

AREA PLANS SUB-COMMITTEE SOUTH

3 February 2016

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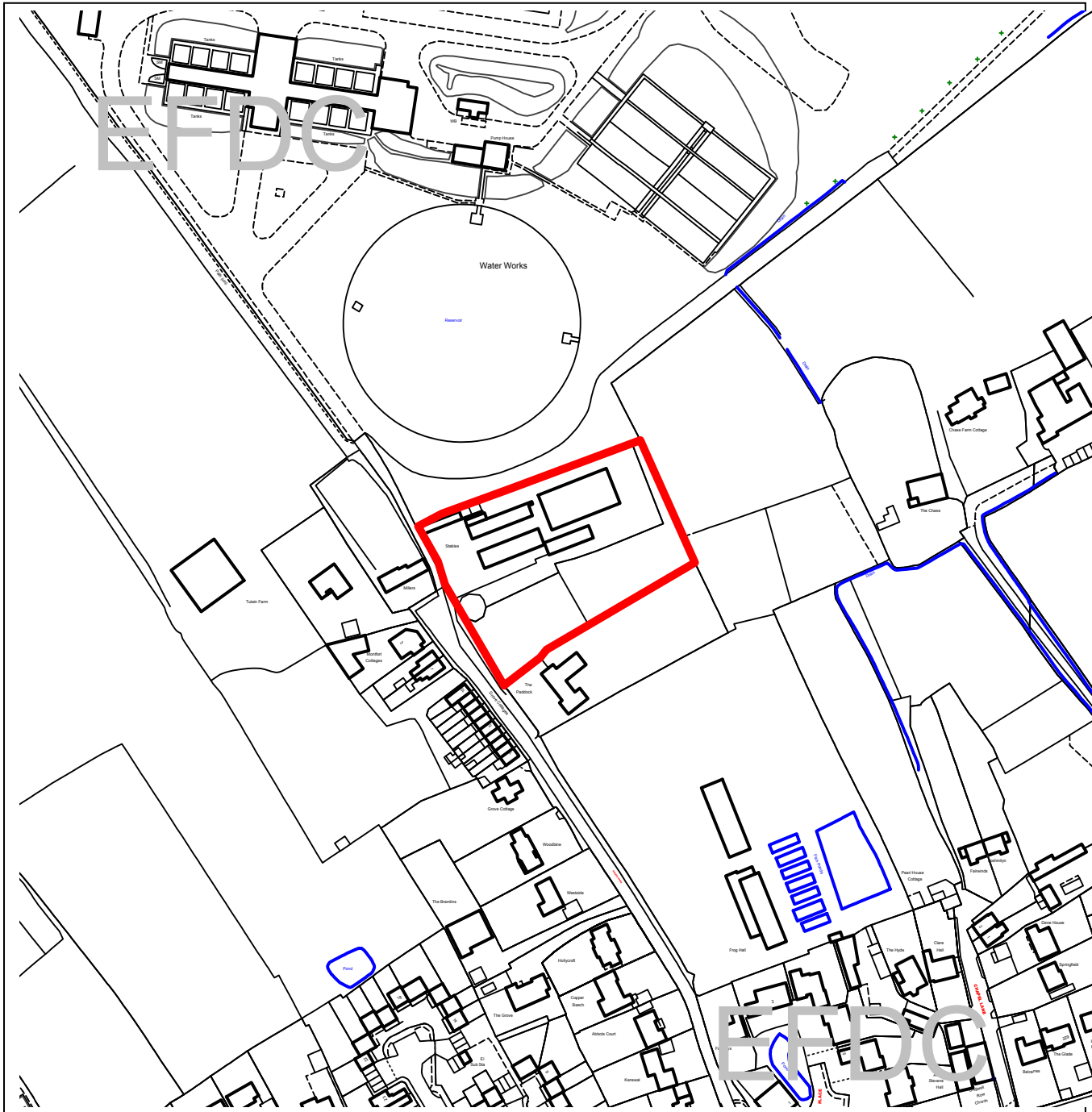
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Epping Forest District Council

Agenda Item Number 1



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Application Number:	EPF/1891/15
Site Name:	The Paddock Grove Lane Chigwell IG7 6JF
Scale of Plot:	1/2500

Report Item No: 1

APPLICATION No:	EPF/1891/15
SITE ADDRESS:	The Paddock Grove Lane Chigwell Essex IG7 6JF
PARISH:	Chigwell
WARD:	Chigwell Row
APPLICANT:	Mr Stephen Pomerance
DESCRIPTION OF PROPOSAL:	Demolition of existing stables and warehouse and erection of 8 dwelling houses and associated landscaping.
RECOMMENDED DECISION:	Refuse Permission

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=578093

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 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. Accordingly, the proposal is contrary to policy HC12 of the Adopted Local Plan and Alterations and the aims and objectives of the NPPF.
- 3 By reason of its scale and layout, 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.

This application is before this Committee since it has been 'called in' by Councillor John Knapman (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(h))

Description of Site:

The application site is situated at the top, north eastern side of Grove Lane, in a rural location on the edge of Chigwell Row. Grove Lane is characterised by linear residential development along the street, with a Grade II listed building 'Millers' at the head of the road and directly adjacent to the application site. The site is currently an equestrian stables with a low intensity use. A number of low height equestrian buildings, hardstanding and equestrian facilities are currently on site.

Beyond the site to the rear is a waterworks and then 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 of the road.

Description of Proposal:

This proposal seeks planning permission for the demolition of the existing structures on the site and the erection of 8 dwellings, an access road with parking and associated landscaping.

The 8 dwellings form a linear development with rear gardens backing on to the north boundary of the site. An access road is proposed to the front with 23 parking spaces on the opposite side of the road. The land to the south of the proposed access road will be open land. The houses are 4 detached properties and 4 semi-detached properties and are rather typical pitched roof house designs. The semi-detached houses would be two-bedroom and the detached 4/5 bedroom.

The site, although in the Green Belt is considered (by a former appeal decision) to be previously developed land. The proposal is located directly to the side of the Grade II listed farmhouse (Millers) with approximately a 10m separation.

This scheme was presented to Committee on the 25th November 2015 and was deferred by the Committee for the following reasons:

Members decided to defer this application in order that the issue of affordable housing can be further assessed having regards to the Applicants offer to make a financial contribution towards off-site provision on the day of the sub-committee meeting. Members also deferred the application in order to secure firm proposals for dealing with the open space component of the proposal, which could then be assessed.

The application has been revised and is materially different to that previously put forward to Members and a re-consultation process has taken place.

The revisions include a reduction in the redline site area to below 0.5 hectare and additional information regarding the open space which is located to the south of the proposed development.

Prior to these changes this application was a resubmission following previous refusals (see Relevant History section).

The most recently refused (and dismissed at appeal) application was for 6 properties (of a much larger scale than that now proposed) with development spread across the whole site.

Relevant History:

EPF/2219/14 - Demolition of existing stables and warehouse and erection of 23 no. affordable dwellings – Withdrawn

EPF/1466/14 - Demolition of existing stables and warehouse and erection of 6 detached residential dwellings. (Revised application to EPF/2188/13) - Refused and Dismissed at Appeal (A copy of the Inspector's decision is attached to this report)

EPF/0906/14 - Prior notification application for a proposed change of use of agricultural building to a flexible use – Withdrawn

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

Policies Applied:

Epping Forest District Local Plan and Alterations

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
LL11 – Landscaping Scheme
H5A – Provision for Affordable Housing
H6A – Site Thresholds for Affordable Housing
H7A – Levels of Affordable Housing

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

Summary of Representations:

CHIGWELL PARISH COUNCIL: The Parish Council originally returned the following comments: *The Council wishes this to go to plan South, and wishes for a clear indication if the points made by the Planning Inspector have been met on this new application.*

Following re-consultation the Parish Council returned the following revised comments: *The Council SUPPORTS this application as they feel it will be sympathetic to the area and retain the existing green belt features.*

55 Neighbours consulted and a site notice erected:

1, 2, 3, 4, 5, 6, 8, 9, 10 Grove Cottages, all Grove Lane; Woodbine, Grove Lane; 1 Montford Cottages, Grove Lane; Millers Farmhouse, Grove Lane; Holly Croft, Grove Lane; The Grove, Grove Lane, Westside, Grove Lane, Abbots Court, Grove Lane – Objection

Summary of Objections: Impact on the Green Belt, impact on the listed building, increase in traffic, proximity to London Loop footpath, construction vehicles movements, site restricts urban sprawl and this will be lost, impact on character of the area, design not in keeping with surrounding houses. Following receipt of the revised submission a re-consultation took place where previous comments were reiterated and magnified; not considered to overcome previous objections with

concern raised over the decision to alter the redline of the site, concern raised regarding the financial contribution to the Parish Council distracting from the harm to the Green Belt, revisions designed to avoid affordable housing and do not address other reasons for refusal, query why donation to local transport is no longer offered.

7 Grove Cottages, Grove Lane and Annex – Tutein Farm, Grove Lane - Support
Summary of support: improvement to area, site no longer viable

The Paddocks, Grove Lane – Support as improvement to the area but concerns over the access to the open land.

Issues and Considerations:

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

The previous reasons for refusal 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 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.*
- 3. 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.*

This application was dismissed at appeal and the Inspector's decision is attached to this report but to summarise in relation to the above reasons for refusal the Inspector considered the following:

1. The proposal would have a greater impact on the openness of the Green Belt than the existing and therefore be inappropriate development in the Green Belt;
2. The proposal would diminish the rural character but this harm is limited given the arrangement and type of development elsewhere on the Lane;

3. The listed building would be robbed of much of its former setting, be divorced from the countryside and the loss of the open, agricultural-style setting to the east would be harmful and this harm is not outweighed by public benefits.

Since this application the proposal has been altered as described above, taking each reason for refusal as an individual issue the assessment of this current application continues below.

Green Belt

In regard to the first 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. However, paragraph 89 of the NPPF provides a list of exceptions to this. The site is, as agreed by the Inspector a previously developed site (equestrian use is not the same as agriculture in planning terms). The NPPF allows for the redevelopment of previously developed land (PDL) in paragraph 89, provided such developments '*would not have a greater impact on the openness of the Green Belt and purpose of including land within it than the existing development*'.

The application includes volume calculations for both the existing buildings on site and the proposed development. The volume of the buildings to be demolished is 4,429m³ and the total volume of proposed buildings is 6, 870m³ and therefore in terms of volume alone the proposal is clearly greater than the existing site and that is highly indicative of a materially greater impact on openness.

