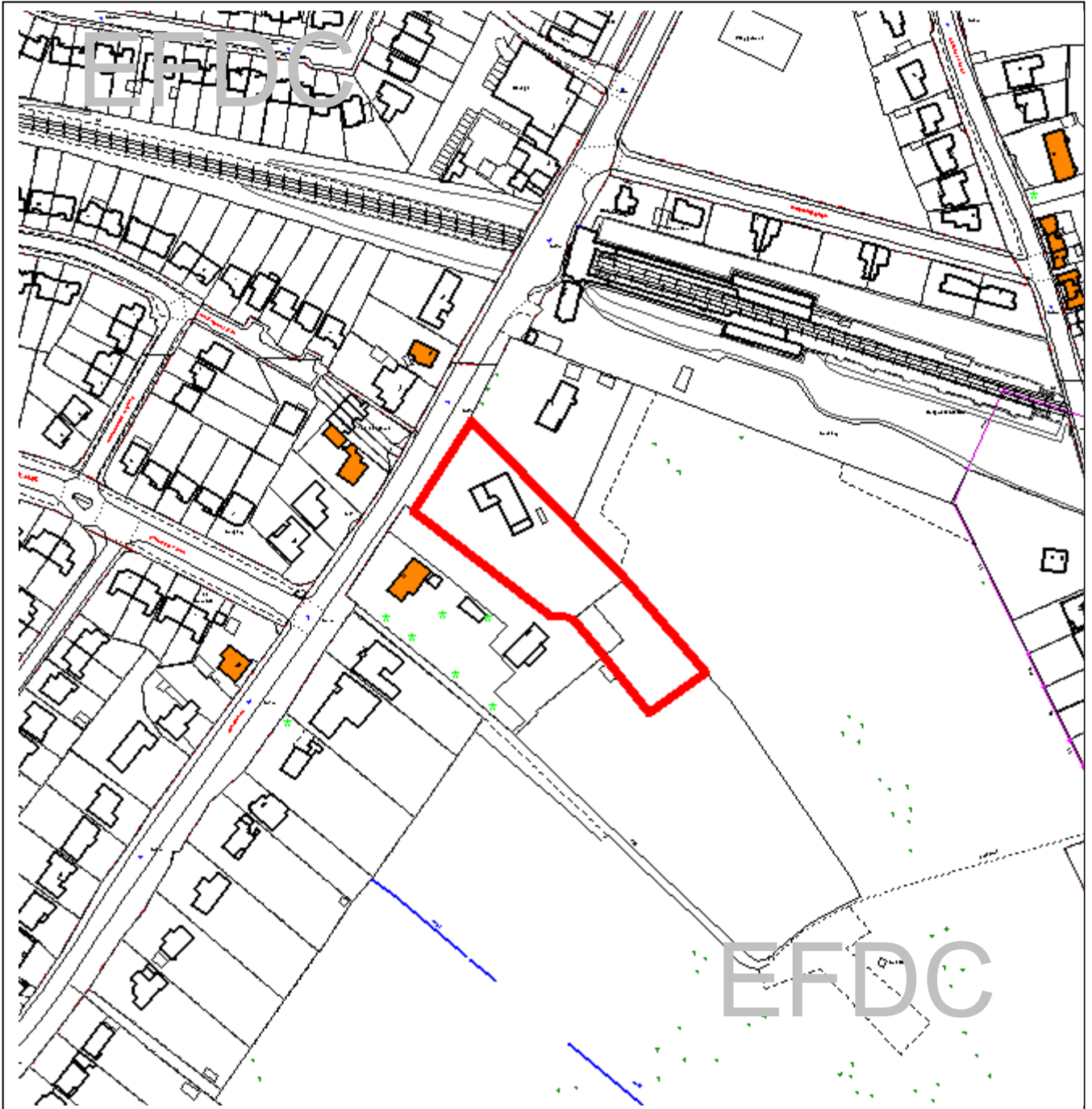
***Planning Application Case Officer: Stephan Solon
Direct Line Telephone Number: 01992 564018***

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



Epping Forest District Council

AGENDA ITEM NUMBER 6



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Application Number:	EPF/1629/14
Site Name:	120 High Road, Chigwell IG7 5AR
Scale of Plot:	1/2500

Report Item No: 6

APPLICATION No:	EPF/1629/14
SITE ADDRESS:	120 High Road Chigwell Essex IG7 5AR
PARISH:	Chigwell
WARD:	Chigwell Village
APPLICANT:	Higgins Homes Plc
DESCRIPTION OF PROPOSAL:	Demolition of existing single dwelling house and the erection of two new apartment buildings accommodating 12 dwellings together with associated landscaping and car parking.
RECOMMENDED DECISION:	Grant Permission (Subject to Legal Agreement)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=565650

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 3 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 12.7192.010 rev. B; 12.7192.401 rev. C; 12.7192.411 rev. B; 12.7192.412 rev. B; 12.7192.413 rev. A; 12.7192.414 rev. A; 12.7192.415 rev. A; 12.7192.421 rev. A; 12.7192.422 rev. A; 12.7192.423 rev. A; 12.7192.431 rev. A; 12.7192.432 rev. A; 12.7192.433 rev. A; 12.7192.441 rev. A; 12.7192.451 rev. A; and 12.7192.452 rev. A.
- 4 Prior to first occupation the access arrangements as shown on drawing no.12.7192.401 Rev C shall be implemented.
- 5 The proposed development shall not be occupied until such time as the vehicle parking area indicated on the approved plans, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

- 6 Prior to commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.
- 7 Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council.
- 8 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 9 No 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.
- 10 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tools. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.
- 11 Prior to the commencement of the development (including the demolition of Key West) the existing dwelling shall be the subject of a full Photographic Survey. The Photographic Survey shall be submitted to the local planning authority for approval in writing.