This proposal has been altered since the previous refusal and rather than development across the whole site, development has been restricted to the northern half of the application site which is where the existing buildings are concentrated. Although this is an improvement to the previous sprawl of development it is considered to result in new issues, the main being the now, far denser form of development creating a very urban, cul-de-sac appearance of development, in effect creating a 'wall' between this Green Belt site and the surrounding Green Belt. Additionally proposed built form extends to the east further than the existing buildings on site, so that the proposal fills the full width of the site and unlike the current situation this will be at two storeys in height for the full width.

The large areas of hardstanding on the site are to be removed as part of the proposal; however, they have been partly replaced by the access road and parking space. Although a smaller area of hardstanding than existing, it will be very prominent given its forward position and domestic nature and it is considered that this element on its own will have a detrimental impact on the character and openness of the Green Belt.

Additionally the proposed dwellings are substantially higher than the highest building on the site (which is a relatively low pitch building). The Inspector previously considered that increase in height impacts on the character and appearance of the Green Belt and as with the previous application it is Officer view that this revised scheme has not overcome the Green Belt reason for refusal and that the proposal will have a greater impact on the openness of the Green Belt than the existing.

Listed Building

The proposed scheme is located 10m from the listed farmhouse 'Millers' and is considered to detract from the setting of this building. Previously the Inspector found that the scheme would result in the listed building being robbed of much of its former setting, be divorced from the countryside and the loss of the open, agricultural-style setting to the east would be harmful and this harm is not outweighed by public benefits. It is not considered that this revised scheme

overcomes the previous reason for refusal. It still removes the former setting, divorces the building from the countryside and removes the agricultural setting to the east.

It is Officer view that this proposal is more detrimental to the setting of the listed building than the previous scheme. The proposed houses are closer to the listed building now 10m as opposed to 16m and the linear form of development is at odds with the rural farmhouse character.

The Conservation Officer has objected to the proposed scheme on the grounds that the linear development detracts from the appearance of the late 17th century farmhouse creating an urban street adjacent to what should be a rural farmhouse, in a fairly rural setting.

Character of the Area

The layout of the proposal, as stated above, has been altered since the previous submission so that development is concentrated in a linear strip to the north of the site rather than the more 'informal' group layout.

This results in the appearance of a suburban street, forming an incongruous cul-de-sac which is out of character with the Green Belt and the surrounding rural character.

Previously the Inspector considered that the development (which covered the whole site) would diminish the rural character of the area but considered the harm was limited given the arrangement and type of development elsewhere on the Lane. The Inspector specifically mentioned Gainsborough Place, located close to the main road which was similar to the previously refused scheme in that it was a development of large houses grouped around a central area.

This current proposal is not similar to Gainsborough Place, as it is for a row of properties in a linear pattern. It is considered that this proposal again diminishes the rural character of the area and in this case the harm is substantial as there is no similar development perpendicular to the road to compare this scheme to in the locality. Although the existing buildings cannot be said to be attractive they are not out of place in this semi-rural location and their replacement with this 'street' of properties is considered detrimental to the visual amenities of this area given its urban feel.

Concern was previously raised with regards to the open area of land to the south as little information was provided with regards to the long term use of this area. Clearly it is not in the interests of proper planning of the locality for that area of land not to be coherently integrated into a detailed proposal for the site as a whole. As there previously was an absence of detail it was considered that the area would be likely to invite its neglect and abuse by, for example, fly-tipping.

The revisions to this current proposal have included details relating to the open area of land to the south of the proposed houses. It is proposed that this land is transferred to the Parish Council by way of a legal agreement and a donation of £50,000 has been offered by the applicant so that the area of land can be maintained in perpetuity. It is considered that this revision would overcome the concerns relating to the future use of the land. The Parish Council have supported this application and therefore are willing to accept this land, but it is not considered that, and no evidence has been put forward to suggest that there is a need for open public space within this particular locality.

Other Issues beyond the previous reasons for refusal

Affordable Housing:

The proposal previously fell within the scope of policy H6A as the site area was over 0.5 hectares and therefore 40% of the total number of dwellings was required to be affordable in accordance with policy H7A. Following the Committee deferral, the plans have been amended to show the proposed site area as 0.497 hectare. The site therefore falls below the threshold for affordable housing and the Council would therefore not seek the provision of any affordable housing within this development.

Previous offers made towards affordable housing have not been carried forward to this revised application.

Detailed Design:

The proposed design of the dwellings in isolation are acceptable, they are relatively standard pitched roof properties. However, the urban appearance of the dwellings and close proximity to each other do not respect the wider area as discussed above.

Amenity:

The proposal is not considered to result in any significant amenity concerns due to the separation between the development and existing properties there will be no loss of light, outlook or privacy. The proposed dwellings will be clearly visible to the existing properties at the end of Grove Lane but are not considered to result in any detrimental visual impact amenity.

Amenity of Future Occupiers:

The proposed gardens all face north and therefore will have limited sunlight. Notwithstanding the poor aspect, given the size of the properties the private amenity space proposed could reasonably be expected to be greater with improved depth. Half of the width of the rear gardens at plots 5, 5 and 8 is only some 5m. The level and form of private amenity space provision is therefore somewhat below the expected standards of DBE8. Additionally the garden space for plots 5 and 8 is not as usable as it could be when taking into account the trees on and adjacent to the site which have large canopy spreads. They would cast significant shadow over the garden areas. Although not fully compliant with Policy DBE8, the harm to living conditions arising is not so great that it could amount to a defensible reason for refusal.

Highway and Parking Issues:

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. In relation to parking provision, all off-street parking would be outside the curtilage of the proposed houses and therefore unallocated, however, the high level of provision proposed would ensure there is unlikely to be any harmful consequence. Vehicle parking standards require a total of 20 parking spaces for both the houses and visitors whereas 23 parking spaces are proposed.

Trees and Landscape:

The submitted reports demonstrate that the application could be undertaken without a detrimental impact to the trees on and adjacent to the site, bar the loss of one tree which the Landscape Officer has no objection to the loss of.

The Tree and Landscape Officer has raised concerns with regards to some of the proposed landscaping particularly beside the parking spaces but this could be addressed by condition.

Conclusion:

The proposal including the revisions submitted after the November Committee meeting is still not considered to overcome the previous reasons for refusal. Although it is considered that the additional information overcomes the recommended reasons for refusal relating to affordable housing and the long term plans for the area of land to the south, it is still not considered that the proposal has overcome the previous reasons for refusal relating to impact on the Green Belt, character of the area and setting of the listed buildings and given the above assessment refusal is therefore recommended.

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

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

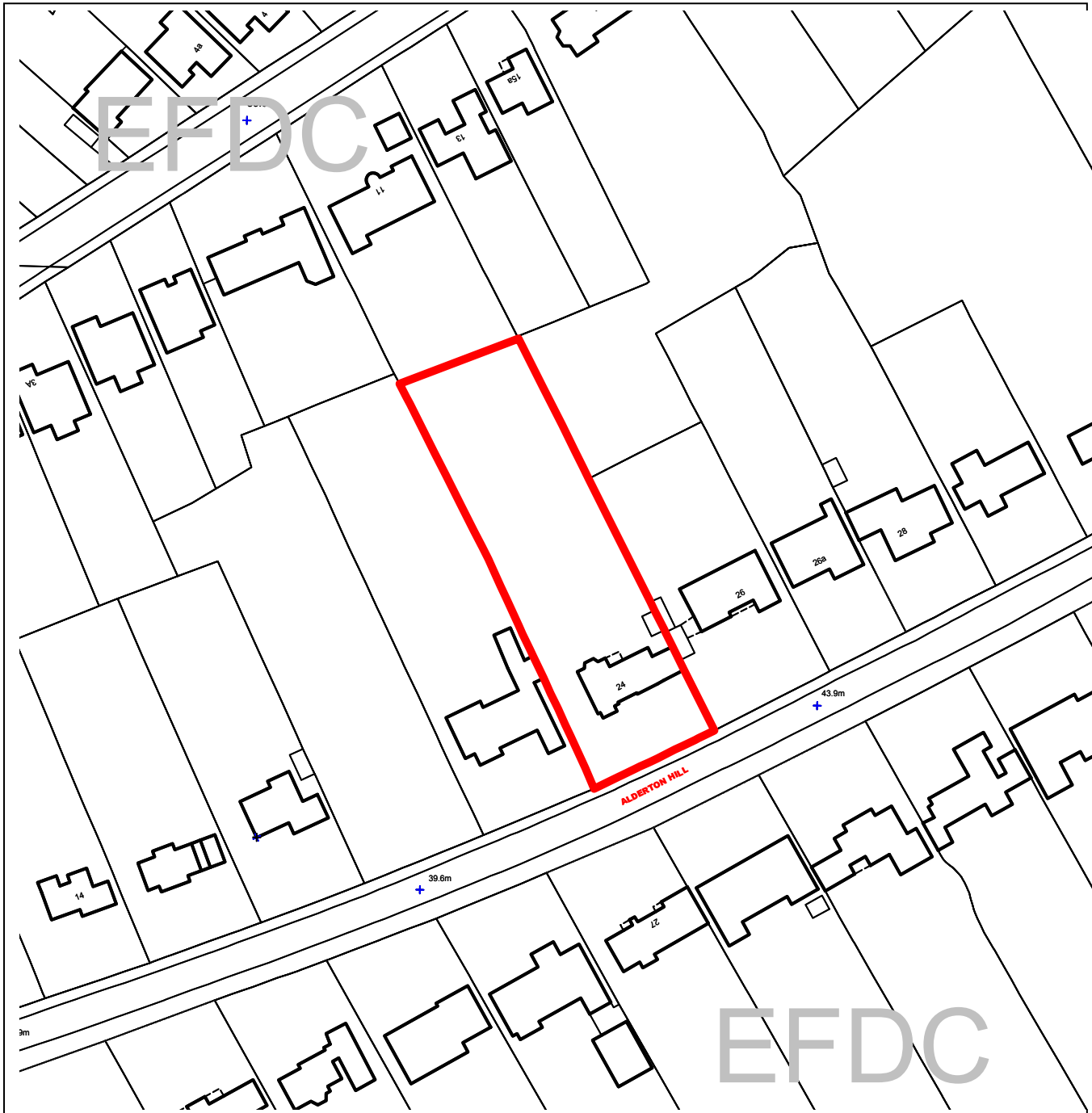
or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

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Epping Forest District Council

Agenda Item Number 2



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Application Number:	EPF/2983/15
Site Name:	24 Alderton Hill, Loughton, IG10 3JB
Scale of Plot:	1/1250

Report Item No:2

APPLICATION No:	EPF/2983/15
SITE ADDRESS:	24 Alderton Hill Loughton Essex IG10 3JB
PARISH:	Loughton
WARD:	Loughton St Marys
APPLICANT:	Mr Balbir Bagria
DESCRIPTION OF PROPOSAL:	Demolish garage and replace with two-storey side extension. Attached replacement garage with granny flat above. Front dormers. Ground floor and two-storey rear extension. Accommodation within roof space.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=580775

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos:
Site location plan
1406/306
1406/100
1406/102
1406/107 Revision A
1406/303 Revision B
1406/304 Revision D
1406/305 Revision B
- 3 Prior to first occupation of the development hereby approved, the proposed window openings in the eastern and western flank elevations above ground floor level, to the granny flat/studio, bedroom 2, bedroom 3, bedroom 4, bedroom 6 and bedroom 7, shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.

- 4 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or of any equivalent provision in any Statutory Instrument revoking or re-enacting that Order), the garage hereby approved shall be retained so that it is capable of allowing the parking of cars together with any ancillary storage in connection with the residential use of the site, and shall at no time be converted into a room or used for any other purpose.
- 5 Materials to be used for the external finishes of the proposed development shall match those of the existing house, unless otherwise agreed in writing by the Local Planning Authority.
- 6 The proposed granny flat/studio as shown on plan 1406/304 Revision D shall only be used as ancillary accommodation for the existing dwellinghouse and shall not be occupied as a unit separately from the dwelling known as 24 Alderton Hill, Loughton.
- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no window or other opening other than those shown on the approved plans shall be inserted in a flank elevation of the house above ground floor level without the prior written permission of the Local Planning Authority.
- 8 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

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 and since it has been 'called in' by Councillor Kauffman (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council function, Schedule 1, Appendix A.(g)and (h))

Description of Site:

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

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

Description of Proposal:

Proposal is to:-

(a) demolish the side garage and replace this with a two-storey side extension , to be sited 1m from boundary, with a single storey rear extension set behind.

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

(a) The two storey side extension would be 5.0m wide by 7.5m deep. Behind this extension would be a single storey rear extension 5.3m wide by 5.2m deep. The two-storey extension and single storey extension would create a footprint at this part of the proposed house of 12.8m depth. The two-storey extension would have an obscure glazed window, to bedroom 4, at first floor level. The side gable roof above the two-storey side extension would contain accommodation, bedroom 7, with an obscure glazed side window.

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

c) A two-storey rear extension would be 5m deep, along its eastern flank from the existing first floor rear wall, by 5.8m wide. This extension would form bedroom 3 and have a Juliette balcony on its rear elevation. This extension would have a flank wall 6.1m from the eastern boundary and the other flank wall 14.6m from the western boundary. This two-storey rear extension would have a roof above with a rear gable end and the roof would contain accommodation in the form of a home cinema. The home cinema would have a window in the gable end and two roof lights to both roof slopes. The house would also be enlarged at first floor level by a 1.8m deep by 5.8m wide rearward enlargement of bedroom 2.

d) A single storey rear extension would be 2.5m deep by 8.4m wide and would be set 6.5m from the western boundary. This extension would enlarge the lounge and have a bay window, 1.5m deep, set on the rear elevation and two side windows.

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

Relevant History:

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

EPF/3012/14 - Demolish garage and replace with two storey extension, 1m from boundary, with continuation of roof above. Attached garage to other side of house, 1.1m from boundary, with "granny flat/studio" above. Three front dormers. Two storey and single storey rear extensions. Associated alterations. – Refused on the grounds the side addition would cause harm to the living conditions of 26 Alderton Hill.

Subsequent appeal part allowed, with conditions and part dismissed 25/08/2015 The appeal was allowed in relation to a proposed two-storey side extension to the dwelling's west facing flank wall, a single storey rear extension, the installation of two dormer windows in the front roofslope, one dormer window to the rear roof slope and associated alterations. It was dismissed in relation to the proposed two-storey addition to the eastern flank, the Inspector agreeing with the Council that it would cause excessive harm to the living conditions of 26 Alderton Hill.

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. 11
Site notice posted: No, not required
Responses received:

26 ALDERTON HILL – object – plus ca change, plus c'est la meme chose, negative impact on our quality of life would be as unacceptable as it was before.

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

Main Issues and Considerations:

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

There would be no change to the proposed front elevation from that which was proposed for the previous application, EPF/3012/14. The essential change is that there is now less bulk of built form proposed next to the eastern boundary; a single storey rear extension is now proposed as a bay behind the main house rather than a two-storey with gable end rear extension. This is of significance because the Inspector, in partially dismissing the appeal for the previous proposal, opined, at paragraph 8 of the appeal decision (APP/J1535/D/15/3038247) "*I have concluded that the proposed two-storey extension to the eastern flank would, due to its height depth and orientation, be harmful to the living conditions of the neighbouring occupiers and, in the absence of compelling information and detail to suggest otherwise, the proposal would be contrary to LP Policy DBE9 and also relevant advice within the National Planning Policy Framework.*"

Amenity of neighbours – No.26

The rear garden of the application property faces to the northwest. 26 Alderton Hill is to the northeast. No. 26 has a greenhouse, which the occupiers of no. 26 use as a garden room, and a pleasant outside sitting out area to the side to the greenhouse, between the greenhouse and the house at no. 26. The previous application involved two-storey built form next to the greenhouse. With this current application this has been reduced to single storey, with a crown type roof with a flat top containing a lantern style roof light. This single storey rear extension would be 1m from the boundary, 1m from the greenhouse which is hard on the boundary. The single storey rear extension would be 2.4m in height to the eaves and have a dummy sloping roof with a maximum height of 4m. It is considered that no material loss of light would occur to the occupiers on no. 26.

Amenity of neighbours – No.22

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

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

Other matter

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

Conclusion:

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

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

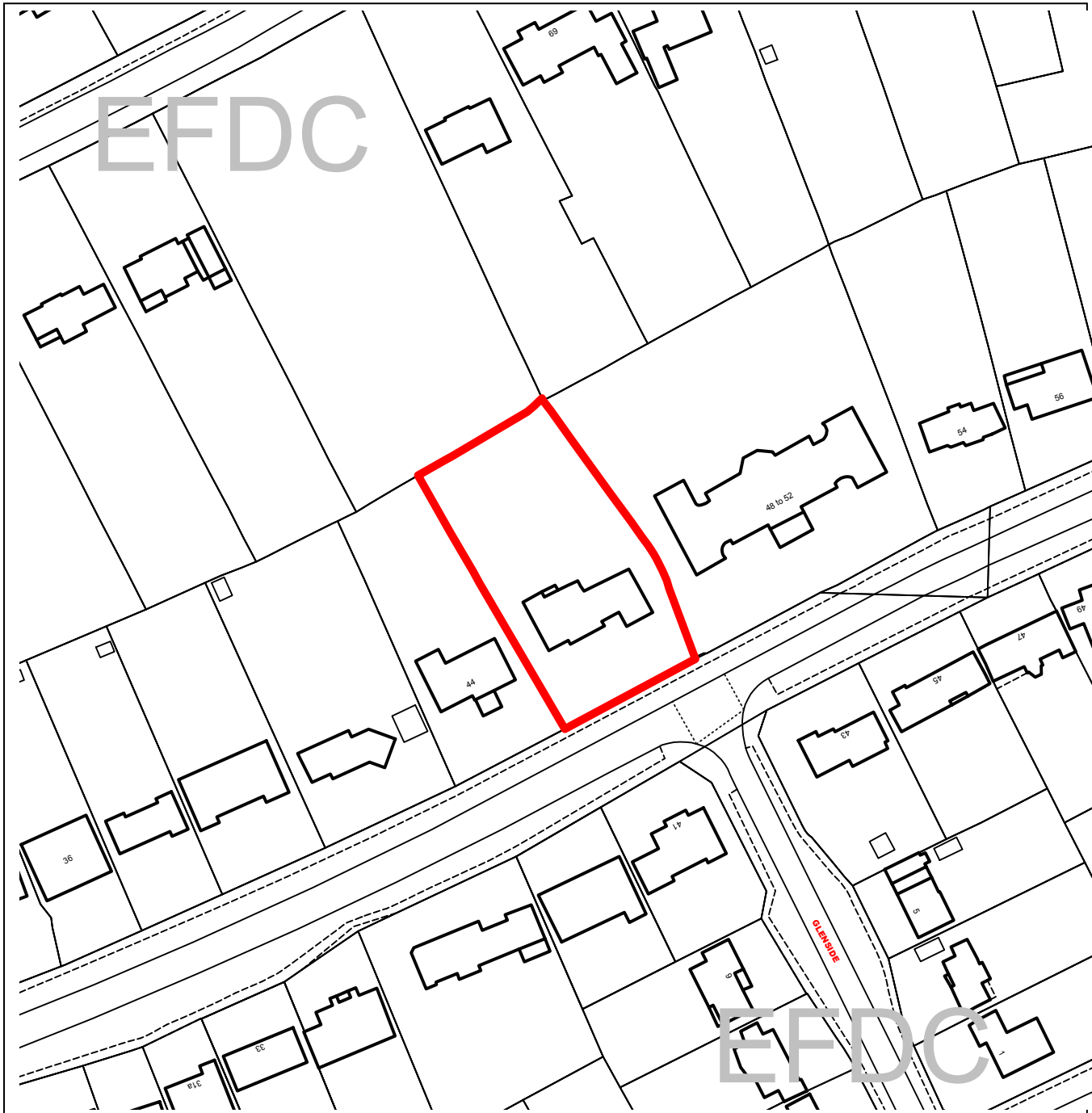
***Planning Application Case Officer: Jonathan Doe
Direct Line Telephone Number: 01992 564103***

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/2987/15
Site Name:	46 Stradbroke Drive, Chigwell, IG7 5QZ
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/2987/15
SITE ADDRESS:	46 Stradbroke Drive Chigwell Essex IG7 5QZ
PARISH:	Chigwell
WARD:	Grange Hill
APPLICANT:	Mr Robert Davis
DESCRIPTION OF PROPOSAL:	Demolition of house at 46 Stradbroke Drive and the erection of a new building with five flats.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=580834

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:
FKS_001
FKS_101 revision A
FKS_105
FKS_201 revision D
FKS_202 revision D
FKS_203 revision D
FKS_204 revision A
FKS_205 revision B
FKS_206 revision B
FKS_208 revision A
Tree survey of 19 August 2015 by Philip Wilson Arboriculture with addendum of 23 November 2015 and Tree Position and Constraints Plan to accompany 150801 v1 Design and Access Statement

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

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

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

- 6 The parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents (staff) and visitors vehicles.