Subject to Section 106 legal agreement within three months to secure a contribution of £19,748 towards increased secondary education provision.

This application is before this Committee since it is an application for residential development consisting of 5 dwellings or more (unless approval of reserved matters only) and is recommended for approval (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(d) and since it 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 Key West, a two storey detached dwelling of modernist design built in the 1960s.

The site is located outside the Metropolitan Green Belt, although the Green Belt does extend up to its rear boundary.

There are no protected trees within the site boundaries (although there are several within adjacent properties, close to the site boundaries) and the site is not located within a flood zone.

The site to the opposite side accommodates Chigwell Lodge, a listed building. Key West, although not either statutorily or locally listed, is a notable example of architecture of its period and as such is considered to be a non-designated heritage asset.

Although residential uses bound the site to the north, south and west, beyond the site to the north lay a number of commercial uses including retail, a garden centre and Chigwell Underground Station. To the east lies Chigwell Golf Course.

Description of Proposal:

This application seeks planning permission for the demolition of the existing dwelling and its replacement with a development comprising a total of 12 apartments. Ten would be provided within a building towards the front of the site and two in a smaller building situated to the rear (replacing the development approved in 2013). The rear block would have a similar footprint to that previously approved, but its elevational detail would differ (it was previously designed to complement Key West).

Both Buildings would be two storeys in height, with hipped pitched roofs. The front building would accommodate development across four storeys, utilising the basement and roof spaces (20 car parking spaces including one for disabled users) would be provided within the basement).

To the front of the site 5 surface level parking spaces would be provided and a further 4 spaces to the rear adjacent to the smaller block. The remainder of the site would be landscaped for private amenity space and the existing tennis courts at the rear of the site would also be retained for this purpose.

Vehicular access to the site would be retained within its north western corner of the site and the access drive would extend to the front of the principle building and also adjacent to the boundary with 122a High Road, to serve the parking located adjacent to the rear block.

Relevant History:

CHI/0123/58. DET HSE & GARAGE. 20/08/1958

EPF/0155/08. Outline application for the erection of a two storey building containing two apartments. Approved 02/04/2008.

EPF/2141/12. Erection of two storey building containing 2 x apartments with parking and access to the development site. Approved 14/02/2013.

Policies Applied:

Adopted Local Plan and Alterations

CP1 – Achieving Sustainable Development Objectives
CP2 – Protecting the Quality of the Rural and Built Environment
DBE1 – Design of new Buildings
DBE2 – Effect on neighbouring properties
DBE8 – Private Amenity space
DBE9 – Loss of amenity
HC12 – Development affecting the setting of a listed building
LL10 – Adequacy of provision for landscaping provision
LL11 – Landscaping Schemes
ST1 – Location of development
ST6 – Vehicle Parking
ST4 – Road Safety
GB7A – Development Conspicuous from the Green Belt
H9A – Lifetime Homes
U3B – Sustainable Drainage Systems

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

Summary of Representations:

Notification of this application was sent to Chigwell Parish Council and to 9 neighbouring properties. A site notice been displayed adjacent to the site

The application has attracted the following responses:

CHIGWELL PARISH COUNCIL. Objection. The Council OBJECTS to this application on the grounds that this will impact on the character of the area, flats are not suitable for this location and this was pointed out by the Planning Inspectorate when dealing with the appeal for 118 High Road.

CHIGWELL RESIDENTS ASSOCIATION. Objection. The proposal would be detrimental to the street scene and would adversely affect the character of houses in the High Road which are predominantly substantial family homes. The permission given at appeal for 118 High Road was a peculiar case, based on the relationship of that property with the buildings on the High Road to the north of it. The development at 120 High Road would also have a detrimental affect on the character and appearance of the street scene because the proposed scale and massing of the building is substantially greater than that of the existing dwelling.

122a High ROAD. Objection. Recent flat development at 118 High Road, at the Bald Hind and adjoin Chigwell Golf Club indicate 'creep'. The site lies within the curtilage of 122 High Road, a grade II listed building. TPO's should be imposed to protect trees within the site, especially those fronting the High Road. 10 flats equates to 20 additional cars onto the already congested High Road and 20 extra people using services.

Issues and Considerations:

Principle of Development

The site is located outside the Green Belt and is presently in residential use. The further intensification of the residential use within the site has been established (albeit to a lesser degree) by the grant of planning permission for a development of two dwellings to the rear of the site in 2008 and subsequently in 2013.

Furthermore, in 2005 planning permission was given for the erection of a new dwelling to the rear of Chigwell Lodge (the new dwelling is now 122a High Road) and also in 2011 planning permission was given at appeal for the development of 12 flats at 118 High Road (which have recently been completed).

In relation to the Inspector's decision for the 2011 hearing to determine the residential development at 118 High Road, the Inspector concluded that that proposal (replacement of 'Charlesworth', a two storey dwelling, with 12 flats) *'would not result in inappropriate intensity of development at odds with the established character of the locality'*. Furthermore, the Inspector found that *'the proposal would respect the distinctiveness of its setting and the appearance of the High Road'*.

The site is within a highly sustainable location, close to local shops and services and public transport links including the Central Line.

It is, therefore, considered that the principle of a more intensive use of the site for residential purposes is acceptable, subject to compliance with relevant local and national planning policies.

Design

The design of the proposed Building A (which would occupy the street frontage) is such that it would resemble a large detached dwelling. Its design, particularly in terms of its roof, would complement that of the adjacent development at 118 High Road, although its detailed design would differ, which is appropriate given the variety of property styles and finishes within the locality. Most notably, it would include three storey gabled projections to its front elevation.

The proposed development would sit within the existing row of development (adjacent to the recently developed site at 118 High Road). The proposed Building A would be approximately 6m in height to its eaves (from the higher ground level), 10m to its lower ridges on the sides of the building and 12m to its maximum height ridge. The three storey gables would have an eaves height of 6.5m. By comparison, the recently constructed development at 110 has an eaves height of 5m and a maximum height of 11m and Chigwell Lodge at 122 High Road, which has a Mansard roof, has a parapet height of 7.4m and a maximum height of 11m.

Although taller than its neighbouring buildings, the proposed development would be set well within the site retaining substantial space to either side. This factor combined with its design, which includes a hipped roof, should result in its additional height not being readily apparent when viewed from the street and accordingly it should not appear overly conspicuous or over prominent either within the street scene or when viewed across land to the rear of the site which lies within the Metropolitan Green Belt.

Heritage Conservation

The NPPF identifies that non-designated heritage assets can be of significance and accordingly weight may be attracted to them in determining applications for planning permission. The

definition of a heritage asset is “a building...identified as having a degree of significance meriting consideration in the planning process because of its heritage interest”

Key West was designed by architect Stanley Keen and was constructed in 1963. It is a striking example of modernist architecture designed in a flat-roofed pavilion style, constructed in brick and partially clad in cedar, following an L-shaped plan. It was recognised at the time as a building of interest and forward-thinking design, and was featured in the *Ideal Home* publication.

The building is clearly of architectural value and holds some heritage merit. Accordingly it is considered a non-designated heritage asset. Accordingly, the NPPF requires that the effect of an application on the significance of a non-designated heritage asset should be taken into account, with a balanced judgement being made with regard to the scale of any harm to or loss of significance.

The proposed demolition of the building will result in a complete loss of significance and this should be given consideration. Key West is an interesting example of 1960s architecture, it adds to the architectural variety of the street scene and represents a distinct era of development within the area. However, the building is not afforded the greater protection of statutory listing. Furthermore, even if it were included within the Council's local list (which it is not), planning policies are not considered sufficiently robust enough to justify its retention, as an alternative to an otherwise acceptable new development. Accordingly, it is considered that the demolition of the dwelling would accord with policy, subject to the imposition of planning conditions requiring full photographic recording of Key West to preserve its architectural and heritage merits into the future.

Aside from Key West, the proposal also impacts upon the setting of Chigwell Lodge. Chigwell Lodge is a grade II listed, late-18th century house. The proposed building is much larger than the existing and will, therefore, have an increased visual impact within the setting of Chigwell Lodge. The site is, however, visually separated from Chigwell Lodge by the access track leading to no.122a High Road and is well screened by established trees. In addition, the character of the wider area in which Chigwell Lodge sits is one of large, detached residential units occupying their own distinct plots, and the proposal will continue this established use of land.

Neighbouring Amenity

The amenities of the occupiers of Chigwell Lodge should remain acceptable, given the separation of the proposed building from this property by the access ways (both those proposed within the site and leading up to 122a High Road). The gap between these buildings would be approximately 19.5m.

There are bedroom windows within the side elevations of the adjacent development at 118 High Road. However this building would be separated from the proposed development by a distance of approximately 18 metres and as such it is not considered that any overlooking between habitable rooms would amount to a material loss of amenity.

With regard to 122a High Road, the rear of this property would be most affected by the rear block (Building B0, but this impact would not be considerably greater than that of the approved development of two dwellings in this location, albeit the proposal is for a taller building by virtue of its pitched roof. Any oblique overlooking from the rear of Building A into the front elevation of 122a High Road would be across a distance exceeding 25m and would not, therefore, cause a material reduction in amenity.

Highways and Parking

Essex County Council has been consulted on the application, as the Highway Authority. Officers have assessed the application and raise no objection, subject to the imposition of planning conditions.

The application proposes a total of 29 car parking spaces for the development which equates to two spaces per dwelling with an additional 5 provided for visitors to the development.

Trees and Landscape

The existence of mature trees, particularly along the site frontage and its north eastern boundary, is a key factor of its character.

The plans have been amended following the original submission, upon the request of the Council's tree and landscape officer. The revised plans show the bin storage area relocated to the right hand side of the site entrance and reduce the turning area, so as to have a minimal impact on the lime trees along the road frontage. On the basis of these revised plan, the Council's tree and landscape officer is satisfied that the proposed development will be acceptable, subject to the imposition of planning conditions requiring the submission of tree protection details and hard and soft landscaping schemes.

Other Matters

Construction Disruption – the site is located within a residential area and accordingly it is necessary for conditions to be imposed limiting the hours of construction and also requiring the submission of a Construction Method Statement.

Land Drainage - The development is of a size where it is necessary to avoid generating additional runoff and a standard planning condition should be imposed to require further consideration by a Flood Risk Assessment. Furthermore, as the development proposes a large basement, the Council's standard informative should be imposed to alert the Applicant to the potential hydrological implications.