- 7 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.

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

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

Following the completion of development works and prior to the first occupation of

the site, sufficient information must be submitted to demonstrate that any required remedial measures were satisfactorily implemented or confirmation provided that no unexpected contamination was encountered.

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

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

This application is before this Committee since the recommendation is for approval and there are more than two expressions of objection material to the planning merits of the proposal and 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 (f) and (g)).

Description of Site:

Two-storey five bedroom detached house with integral double garage. Not Listed nor in Conservation Area. The property has an in and out driveway. There is a swimming pool to the rear of the house.

The footprint of the existing house on the site is nearly 24.5m wide by a maximum depth of 14m.

The site is located within the built up area of Chigwell. The surrounding area has a wholly residential character at low densities and is characterised by detached houses with mature trees and other planting to gardens.

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

Description of Proposal:

Demolition of house at 46 Stradbroke Drive and the erection of a new building with five flats.

The footprint of the proposed building to accommodate the flats would be 27m wide by a maximum depth of 22m. The building would appear at the front elevation as a classically inspired, symmetrical building of two full storeys with accommodation in the roof served by a front dormer. The design and access statement states that the building would be constructed using a pallet of traditional materials and that external walls would generally be red clay brickwork, painted render and a slate roof with lead roll hips and ridge. Sash windows would be used. The building would have the main part of its roof with the appearance of a hipped roof and two front bays would have hipped ends to their roofs. The building would have a maximum height of 10.5m, 5.5m to the eaves.

The building would have two three-bedroom flats on the ground floor, two three-bedroom flats on the first floor and a three-bedroom flat, with cinema room and gym and all the bedrooms having en-suite facilities, on the second floor within the roof space. The building would have a basement accessed by a vehicular ramp and providing ten car parking spaces and a bicycle store.

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

Relevant History:

It is understood that the site was undeveloped forest land until the site was developed in 1960, following the earlier development of the main Stradbroke Drive estate in 1934.

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

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

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

EPF/2354/07 - Demolition of existing house and erection of detached house with basement and rooms in roof space. – Refused 22/02/2008

EPF/1159/08 - Demolition of existing house and erection of detached house with basement and rooms in roof space. (Revised application) – Refused 29/07/2008

EPF/0034/09 - Demolition of existing dwelling and the construction of a replacement house. (Revised application) – Refused 04/03/2009

EPF/2602/14 - Demolition of 46 Stradbroke Drive and the erection of a replacement house with associated external works. – Granted 12/02/2015

EPF/1893/15 - Demolition of 46 Stradbroke Drive and the erection of a new building of five flats. – Refused 19/10/2015 (The sole reason for refusal was on design grounds, focussing on the scale and particularly the width of the proposed building).

Policies Applied:

CP1	Achieving Sustainable Development Objectives
CP2	Quality of Rural and Built Environment
CP3	New Development
CP5	Sustainable Building
CP6	Achieving Sustainable Urban Development Patterns
CP7	Urban Form and Quality
H2A	Previously Developed Land
H3A	Housing Density
H4A	Dwelling Mix
DBE1	Design of New Buildings
DBE2	Effect of Neighbouring Properties
DBE3	Design in Urban Areas
DBE6	Car Parking
DBE8	Private Amenity Space
DBE9	Loss of Amenity
DBE11	Sub-Division of Properties
LL7	Planting, Protection and Care of Trees
LL10	Adequacy of Provision for Landscape Retention

LL11	Landscape Schemes
LL12	Street Trees
ST1	Location of Development
ST4	Road Safety
ST6	Vehicle Parking

NPPF

Summary of Representations:

CHIGWELL PARISH COUNCIL: The Council strongly objects to this application as it is overdevelopment of the site.

NEIGHBOURS – 12 consulted. A petition of 37 signatures and 12 replies received:-

34 STRADBROKE DRIVE – object – over-development, intensification of use would have a detrimental effect to the amenity of the adjoining property, would multiply vehicles, noise and refuse by five, overlooking, undesirable precedent, undesirable to the character of the area, would result in on-street parking.

43 STRADBROKE DRIVE – object - will decimate the character of Stradbroke Drive, Other similar applications will follow spoiling the excellent ambience of this Drive.

44 STRADBROKE DRIVE – object - principal objection is to multiple use, dangerous precedent in changing the feel and nature of the area, over-development of 14 bedrooms contrasted with the 5 bedroomed property, our kitchen area to the rear of our house will be significantly deprived of light and also affect our dining room and living room sited at the rear of our property, the root structure of a mature oak tree in our property will inevitably and other trees on neighbouring properties are in danger of being compromised, basement could impact on the structural integrity of my property, over-development of the site, will create additional traffic on to an area that will create a hazardous environment where children play outside, will increase the strain on services, e.g. refuse collection, sewage/gas and electricity, five large multi occupancy property in a road that has only ever had single family residences will open a flood gate to developers to put in applications for other similar multi occupancy "flats" which would completely change the look, feel, tone of a quiet family residential street.

49 STRADBROKE DRIVE – object - flats would mean more traffic and also spoil the area completely.

49 BRACKEN DRIVE – object - out of place, will bring lots of traffic and noise, may be the need to cut some old trees so wild life could be affected, will change the tranquil feel of the area, an over-development and this will affect the existing feel of the area.

52 BRACKEN DRIVE – object - erection of flats is not conducive to the area, will increase traffic and set a precedent for future applications in this quiet area.

53 BRACKEN DRIVE – object - our area is residential bungalows and houses of which we do pay very high rates.

60 BRACKEN DRIVE – object – out of character, would set a precedent for the locality to change, this would be a departure from policy to restrict flats to high street and similar locations, it would appear that the main purpose of this application is for financial gain, two very well designed houses would be more welcomed by neighbours, would increase traffic and parking in a narrow road.

68 BRACKEN DRIVE – object - would cause a lot of traffic and set a dangerous precedent.

78 BRACKEN DRIVE – object - would create more traffic and set a precedent for other dwellings to be changed into flats and altering the character of our quiet area.

80 BRACKEN DRIVE – object - current property blends in nicely, such a change in status for that address seems to go against the Council's strict rules about changes of status, several applications in Bracken Drive to demolish a bungalow and replace it with a house have been rejected, potential chaos from the large lorries needed for the demolition.

3 GLENSIDE – object – conversion of homes and commercial sites to flats along Manor Road to Grange Hill has led to a detrimental increase in the volume of people per site, would lead to parking creating obstruction and inconvenience, will be the beginning of the end for this once sought after location and will cause a tidal wave of destruction and devaluation, heritage of area would be overwhelmed by a greed culture.

CHIGWELL RESIDENTS ASSOCIATION – object – detrimental to street scene, adverse affect to character, scale and particularly width out of keeping and harmful to local distinctiveness, would dominate its neighbouring family homes.

Issues and Considerations:

This proposal is similar to one that was recently refused, EPF/1893/15. The way forward identified with that refusal, set out in the officer's report, was to reduce the extent of the new building on either side so as to leave a clear spacious separation from the side boundaries and maintain the plot as a house. The width of the building has been reduced by 3m.

The main issues are considered to be the appearance of the building in the streetscene, the impact to neighbours, the living conditions of the future occupiers of the proposed flats, and the impact to the character of the area.

The proposed building would be set generally 4m forward of the house on the site, i.e. the forward most part of the flats building would be 4m forward of the widest wall to the footprint at the front of the house. However, the forward most part of the proposed building would align with the houses to both sides. The proposed building would have a maximum width of 26.7m whereas the existing house has a maximum width of 22.7m. The proposed building would be slightly higher than the existing house; the proposed building would have a maximum height of 10.5m whereas the existing house has a maximum height of 9.3m. However the overall visual bulk of the building, its silhouette as seen from the street, would not be significantly greater. The spacing from the side boundaries is considered such that the proposed building would not visually fully fill its plot. This is an especially important consideration for this plot since in an appeal decision (APP/J1535/A/12/2183105) for the plot next door, to the east, the Inspector commented on the predominantly suburban appearance to the surrounding area. It is considered on balance that the proposal would not fill its plot to too greater extent and thereby detract from the spacious character of the area.

The rear most part of the footprint of the proposed building would be level with the rear most part of the rear wall of no. 48. 48 Stradbroke Drive has a garage to the side nearest the application site. The garage is set 5.5m from the side boundary and there would be a distance of 10m between the side of the garage and the flank wall of the proposed building. The setting of the proposed building in relation to the house at no. 48 is such that it is considered that the proposal would have no material adverse impact to the amenity of the occupiers of no. 48.

The flank wall of the proposed building would be 6.2m from the flank wall of no. 44. Its rear corner would be 4.5m deeper into the plot than the adjacent rear corner of the house at no. 44. The rearmost part of the proposed building, one of two symmetrical rear bays, would be 9.8m deeper into the plot than the nearest rear corner of no. 44. However, the house at no. 44 is on higher ground and there is extensive screening by vegetation on the boundary. Although parts of the proposed building would project significantly deeper into the plot than the footprint of no. 44, its footprint would be indented along the side. Due to ground levels, screening on the boundary and the settings proposed, it is considered that the impact of the proposed building on the occupiers of no. 44 would not be so great as to constitute a reason for refusal.

The proposed flats would have aspects to front and rear and would be of a good size, with the flat in the roof space having generous room sizes. The flats would be aligned vertically on the ground and first floors and the top floor flat would have its kitchen and sitting area above the same types of rooms on the floor below. A large area behind the proposed building would become a communal amenity area. It is considered that the proposal would offer a good degree of residential amenity to the occupiers of the proposed flats.