Education – Essex County Council (as the Local Education Authority) has commented on the application to confirm that it is anticipated that there will be sufficient capacity within local pre-school and primary school establishments for future residents of the development. However, there is a shortage of secondary school places with West Hatch High which is the Priority Admissions Area School for the development. Accordingly the County Council seeks a sum of £19,748 towards increased secondary education provision, which will need to be secured by legal agreement if permission is granted. The Applicant has indicated their acceptance of this request.

Conclusion:

In light of the above appraisal, it is considered that the proposal constitutes a sustainable form of development which accords with local and national planning policies. The proposed residential development would have an acceptable appearance within the street scene and would not unduly harm the amenities presently enjoyed by the occupiers of neighbouring dwellings. Mature trees of importance would be retained within the development and access and parking provision is also considered acceptable. Accordingly, it is recommended that planning permission be granted subject to the conditions and informatives referred to within this report and also subject to the completion, within three months, of a legal agreement to secure the education contribution.

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: Mrs Katie Smith

Direct Line Telephone Number: (01992) 564103

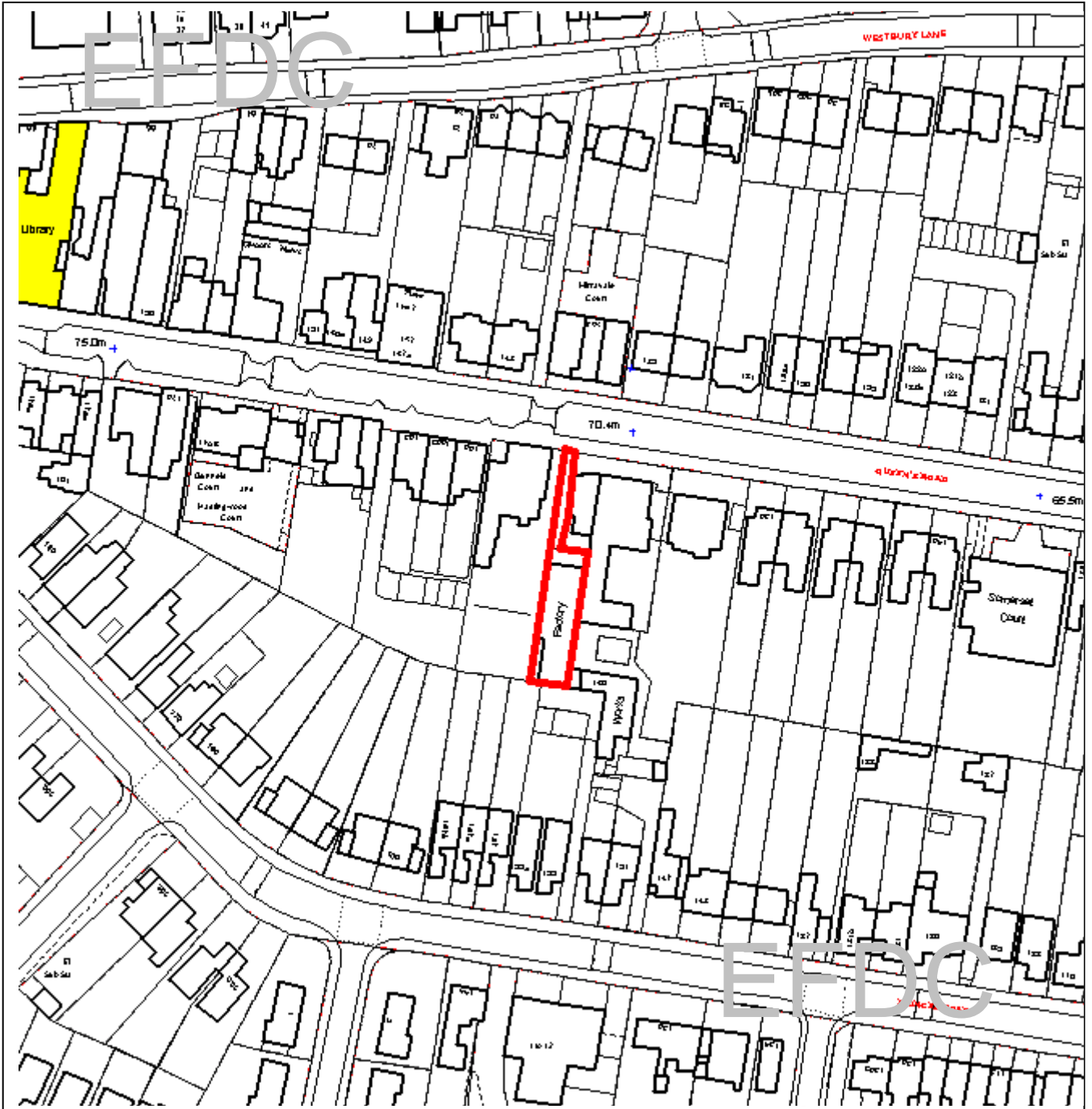
or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

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Epping Forest District Council

AGENDA ITEM NUMBER 7



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Application Number:	EPF/1672/14
Site Name:	Gymnasium at rear of 156 Queens Road, Buckhurst Hill, IG9 5BJ
Scale of Plot:	1/1250

Report Item No: 7

APPLICATION No:	EPF/1672/14
SITE ADDRESS:	Gymnasium at rear of 156 Queens Road Buckhurst Hill Essex IG9 5BJ
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
APPLICANT:	Mr Noel Tierney
DESCRIPTION OF PROPOSAL:	Erection of first floor roof extension to provide additional accommodation to existing gymnasium (amended application to EPF/0626/14).
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=565793

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 extended gymnasium use hereby permitted shall only be open to customers/ members between the hours of 7am and 9pm on any day.
- 3 The extended premises shall be used solely as a gymnasium only. It shall not be used for any other purpose (including any other purpose in Class D2 of the Schedule to the Town & Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order.
- 4 No noise arising from music or other amplified sound shall be audible at the boundaries of the site with adjacent residential properties.
- 5 The rooflights in the new floor hereby approved, shall be non opening and fixed shut windows, and no other windows or openings shall be formed in the building without the prior written approval of the local planning authority.
- 6 Entry and exit to the extended gymnasium hereby approved shall only be gained from Queens Road. In this connection the fire escape door in the rear wall of the property shall only be used for means of escape in an emergency.
- 7 When the gymnasium is in use the front doors to it shall be kept in a closed position.

- 8 No gymnasium activities shall be carried out in the access way leading to the front entrance of the gym.

This application is before this Committee because the recommendation for approval is contrary to an objection from the local parish 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 Proposal:

Erection of first floor roof extension to provide additional accommodation to existing gymnasium (Amended application to EPF/626/14).

Description of Site:

A single storey building located to the rear of no.156 Queens Road and which is used as a gymnasium. Queens Road at this point is a mixture of shops and commercial uses interspersed with houses and flats, and the site lies adjoining the local shopping centre based on the western end of Queens Road. The site to the immediate south, at 152 to 154 Queens Road is currently being redeveloped as a 3 storey block of flats by the building company Higgins. The property is not listed nor does it lie in a conservation area.

Relevant History:

EPF/1858/12 - planning permission granted for the change of use of this building from a warehouse (B8) use to a gymnasium (D2) use.

EPF/0626/14 – planning permission granted for a first floor extension, with sloping roof, to provide additional accommodation for the existing gym.

Policies Applied:

DBE9 – Loss of amenity.

RST1 – Recreational, sporting, and tourist facilities.

ST6 – Vehicle parking.

National Planning Policy Framework - policies DBE9 and RST1 are compliant with the NPPF and policy ST6 is generally compliant.

Summary of Representations:

BUCKHURST HILL PARISH COUNCIL – Object – concern raised that the proposals should not lead to an increase in the number of people using the facility. It would create additional useable space in the roof. Loss of amenity – increased parking. Increase of training outside the premises.

NEIGHBOURS – 24 properties consulted and 2 replies received:-.

156a, QUEENS ROAD – object – *obstruction of natural light* - the new roof design is more square (than previously approved) and when combined with the ongoing development at 152-154 Queens Road it will cause a greater obstruction of sunlight than the previous design. My garden and kitchen will receive less light. *Potential for noise nuisance* – currently the gym is being used as early as 5.30am in the morning which is associated with loud music which is audible inside my property. On occasion patrons of the gym have been flipping tyres on the access road at this time, which generated a lot of noise. This is despite being in contravention of their licence. Allowing the

change in design of the gym roof will allow more floor space to be used for the gym use. This will be associated with more noise from both users and the music they require. The problem of noise is exacerbated by the fact that the gym leaves their entrance doors wide open during opening hours. If in the design a requirement for air conditioning to facilitate ventilation, coupled with adequate sound insulation, would reduce audible noise and disruption to the quiet enjoyment of my home. By expanding the useable floor space for gym use there would be more gym users who will congregate on my access road and damage my plants, pots, and fences. These same users also shout to one another which also generates a lot of noise. *Health and safety*- currently patrons of the gym obstruct the access road by parking on double yellow lines. By expanding the useable gym floor space the increased number of users would exacerbate this. Currently it is impossible to access my bin store as cars are parked in the access way. I am supposed to have right of access to this road. In an emergency, emergency services would not be able to access those in need. This should be addressed in the planning application.

156b, QUEENS ROAD – I recently purchased this flat and I object to an extension to the current gym since this new second floor will significantly block and reduce the natural light to my property, and will block all sunlight to my property and it's a lovely garden; light has already been reduced due to the new Higgins flats being built next door and with this also it will block all light that is left.

Issues and Considerations:

This application seeks approval for a first floor extension that has a different roof profile to the one approved under EPF/626/14 – a mansard roof profile is now proposed as opposed to a sloping roof leading to a central ridge.

Following the concerns raised about an increase in noise and disturbance caused by an increase in floor space of the gym (raised by the parish council and the 2 neighbours living in the converted Victorian property at no.156 Queens Road) , the applicants have amended their proposal by allocating part of the first floor area (some 17%) to storage use, and they have also submitted the following response to the concerns raised:-

‘The revised proposal that is subject of the current planning application, incorporates an amended roof design – a ‘mansard’ roof rather than a simple pitched roof – for technical reasons related to the construction of the existing roof (reinforced concrete slab), the need to provide lateral restraint to the roof structure, and to make better use of the space that would be created. The revised plans that have now been submitted show a storage area at first floor level, which means that the actual useable area of the first floor for gym/exercise purposes will be *identical* to that approved by the earlier application.

The existing gym incorporates a boxing ring at ground floor level and this use is reflected in the use of the surrounding area, which incorporates similar fitness equipment (punch bags, weight training, space for sparring etc.). There is very little useable storage space on the ground floor and the main gym use predominates to the extent that other quieter forms of exercise, such as circuit training, yoga, and general fitness, are not possible.

The proposed extension will provide a storage area for equipment and allow other exercise and yoga classes to take place without disturbance from the main gym. This was the intention with the earlier approved proposal. The storage space would be essential to accommodate equipment such as ‘step’ platforms for aerobics, exercise mats, inflatable exercise balls, bench presses, dumbbells, medicine balls, and weights.