The surroundings are characterised by larger, single family dwellings though flats are proposed. Policy CP2 (iv) of the Local Plan refers to safeguarding the character of the urban environment. At paragraph 58 of the NPPF it is stated that planning decisions should aim to ensure that developments respond to local character and history. However, the NPPF also refers, at paragraph 50, under the heading of delivering a wide choice of high quality homes, that to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should plan for a mix of housing based partly on the needs of different groups in the community. Furthermore, such an issue did not form a reason for refusal with the previous application for five flats, EPF/1893/15. The proposal would create a detached built form in spacious grounds which would maintain the character of the area.

Conclusion:

Officers consider that in design terms the proposal does not justify refusal and impacts to neighbouring amenity are acceptable. The design would appear as that of a detached house and five flats is not a high density on a plot of this size. It is considered that the spacious flats, with ample parking provision, that appear would be to a high specification would not alter the character of the wider area to an extent that would justify refusal.

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

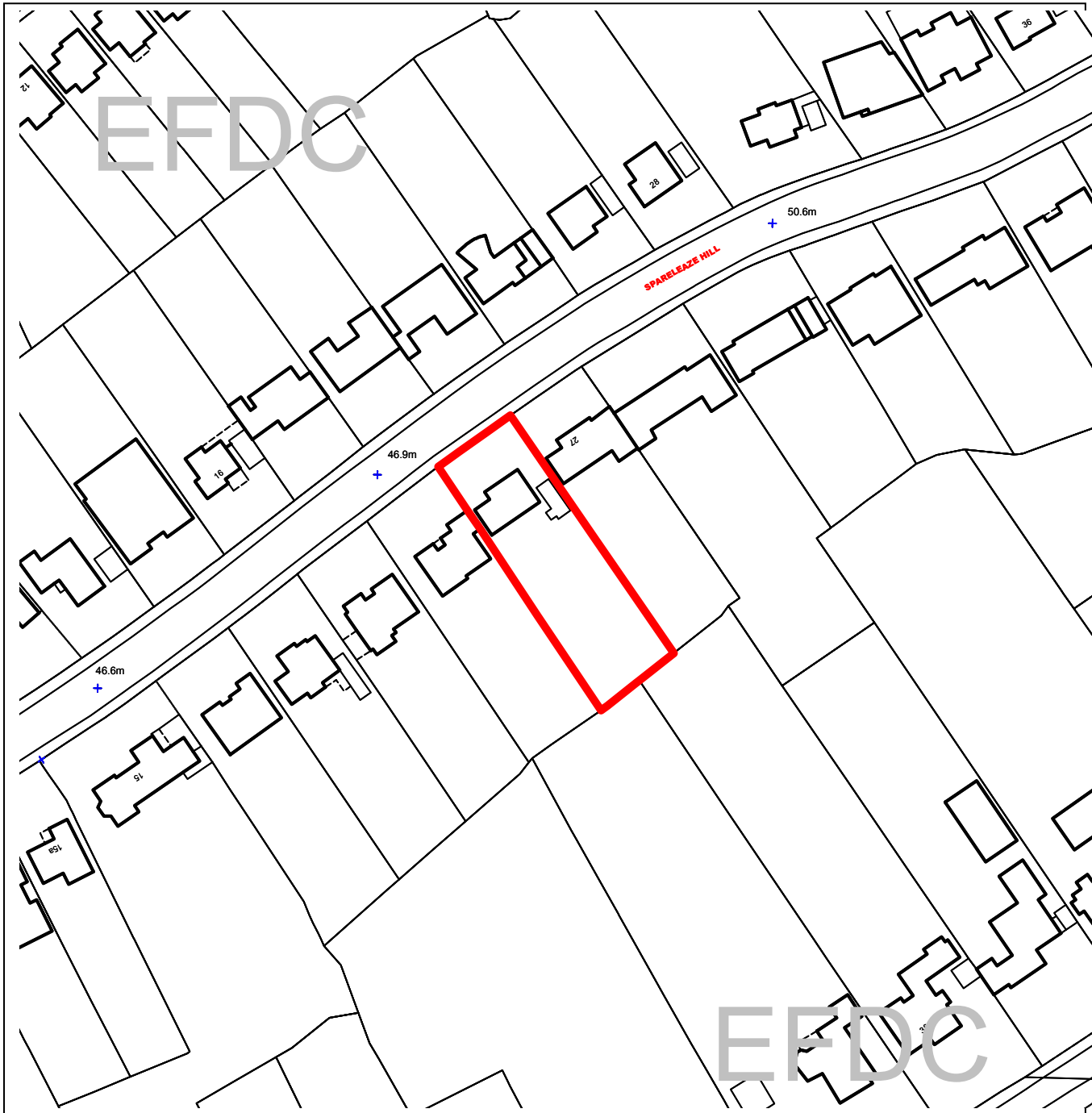
***Planning Application Case Officer: Jonathan Doe
Direct Line Telephone Number: 01992 564103***

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Epping Forest District Council

Agenda Item Number 4



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Application Number:	EPF/2401/15
Site Name:	Oakridge Cottage, 25 Sparelease Hill, Loughton, IG10 1BS
Scale of Plot:	1/1250

Report Item No: 4

APPLICATION No:	EPF/2401/15
SITE ADDRESS:	Oakridge Cottage 25 Sparelease Hill Loughton Essex IG10 1BS
PARISH:	Loughton
WARD:	Loughton St Marys
APPLICANT:	Mr Ashton
DESCRIPTION OF PROPOSAL:	Two storey side/rear extension. Single storey front and rear extension.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=579313

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 3 Prior to first occupation of the development hereby approved, the proposed kitchen window opening on the ground floor and the stair landing window on the first floor in the north east flank elevation shall be entirely fitted with obscured glass and have fixed frames and shall be permanently retained in that condition.
- 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.
- 5 Access to the flat roof over the single storey rear 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.

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:

Oakridge Cottage, 25 Spareleaze Hill, is a substantial two storey detached house located on the southern side of Spareleaze Hill. It is situated within a locality of similar and larger scale houses. There is existing single storey side garage on site adjacent to the boundary with 27 Spareleaze Hill, projecting some 5m beyond its rear elevation. There is also a hedge about 3m high on the shared boundary between the application site and neighbour no.27 rear of the garage. The site slopes towards the south west, as such; the application building is situated on a much lower ground than neighbouring property no. 27. Neighbour no.23 has a two storey side extension projecting beyond the rear elevation of Oakridge Cottage. The site is not within a conservation area nor listed.

Description of Proposal:

It is proposed to erect a two storey side/rear extension and single storey front and rear extension.

The two storey side/rear element would have a hipped roof matching the eaves and lower ridge height of the existing roof. The single storey rear element would project from the rear wall of the two storey side/rear element by 1m, and it would project from the rear wall of the original house by 5m. It would extend across the entire rear elevation of the house at a height of 3m. It would have a flat roof with 2 roof lanterns.

The single storey front elements would be to the existing and proposed wings of the house and would align with the principle front elevation squaring off the ground plan.

The existing garage would be demolished to enable the construction of the side extension.

Relevant History:

No relevant planning history.

Policies Applied:

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

The National Planning Policy Framework (NPPF) 2012;

The NPPF was published on the 27 March 2012. Paragraph 214 states that due weight should be given to the relevant policies in existing plans according to the degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 6
Site notice posted: No, not required.

Responses received: 1 response was received from neighbour no.27 Sparelease Hill raising objections that are summarised as follows;

1. That in general, a two storey wall plus roof only a metre away from our shared boundary and adjacent to our property would have an overbearing impact, having regards to its proposed length and height.
2. Our home would feel claustrophobic.
3. It would have a tunnelling effect to the side path; the patio would feel like a prison yard.
4. The rear extension would protrude significantly from the original line of our house, the neighbour's house, would extend the full depth of our patio and the planning application does not show this.
5. Loss of light to the lounge/study room, sitting room, bedrooms, rear patio and garden area.
6. The proposal is detrimental to our outlook, apertures and level of light which we have been enjoying for over 20years, contrary to the provisions set out under the Protocol 1, Article 1 and also Article 8 of the Human Rights Act.
7. The feeling of security/safety will be severely compromised. In short the proposed side/rear extension would take away the enjoyment of living in our property
8. It would result in the creation of unsafe living environment, as a result of lack of light and blind spots on our side path and at the back of our house.
9. Lead to heightened security risk and feeling of vulnerability to crime to the point that I would not go into the garden/patio if alone and be forced to lock everything up, and I would always feel on my guard especially when alone.
10. If a burglar came round the back no one would see him as he would be totally blocked from view of the road and all other houses/gardens.
11. Since moving into the house over 20 years ago, the surrounding neighbours have planted trees and hedging that put our garden in the shade for most of the winter. The patio was our last place of refuge and we moved our garden to the patio and that would now be encroached.
12. The lack of light would cause our patio to remain wet and encourage mould growth since the greater part of it would be in semi/permanent shade. It would also cause our side entrance path to be in darkness and the surface to remain wet, grow mould, lichen and moss which would be an environmental problem and a safety concern.
13. Loss of privacy to our bedroom windows and patio area from overlooking from the proposed neighbours kitchen windows, and a door opening on the side wall.
14. It would result in pollution and noise nuisance. As shown on the plans, the kitchen extraction would be on the side, outputting smell and noise over the patio area where we usually sit and into the sitting room, lounge/study and bedrooms. It also appears that the boiler may be emitting waste onto our patio and again causing noise.
15. The proposed extension appears to be contravening planning guidelines in terms of height and length in that a 1m gap is proposed from the side shared boundary. We understand that if you build within 2 metres of the side boundary then the eaves should be no higher than 3 metres

which would only allow for a one storey extension. We also understand that extensions of more than one storey must not extend beyond the original wall by more than 3 metres.

16. The depth of the proposed development would be excessive at rear along, and beyond the full depth of our patio.

LOUGHTON TOWN COUNCIL: Objection

The committee OBJECTED to this application as it considered this proposal would cause severe overlooking and be overbearing on the neighbours. Members were also concerned by its detrimental effect on the amenities from loss of light and lack of privacy. The application was therefore deemed contrary to Policy DBE 9 of Epping Forest District Council's adopted Local Plan & Alterations.

Main Issues and Considerations:

The main issues for consideration in this case are:

- Design.
- Living Conditions.
- Impact on Public Highway and Pedestrian Safety.

Design:

The proposal would respect the width of the application site and the scale and detailed design of the existing house. It would give the house a much more symmetrical appearance to the front elevation, maintaining a visual gap of just over 1m to the site boundaries with both immediate neighbours and consequently ensuring a minimum of 2.2m between upper level flank walls.

To the rear the enlarged house would maintain a traditional appearance.

On the matter of design, therefore, it is concluded the proposal would complement that of the existing house, respect the size of the plot and relate well to neighbours in visual terms. Consequently the proposal would safeguard the character and appearance of the locality.

Impact on living conditions:

The only part of the proposal that is likely to impact on 23 Spareleaze Hill is the single-storey rear addition. Since no. 23 has been significantly extended at ground floor the proposed enlargement would result in the rear elevation being in approximate alignment with that of no. 23 at ground and first floor. Consequently, the proposal would not cause any harm to the living conditions of 23 Spareleaze Hill.

The amenities of 27 Spareleaze Hill would be affected by the proposed two-storey side/rear extension since it would project 3.4m beyond its rear elevation. The flank wall of the extension would be set 1.1m from the common boundary therefore its bulk would be very apparent when seen from the patio area immediately rear of no. 27. Due to its height its impact would be greater than that of the existing garage at the application site which would be demolished as part of the proposal.

No.27 Spareleaze Hill, has a rear elevation window serving a habitable room set approximately 2m from the boundary with the application site and therefore approximately 3m from the proposed side/rear extension. That window is the most vulnerable window at no. 27. Having regard to the separation distance and the distance the extension would project rear of the rear elevation of 27, it

is clear that the proposal would not break a 45 degree line taken from the centre of the window to the site boundary. That indicates the proposal would not cause any excessive loss of light to the room served by the window and that the main impact of the extension would be on the patio area.

The proposal would appear somewhat overbearing when seen from the adjacent part of the rear patio of 27 Sparelease Hill. However, the fact that no. 27 has a garden some 17.5m wide and 43m in length ensures the consequence of that impact does not amount to excessive harm to the living conditions of 27 Sparelease Hill. Due to the orientation of the houses there would be some loss of direct sunlight to the rear patio in late afternoon during winter months, but at other times of the year the impact on direct sunlight would be much later. While that would be noticeable, the degree of impact would not be so severe that it would amount to excessive harm to living conditions.

In terms of loss of privacy, whilst the proposed ground floor kitchen window on the side elevation would largely be concealed by boundary treatment, there is potential for some overlooking from this window into the rear areas of no.27 Sparelease Hill. To mitigate the potential overlooking, a condition would be imposed that would require the side kitchen window to have obscured glass. The kitchen window would still be able to receive a significant amount of sunlight and daylight from the proposed rear patio door.

On the matter of impact on living conditions, it is concluded the proposal would not harm those of 23 Sparelease Hill and while it will affect those of no 27, the degree of impact is not of an order that excessive harm would be caused.

Impact on Highway and Pedestrian Safety:

The existing drive way to the front of the application building is about 9.7 metres in length and 18.5 metres in width. This is considered to provide more than 4 off-street parking spaces. In addition to this, there are no records of any previous approvals restricting the use of the existing side garage for the garaging of a private car only.

It's recommended to impose a condition that would restrict the hours of construction on interest of public highway safety and residential amenity. In view of these, it is considered that the loss of the use of a garage as a car parking facility together with implementation of the proposed development hereby approved is not expected to result in a detrimental impact on the public highway and pedestrian safety. This element of the proposal is therefore considered acceptable.

Other Considerations and Discussion of Submitted Representations:

Detailed and strong representation was received from the occupiers of neighbouring property no.27 Sparelease Hill, objecting to this application on several grounds as summarised above and also discussed as follows:

In regards to the side path, this is within the curtilage of neighbouring property no.27 and adjacent to the shared boundary. The path is well concealed from any vantage point by the existing high boundary hedge which makes this path dark and may be unsafe. In addition, this side path is not visible from anywhere within the application site as it is obscured by the existing boundary treatment. The proposed development would therefore not have any impact that would be different from the current situation in terms of security and consequently fear of crime. Any tunnelling effect to the side path is not unacceptable and, indeed, the relationship would not be uncommon.

The proposed development has been designed with due regard to the provisions set out within Protocol 1 Article 1 and also Article 8 of the Human Rights Act 1998. As quoted by the objectors in their letter dated 10 November 2015, that Protocol 1, Article 1 states that "a person has the right to peaceful enjoyment of all their possessions, which includes the home and other land", and that Article 8 states "a person has the substantive right to respect for their private and family life. The

proposed development would not contravene the provisions of the Human Rights Act 1998 by any reason.

Matters objected about such as the development resulting in the growth of mould, lichen and moss, including; pollution, noise nuisance or smell are environmental problems/concerns which cannot be dealt with under the planning legislation. Notwithstanding that, it is considered very unlikely the proposal would have the impact claimed since the resulting relationship between 25 and 27 Sparelease Hill would not be unusual.

The objectors at no. 27 are also concerned that the proposed extensions appear to be contravening planning guidelines in terms of height and length in that; a 1m gap is proposed from the side shared boundary, yet according to their understanding, if you build within 2 metres of the side boundary then the eaves should be no higher than 3 metres. They further noted that the extensions of more than one storey must not extend beyond the original wall by more than 3 metres and therefore the depth of the proposed development would be excessive at rear along, and beyond the full depth of their patio. In response to this point, the concerns of the objectors relates to the restrictions set out under permitted development rights/proposals by reason of the Town and Country Planning (General Permitted Development) (England) Order 2015. As this application is seeking full planning permission for the stated proposed development, the objectors point would therefore not be applicable in this case. The proposed development would maintain more than 1 metre separation distance from the plot boundary which meets the requirements for Policy DBE10.

Conclusion:

The concerns of the Parish Council and of the occupiers of neighbouring property no.27 Sparelease Hill have generally been discussed and addressed in the body of this report. It is considered, subject to compliance with the attached conditions, this proposal would accord with the relevant policies listed above as it would have an acceptable impact on the character and appearance of the host property, street scene, general locality, and the living conditions of the occupiers of neighbouring property no.27 Sparelease Hill. The proposal would not have any consequence on the public highway, pedestrian safety. Accordingly, it is recommended that planning permission be granted to this application with conditions.

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

Planning Application Case Officer: Moses Ekole

Direct Line Telephone Number: 01992 56 4109.

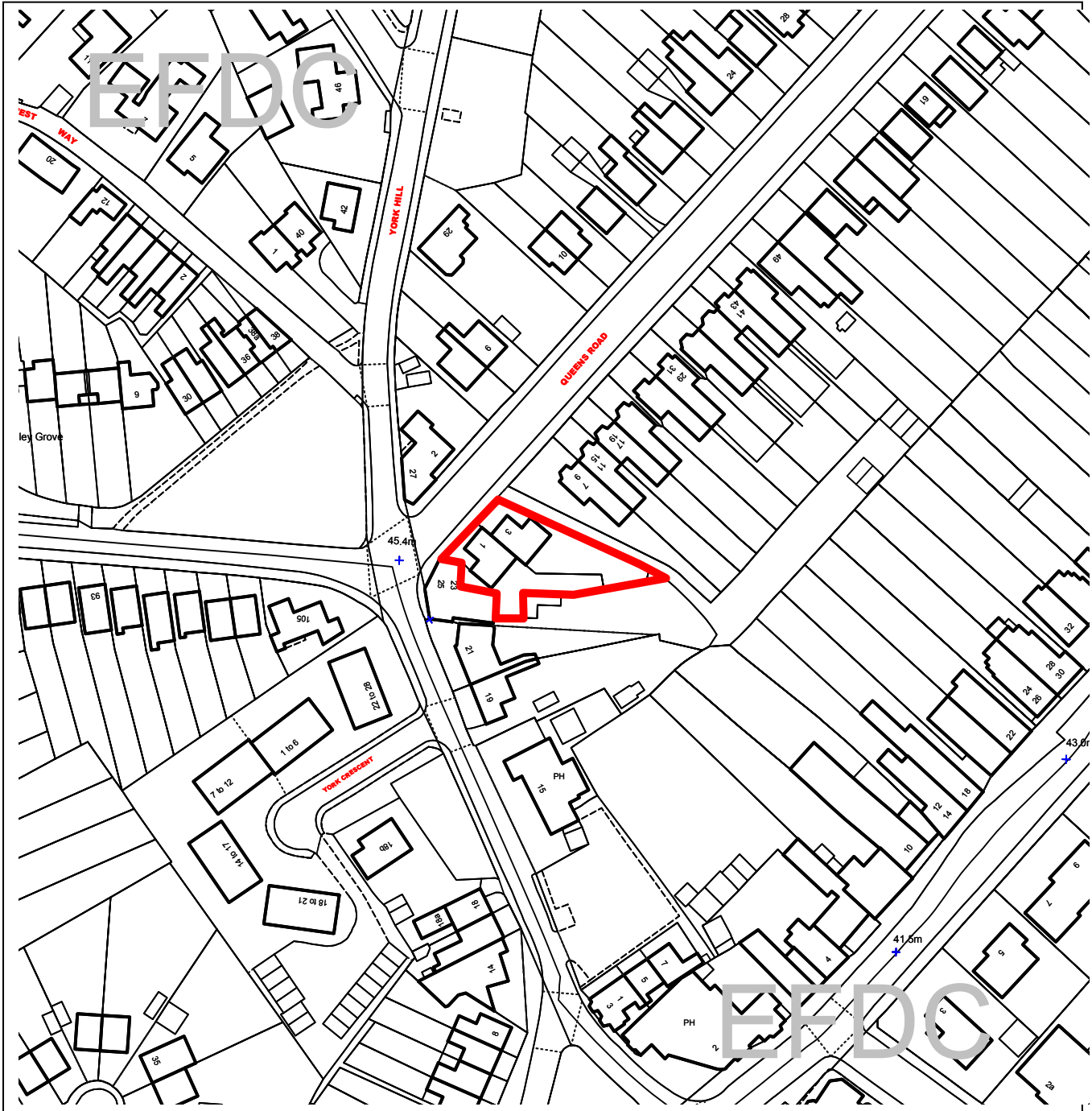
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Epping Forest District Council

Agenda Item Number 5



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Application Number:	EPF/2427/15
Site Name:	1 Queens Road, Loughton, IG10 1RR
Scale of Plot:	1/1250

Report Item No: 5

APPLICATION No:	EPF/2427/15
SITE ADDRESS:	1 Queens Road Loughton Essex IG10 1RR
PARISH:	Loughton
WARD:	Loughton St Johns
APPLICANT:	Mark Waters
DESCRIPTION OF PROPOSAL:	Replacement of existing white picket fence to front and boundary with neighbouring property (3 Queens Road) with a brick wall fence incorporating intermittent pillars.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=579353

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 No development shall have taken place until samples of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority in writing prior to the commencement of the development. The development shall be implemented in accordance with such approved details. For the purposes of this condition, the samples shall only be made available for inspection by the Local Planning Authority at the planning application site itself.
- 3 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

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

Description of the Site

Two storey semi-detached dwelling house, located within York Hill Conservation Area, on the southern side of Queens Road in Loughton.