There have been objections relating to the existing gym use, and there seems to be a fear that the proposed extension will exacerbate these problems. However, these issues could be resolved with the latest proposals because the Council could attach planning conditions to any approval preventing the use of external space for gym or exercise activity and

requiring the main entrance door not to be left open when the gym is in use. On street car parking has been raised as an objection, however, we would submit that as an existing business in Queens Road, like many others without any off street parking for customers, there are sufficient parking controls on parking in Queens Road. Similarly, gym users can make use of the public car parks in the area, in the same way that many shoppers and visitors do.

Finally, it should be noted that there has not been any objection, either from the parish council or local residents, on the design of the proposed extension. There have been erroneous statements made about an increase in floor space, but it must be stressed that the new proposed floor space is no greater than the floor space that has already been approved.'

Noise and nuisance

In terms of noise and disturbance to residents it is quite clear from the representations received that the principal properties affected are 2 flats in the Victorian house at no.156 Queens Road. The residents of this house have a right of access over the same side passage way that leads to the gym at the rear, and the rear walls of their flats are 10 and 7m away from the front wall of the gym and the entrance to the gym. These 2 flats have been created in the last 3 years or so and prior to that no.156 was used as a shop and office in connection with the B8 warehouse at the rear – a use which ceased when permission was granted for change of use to a gym. In this context it needs to be restated that this is a mixed use area, and therefore normal residential 'standards' related to noise and disturbance have to be adjusted somewhat. Nevertheless, it is noted that the applicants are prepared to accept conditions on any consent for this first floor extension, and in particular it is proposed that a condition is proposed on any consent requiring the front entrance doors to be closed when the gym is in use so as to reduce noise escaping from the building. It should also be pointed out that the 2012 consent for change of use to a gym restricted opening hours from 7am to 9pm, and this condition will be repeated on any consent for the proposed new first floor extension.

Light and outlook

The proposed roof profile does have a fuller form than the previously approved high angled roof slopes. However at a distance of 10m and 7m away, and bearing in mind the nature of the area, it is not felt that the proposed roof extension will have a serious effect on the rear light and outlook to the 2 flats in no.156. It is noted that the 3 storey block of flats being built on the adjoining site at 152 to 154 does project rearwards of the rear walls of no.156, and this regrettably increases the 'closing in' effect.

Service provided

This is a small gymnasium that is located in an accessible location – and it contrasts with larger more expensive gyms at David Lloyds in Chigwell, and Virgin Active between Chigwell and Abridge, that are located on Green Belt sites to which almost all patrons have to drive. Although boxing is a significant activity in the current gym it does provide classes for juniors, for instance boxercise, and it has partnership links with Epping Forest District Council in providing services for local youth. Due to its modest size and backland position it inherently provides a service mainly to local people. In this context the fact that this local business wants to expand the range of gym facilities it can offer, is, in general terms a welcome one. The business also provides employment for 3 members of staff

Car Parking

As pointed out when the gym was granted permission in 2012 there is a public car park available in Queens Road some 120m to the west of the site, and it has been observed that gym patrons do make use of this car park. If some gym users park on double yellow lines, as an objector alleges, then this cannot be condoned, but in any event it is an illegal act that can be controlled by other legislation rather than planning. In addition the sustainable location of this gym means that some

customers can reach it by walking or by public transport. In this context it would be unreasonable to refuse consent for this first floor addition on grounds that it would exacerbate local parking difficulties.

Conclusions:

It is acknowledged that the gym has caused some noise and nuisance to the nearest two flats at 156a and 156b Queens Road, and that these neighbours are concerned that an extension to the gym will aggravate these problems. However conditions are proposed to deal with two concerns raised, namely to require the front doors to the gym to be closed, and prohibiting any external (gym) use of the shared access way at the side. While the proposed first floor extension will have some effect on light and outlook to these flats it will not be to a significant level to justify refusal of consent. Finally, a similar scheme for a first floor extension was approved earlier this year. For these reasons, and those outlined in the rest of this report, it is recommended that planning permission be granted subject to conditions.

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

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

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



Epping Forest District Council

AGENDA ITEM NUMBER 8



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Application Number:	EPF/1684/14
Site Name:	20 Hurst Road, Buckhurst Hill IG9 6AB
Scale of Plot:	1/1250

Report Item No: 8

APPLICATION No:	EPF/1684/14
SITE ADDRESS:	20 Hurst Road Buckhurst Hill Essex IG9 6AB
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill East
APPLICANT:	Ms Marta Bizzotto
DESCRIPTION OF PROPOSAL:	Two storey 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/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=565854

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 Other than the ground floor flank elevations, which shall be finished in either facing brick or render, the 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 Access to the flat roof over the extension hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a seating area, roof garden, terrace, patio or similar amenity area.
- 4 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

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

Description of Site:

The application site comprises a two-storey semi-detached house situated on the north side of Hurst Road. The house has a single-storey side projection that is covered by the main roof of the house. To the rear it has a conservatory that projects 2.7m on the boundary with the attached neighbour, 18 Hurst Road, and 4.7m adjacent to the boundary with the detached neighbour, 22 Hurst Road. It is not listed or within a conservation area.

A two-storey side and rear extension approved under planning permission EPF/2586/13 is presently under construction at 18 Hurst Road. The ground floor component projects 4m on the boundary with the application site and extends across the full width of the site. The first floor projects 3m and is set in 3.5m from the boundary with the application site.

The detached neighbour, 22 Hurst Road, is set on land approximately 400mm lower than the application site. It has a single-storey rear extension that projects 3m from the rear elevation and is set 1m from the site boundary with the application site.

Description of Proposal:

It is proposed to erect two-storey side and rear extensions. The proposal is a revision to a similar proposal approved under planning permission EPF/1070/14. In summary, the revision would result in the rear extension projecting an additional 700mm at ground and first floor and the ground floor of the rear extension being set in an additional 100mm from the boundary with 22 Hurst Road. A more detailed description follows:

The side addition would replace the existing single-storey side projection. The first floor would be set 1m from the site boundary and 700mm rear of the front wall of the house. Its roof would be hipped. This component of the proposal is unchanged.

The ground floor of the rear extension would adjoin the boundary with 18 Hurst Road and be set 600mm from the site boundary with 22 Hurst Road. The approved proposal would be set 500mm from the site boundary.

The ground floor of the rear extension would project 6m rather than the approved 5.3m, an increase of 700mm.

The first floor would be set 3.4m from the boundary with 18 Hurst Road and 2.7m from the site boundary with 22 Hurst Road. That component of the proposal is unchanged.

The first floor would project 5m rather than the approved 4.3m, an increase of 700mm. As with the approved development, the first floor rear extension would have a hipped roof.

Relevant History:

EPF/1618/99 Rear conservatory. Approved
EPF/1070/14 Two storey side and rear extensions Approved

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:-

Letters of objection were received from the occupants of 16, 20, 22, 24, 29, 32, 33, 35 and 39 HURST ROAD. An additional objection from no. 22 was made by a planning consultant: Star Planning and Development. The grounds of objection raised by all the objectors are summarised as follows:

When compared to the approved scheme, the proposed development would increase the scale and bulk of the ground floor element of the extension and result in a material deterioration, or excessive loss, in the good standard of amenity currently enjoyed by 22 Hurst Road. Vegetation on the site boundary cannot be relied upon to screen the extension and the roots of such vegetation are likely to be damaged in the course of construction. Because of the increase in scale and bulk, together with No. 20 being to the west of No.22, there would be a reduction in levels of sunlight and daylight reaching the rear garden of No. 22. The loss of sunlight and daylight, and the adverse visual impact, would be accentuated by the increase in the depth of the proposed first floor extension.

Insufficient allowance has been made to reflect the difference in ground level between number 20 and number 22. Combined with the additional distance of projection to the rear of the property of both ground and first floor elements (an additional 6m depth for ground and 5m for 1st floor) from the existing rear wall will greatly affect the amenity of the garden of number 22 and effectively cut out the evening sun from the sections of the rear garden closest to the house

The rear facing bathroom window in the proposed side extension should be obscure glazed to prevent overlooking of No 22 Hurst Road.

Overall the proposal amounts to a disproportionate enlargement of the original house and fails to complement or enhance it.

The larger building now extends to virtually double the footprint of the original house and as such will appear bulky, overbearing and out of scale with all of the neighbouring properties. It has the potential to affect both neighbouring properties by blocking light and being an obtrusive presence within the gardens.

The parking issues in this part of Hurst Road should also be taken into account as this is very congested at times. The proposed development is out of step with its neighbours for a semi-detached property.

BUCKHURST HILL PARISH COUNCIL: OBJECTION

Loss of amenities to neighbouring properties
Overbearing on neighbouring properties due to the fall of the land
Huge overdevelopment of the site

Main Issues and Considerations:

The main issues raised by the proposal are design and consequence for the living conditions of neighbours. The proposal would not have any harmful consequence for on-street parking. A material consideration of very significant weight is the development approved under planning permission EPF/1070/14, which is a realistic fall-back position for the applicant.

Design:

The front elevation proposed in the current application is not materially different to that approved. Indeed, the design and appearance of the front elevation is very similar to the extensions approved at the attached neighbour, 18 Hurst Road, under planning permission ref EPF/2586/13. No terracing impact would arise since there would be good separation between the upper floor of the side addition and the site boundary.

The rear and side elevations of the proposal would also appear very similar to that previously approved. They would also appear similar to that at 18 Hurst Road, the difference being scale in terms of the width of the ground floor and the depth of the extension. Those differences do not have any significant consequence for the appearance of the house.

Living Conditions

The extension proposed to 20 Hurst Road would be narrower at ground floor than that at 18 Hurst Road. The approved development achieves a 500mm set in from the boundary with the detached neighbour, 22 Hurst Road. The current application increases the set in to 600mm. The purpose of the set in is to mitigate the visual impact of the ground floor element of the rear extension, which is emphasised by the 400mm difference in levels between 20 and 22 Hurst Road. The set in proposed is necessary to mitigate the potential for harm that would arise if the extension were sited on the site boundary.

Although the proposal would be 700mm deeper than that approved, the depth of the ground floor would not result in any harm to the living conditions of either 18 or 22 Hurst Road, both of which are also extended to the rear. The proposal would project 2m beyond the extension to 18 Hurst Road and 3m beyond the rear of the extension to 22 Hurst Road. The additional rear projection is too little to cause any harm to 18 Hurst Road. The rear projection in relation to 22 Hurst Road is significant but the set in from the boundary is sufficient to ensure large bushes on the boundary in the garden of 22 would be retained. Even if they were not retained by a future owner of 22, the visual impact of the additional projection would not be harmful in this particular case since the combined impact of the set in from the boundary, significant width and depth of the rear garden of 22 Hurst Road and the internal arrangement of the extension to 22 Hurst Road would mitigate the potential for any harm to be caused. The internal arrangement of the extension to 22 places a shower room and utility room adjacent to the boundary with the application site, therefore the nearest window to a habitable room in its rear elevation is approximately 4m from the site boundary. The proposed extension would be set well away from a 45 degree line taken from the nearest edge of that window.