Description of the Proposal

Replacement of existing white picket fence to front and boundary with neighbouring property (3 Queens Road) with a brick wall fence incorporating intermittent pillars.

As showed on drawing no. I -3QR/P/01 'A', the pillars would be 940mm (0.94m) in height by 215mm (0.215) in width. The new boundary wall will be set between the pillars and it would be 600mm (0.6m) in height from ground level.

This application submitted with a parallel application for a very similar proposal at 1 Queens Road, which is also reported on this agenda.

Site History:

No relevant planning history.

Policies Applied

CP2	Protecting the Quality of the Rural and Built Environment.
DBE1	Design/Appearance
DBE9	Loss of Amenity
HC6	Character, Appearance and Setting of Conservation Area
HC7	Development within Conservation Area
RP5A	Adverse Environmental Impacts

The National Planning Policy Framework (NPPF) 2012:

The (NPPF) was published on 27 March 2012. Paragraph 214 states that due weight should be given to the relevant policies in existing plans according to the degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 9

Site notice posted: yes.

Responses received: No response received from neighbours.

LOUGHTON TOWN COUNCIL: The Committee OBJECTED to this application. The proposed brick wall was considered out of keeping in this conservation area and detrimental to the street scene.

Main Issues and Considerations:

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

- Design.

- Impact on the Character, Appearance and Setting of the Conservation Area.
- Living Conditions.

Design:

There is no one single type of boundary treatment of merited design along the front gardens of properties on Queens Road as each is different. Notable examples of boundary treatments enclosing the front gardens range from shorter timber fences, brick walls and black metal railings between columns, to high front and side hedges. Furthermore, some front gardens along Queens Road are wide open with no form of enclosure. The proposed development would result in the replacement of a poor quality white timber fencing with a high quality fencing that would be complementary in size, scale and design to the appearance and character of the application site and building, street scene and general locality.

Impact on the Character, Appearance and Setting of the Conservation Area:

The application site is located within the York Hill Conservation Area. The proposed development has been reviewed by the Conservation Officer who has confirmed no objection to this application subject to the imposition of the condition that would require details of the external materials to be submitted to and approved by the Local Planning Authority.

Living Conditions:

The replacement fencing would not result in any impact on the living conditions of the occupiers of any neighbouring properties.

Conclusion

The Town Council's objections have generally been addressed in the body of this report. It is considered having regard to its sensitive design, size, scale, and siting, use of external materials that the proposed replacement fencing would sufficiently maintain and enhance the appearance and character of the street scene, existing building and the site, general locality and the Conservation Area. It therefore accords with the aforementioned policies of the adopted Local Plan (1998) and Alterations (2006) and guidance in the NPPF. Accordingly, it is recommended that planning permission be granted with conditions.

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

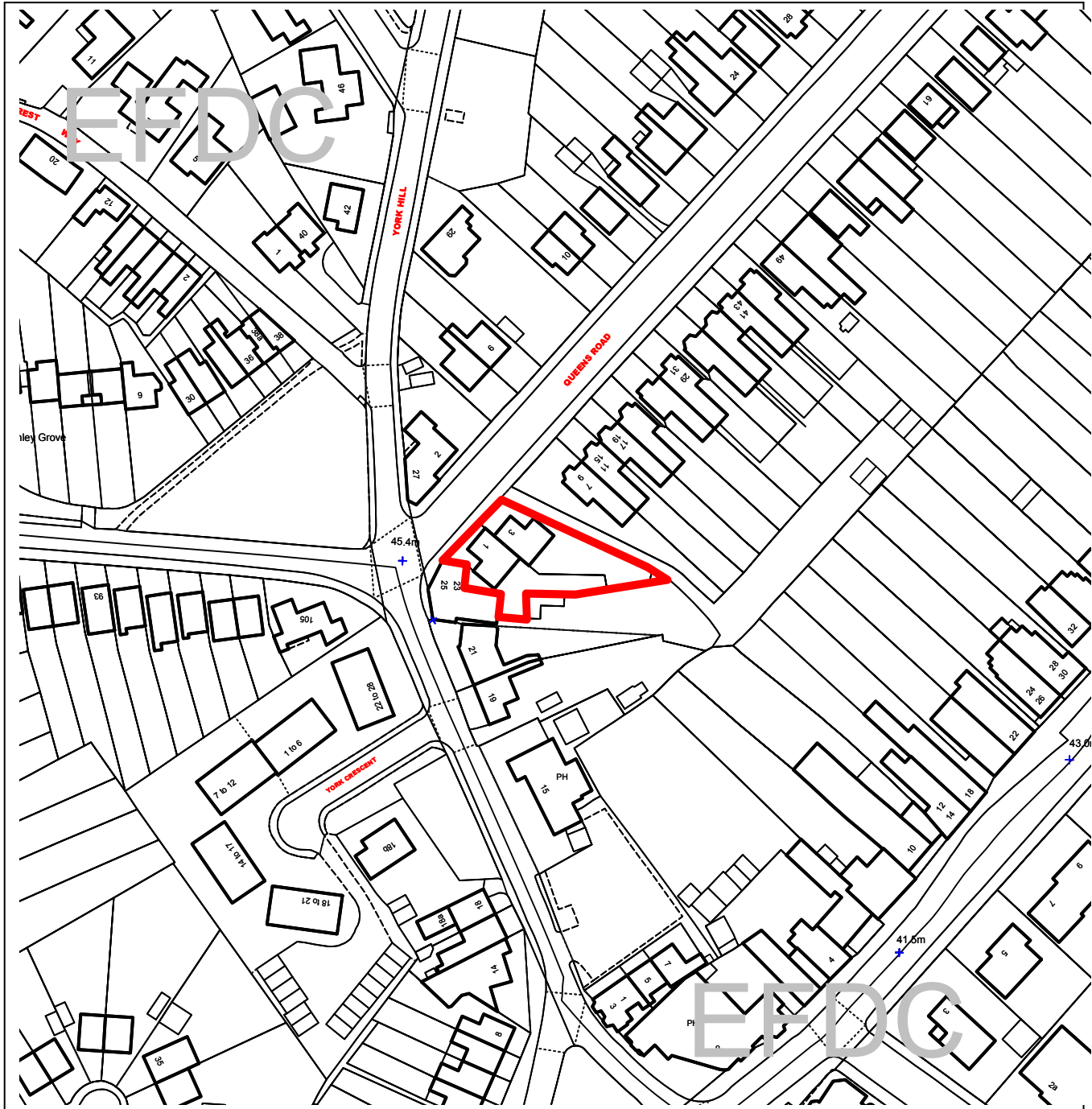
***Planning Application Case Officer: Moses Ekole
Direct Line Telephone Number: 01992 56 4109***

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/2428/15
Site Name:	3 Queens Road, Loughton, IG10 1RR
Scale of Plot:	1/1250

Report Item No: 6

APPLICATION No:	EPF/2428/15
SITE ADDRESS:	3 Queens Road Loughton Essex IG10 1RR
PARISH:	Loughton
WARD:	Loughton St Johns
APPLICANT:	Mr David Greenhalgh
DESCRIPTION OF PROPOSAL:	Replacement of existing white picket fence to front and boundary with neighbouring property (1 Queens Road) with a brick wall fence incorporating intermittent pillars.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=579354

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 No development shall have taken place until samples of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority in writing prior to the commencement of the development. The development shall be implemented in accordance with such approved details. For the purposes of this condition, the samples shall only be made available for inspection by the Local Planning Authority at the planning application site itself.
- 3 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

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

Description of the Site

Two storey semi-detached dwelling house, located within York Hill Conservation Area, on the southern side of Queens Road in Loughton.

Description of the Proposal

Replacement of existing white picket fence to front and boundary with neighbouring property (1 Queens Road) with a brick wall fence incorporating intermittent pillars.

As showed on drawing no. I -3QR/P/01 'A', the pillars would be 940mm (0.94m) in height by 215mm (0.215) in width. The new boundary wall will be set between the pillars and it would be 600mm (0.6m) in height from ground level.

This application is submitted together with a parallel application proposing a similar development at 1 Queens Road. That application is also reported in this agenda.

Site History:

EPF/2647/15: Conversion of existing integral garage into habitable room. Part two storey side extension with new windows on ground and first floor side elevation –Approved/conditions 08/12/2015.

Policies Applied

CP2	Protecting the Quality of the Rural and Built Environment.
DBE1	Design/Appearance
DBE9	Loss of Amenity
HC6	Character, Appearance and Setting of Conservation Area
HC7	Development within Conservation Area
RP5A	Adverse Environmental Impacts

The National Planning Policy Framework (NPPF) 2012:

The (NPPF) was published on 27 March 2012. Paragraph 214 states that due weight should be given to the relevant policies in existing plans according to the degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 10

Site notice posted: yes.

Responses received: No response received from neighbours.

LOUGHTON TOWN COUNCIL: The Committee OBJECTED to this application. The proposed brick wall was considered out of keeping in this conservation area and detrimental to the street scene.

Main Issues and Considerations:

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

- Design.
- Impact on the Character, Appearance and Setting of the Conservation Area.
- Living Conditions.

Design:

There is no one single type of boundary treatment of merited design along the front gardens of properties on Queens Road as each is different. Notable examples of boundary treatments enclosing the front gardens range from shorter timber fences, brick walls and black metal railings between columns, to high front and side hedges. Furthermore, some front gardens along Queens Road are wide open with no form of enclosure. The proposed development would result in the replacement of a poor quality white timber fencing with a high quality fencing that would be complementary in size, scale and design to the appearance and character of the application site and building, street scene and general locality.