The first floor component of the extension would be set a sufficient distance from the nearest rear facing first floor window of 22 Hurst Road to ensure its full depth would be set outside of a 45 degree line taken from the nearest edge of the window. It would marginally break a 45 degree line taken from the nearest edge of the first floor window in the rear elevation of 18 Hurst Road. The 45 degree line is only used as a rough indicator of impact. It is not an indication of the absolute limit for extensions beyond which harm to living conditions would arise. In this case it is concluded that the impact of the proposal would not cause any significant harm to outlook from the neighbouring houses or have any impact on light received by those windows. The extensions to the neighbours will ensure the proposed first floor element would also not have any impact on the ground floor of those neighbours.

The proposed side addition would not cause any harm to the living conditions of neighbours. Although a rear bathroom window is not shown to be obscure glazed, it is very likely that it would be. Even if it were not, the degree of overlooking of no. 22 Hurst Road that would arise is negligible since the only window affected would be an obscure glazed ground floor flank elevation window. This detail is identical to the approved development.

Conclusion:

The proposed extension would appear acceptable in the street scene and relate well to the existing house and its neighbours in design terms. Its appearance would be very similar to extensions to the attached neighbour, 18 Hurst Road. The implementation of the proposal would therefore give the pair of semi-detached houses a renewed appearance of symmetry, which would enhance the appearance of the street. Furthermore, the extensions would not cause any excessive harm to the living conditions of neighbours. The degree of harm that would arise from the additional 700mm depth of the proposal is not significantly greater than that which would arise from the approved development. It is therefore concluded 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



Epping Forest District Council

AGENDA ITEM NUMBER 9



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Application Number:	EPF/2102/14
Site Name:	Pavement outside Homebase Ltd 140 Church Hill, Loughton, IG10 1LH
Scale of Plot:	1/1250

Report Item No: 9

APPLICATION No:	EPF/2102/14
SITE ADDRESS:	Pavement outside Homebase Ltd 140 Church Hill Loughton Essex IG10 1LH
PARISH:	Loughton
WARD:	Loughton St Johns
APPLICANT:	Telefonica UK Ltd
DESCRIPTION OF PROPOSAL:	Upgrade of telecommunications base station comprising the removal of the existing 12.5m high column, and its replacement with a 15.0 m high column (height including Antenna Shroud), provision of additional equipment cabinet and ancillary development)
RECOMMENDED DECISION:	Prior Approval Required and Granted

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

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=567833

CONDITIONS

NONE

This application is before this Committee since it needs to be decided in 55 days and the proposal may attract either an objection from the town council or more than 2 objections from third parties, which are material to the planning merits of the of the proposal (pursuant to the constitution part three: planning directorate – delegation of council function, schedule 1 appendix A (f)and (g)).

Description of Proposal:

Determination as to whether prior approval is required for an upgrade of the existing telecommunications base station comprising the replacement of the existing 12.5 high column with a 15m. high column, and provision of additional ground level equipment cabinet.

Description of Site:

A wide section of pavement outside the car park to the Homebase DIY store. Next to the wall with the car park stands a 12.5m high telecommunications column plus associated cabinets. The site is located in the Goldings Hill / Lower Road local shopping centre but it does not lie in a conservation area.

Relevant History:

EPF/1735/05 – gave prior approval to a 9.4m high telecommunications pole.

EPF/182/10 gave prior approval to a replacement 12.5m high pole.

EPF/925/13 gave prior approval to a replacement 12.5m high pole with an additional cabinet.

Policies Applied:

U5 - masts and aerials under 15m.

NPPF – paras 42 to 46

Policy U5 is compliant with the NPPF although the latter seems to be more supportive of telecommunications development.

Summary of Representations:

LOUGHTON TOWN COUNCIL – no reply to date.

Neighbours – 32 properties consulted, and, at 8 days into the 21 day consultation period no replies have been received.

Issues and Considerations:

Planning permission is not required for telecommunication masts or columns that do not exceed 15m in height. However, a prior approval determination application needs to be submitted and a council has 55 days to decide whether the siting and appearance of the proposal is acceptable. If no decision is made within 55 days then the installation can be erected on the basis that deemed consent has been granted. This Committee date of 1/10/14 is the only Committee available to submit a report within the necessary timescale, and any objections received in the remainder of the consultation period will be reported verbally.

This telecommunications system is used by two mobile phone providers i.e. Telefonica (O2) and Vodafone. They require a 15m column to replace the existing 12.5m column so as to meet upgraded network requirements, and a similar timber effect column is proposed along with an additional cabinet at ground floor level.

The background to the site is the Homebase car park and the large utilitarian Homebase building, and in relative terms the site is a reasonably good one in that visual amenity is not significantly affected. In addition the installation is also sited a fair distance away from the nearest residential properties. For these reasons a small increase of height from 12.5m to 15m is acceptable in amenity terms. The additional ground level cabinet can also be accommodated satisfactorily on this wide pavement.

Conclusions:

The proposal is a fairly minor one to an existing telecommunication installation which is located in a relatively good position. However, a report to Committee is required because of the restricted time to reach a decision and because objections may be received in the remainder of the consultation period. For the reasons outlined in the above report it is recommended that the applicants be informed that prior approval is both required and that it 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: David Baker
Direct Line Telephone Number: 01992 564514***

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