Impact on the Character, Appearance and Setting of the Conservation Area:

The application site is located within the York Hill Conservation Area. The proposed development has been reviewed by the Conservation Officer who has confirmed no objection to this application in principle subject to the imposition of the condition requiring details of external materials to be submitted to and approved by the Local Planning Authority.

Living Conditions:

The replacement fencing would not result in any impact on the living conditions of the occupiers of any neighbouring properties.

Conclusion

The Parish Council's objections have generally been addressed in the body of this report. It is considered having regard to its sensitive design, size, scale, and siting, use of external materials that the proposed replacement fencing would sufficiently maintain and enhance the appearance and character of the street scene, existing building and the site, general locality and the Conservation Area. It therefore accords with the aforementioned policies of the adopted Local Plan (1998) and Alterations (2006) and guidance in the NPPF. Accordingly, it is recommended that planning permission be granted with conditions.

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

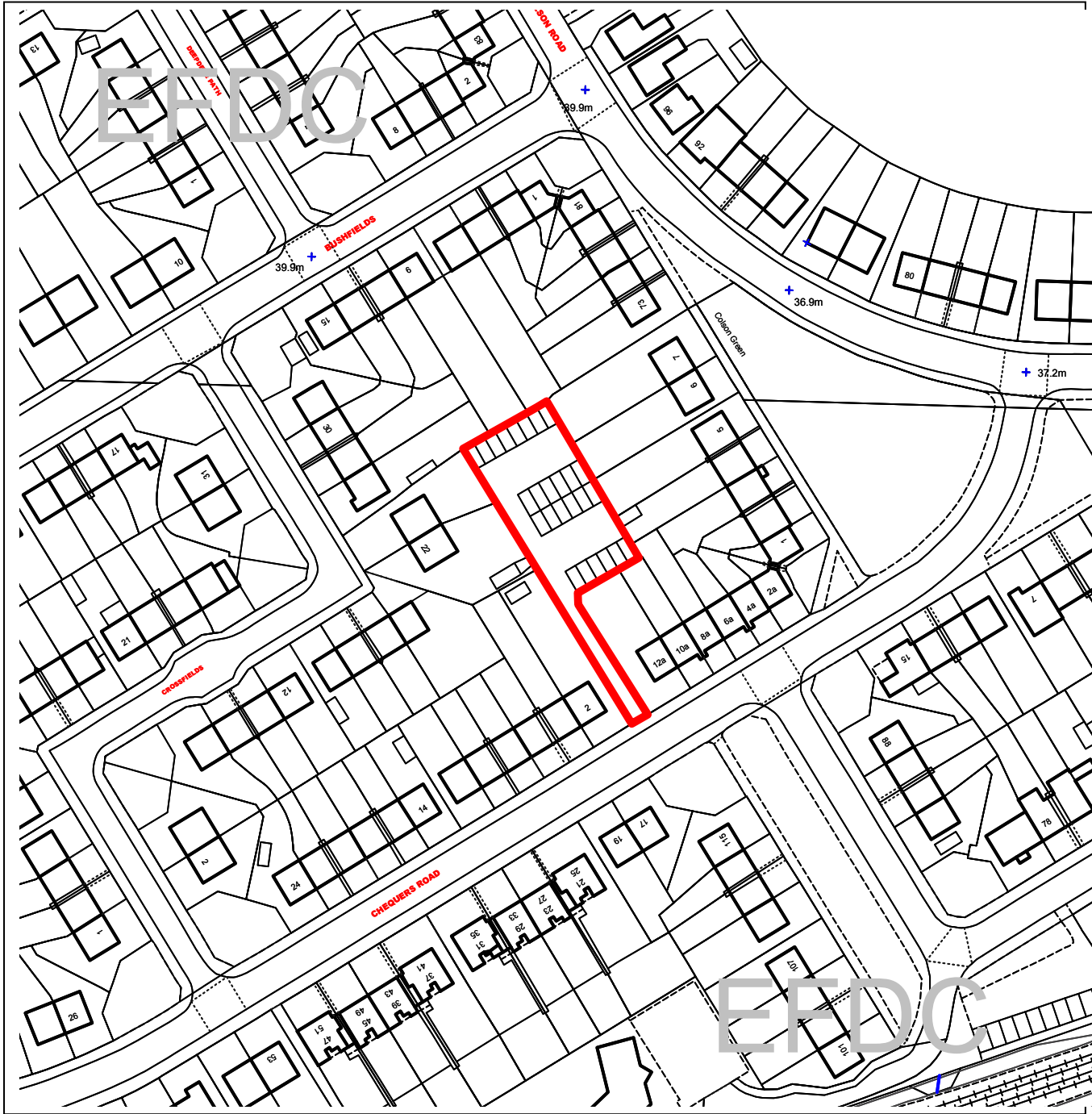
***Planning Application Case Officer: Moses Ekole
Direct Line Telephone Number: 01992 56 4109***

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Epping Forest District Council

Agenda Item Number 7



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Application Number:	EPF/2608/15
Site Name:	Land and Garages to rear of 12A Chequers Road, Loughton, IG10 3QF
Scale of Plot:	1/1250

Report Item No: 7

APPLICATION No:	EPF/2608/15
SITE ADDRESS:	Land and Garages to rear of 12A Chequers Road Loughton Essex IG10 3QF
PARISH:	Loughton
WARD:	Loughton Alderton
APPLICANT:	East Thames Housing Group
DESCRIPTION OF PROPOSAL:	Demolition of garages and replacement with 3 x 3 bed two storey affordable homes with 8 parking spaces and associated landscaping.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=579893

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: PL01, PL02, PL03 B, PL04 B, PL05 B, PL06 A and 15-044-059
- 3 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 4 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or

establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 5 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]

- 6 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows]

- 7 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the

intended use of the land after remediation.

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

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

- 15 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 16 No development shall take place until details of proposed external lighting have been submitted to and approved by the Local Planning Authority showing location of lights and spillage. The development shall be carried out in accordance with those approved details.

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

Description of Site:

The application site is a roughly rectangular, Council owned garage court of 26 garages in three blocks. The site is accessed by a narrow access road of some 30m between Nos. 2 and 12A Chequers Road. The site is therefore located behind the properties of Chequers Road, with properties on Colson Green, Bushfields and Crossfields all backing onto the site. Along with the garage blocks there is also accesses to garages which are situated in the rear gardens of Nos.4 Colson Green, 2 Chequers Road and 2 Crossfields. The surrounding properties are a mix of semi-detached and terraced housing all 2 storeys. Of the 26 garages 21 are currently vacant. The site is not within the Metropolitan Green Belt or a Conservation Area.

Description of Proposal:

The application seeks consent for the demolition of the existing garages and construction of 3 x 3 bed two storey affordable homes with 8 parking spaces. The new dwellings will form a terrace row with parking to the front of the site and private garden areas to the rear. The existing access will be retained. The scheme has been revised since first submission with the ridge height reduced by 0.9m to 7.25m.

Relevant History:

No relevant history at this site. However there are a number of council owned garage sites in the Loughton area under consideration for similar housing schemes. Such proposals will be reported to this Committee as necessary in the course of the next few months.

Policies Applied:

Epping Forest District Local Plan and Alterations

- CP2 – Protecting the Quality of the Rural and Built Environment
- CP3 – New Development
- CP5 – Sustainable Building
- CP6 – Achieving sustainable urban development patterns
- CP7 – Urban Form and Quality
- DBE1 – Design of New Buildings
- DBE2 – Effect on Neighbouring Properties
- DBE3 – Design in Urban Areas
- DBE8 – Private Amenity Space
- ST1 – Location of Development

ST4 – Road Safety
ST6 – Vehicle Parking
H2A – Previously Developed Land
H4A – Dwelling Mix
LL10 – Adequacy of provision for landscape retention
LL11 – Landscaping schemes

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

Summary of Representations:

LOUGHTON TOWN COUNCIL: The Committee OBJECTED to this application on the following grounds:

1. The proposal was considered an overdevelopment of the site.
2. The long, narrow, single track access road to the plot was considered inadequate for vehicles.
3. The loss of the existing garages would only serve to displace parking of these vehicles onto neighbouring roads where there was no capacity for additional parking
4. The proposal for the collection of the occupants' refuse bins from the site entrance was considered unacceptable in view of point 2 above.

57 Neighbours consulted and a Site Notice erected:

LOUGHTON RESIDENTS ASSOCIATION: Objection – overdevelopment, safety issues with access, concern over lighting, concern over waste collection, increase in parking through loss of garages, access for emergency vehicles.

26 CROSSFIELDS: Objection – loss of privacy in garden and house, loss of sunlight, increase in noise, concern over future occupants.

2 CHEQUERS ROAD: Concerns with length of notice to vacate garage, location of refuse area beside property, concern regarding access clearance, not enough parking spaces, concern with regards to damage to verges/pavements.

5 COLSON GREEN – Concern with regards to new fence.

4 COLSON GREEN – Objection – difficulty accessing garage from development site during construction period and once occupied

Issues and Considerations:

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

Suitability of Site

Chequers Road is within the built up area of Loughton and this garage site itself is classed as previously developed land (a brownfield site). The site is within easy walking distance of Debden

Underground Station and the shops, services and facilities of Debden Broadway and is considered a sustainable location.

The proposal is for 3 x 3 bed houses and therefore a minimum of 80m² of private amenity space should be provided for each dwelling to accord with policy DBE8. The garden sizes are below this suggested amount with the smallest garden (central property) having an area of approximately 43m², with the end terraces in the region of 63 – 66m². Although smaller in size than the scope of policy, the gardens are useable in size and shape and not dissimilar in size to some surrounding gardens in the locality which do vary considerably in size.

Design

The proposal creates a terrace of 3 x two storey houses with pitched roofs with hipped ends. This is a backland development site and therefore the proposal will be viewed in semi-isolation to the surrounding properties which back onto the site. The proposal has been designed in a traditional brick manner with more contemporary features such as the dark framed windows and first floor windows cutting across the eaves. The proposal is considered an acceptable scheme in terms of design and although different to the surrounding properties is simply a more contemporary design and one that does not detract from the appearance of the locality.

As this site is located some 30m down an accessway, it will not be visible as part of the general streetscene and parking is contained within the site to the front of the properties and therefore the proposal does not disrupt the appearance of the streetscene.

Amenity

The closest existing properties to the development site are Nos. 22 and 24 Crossfields with a separation distance of 13.2m from the rear wall of these properties to the side wall of the proposed development. This is a relatively short distance, however the proposal will be set into the site by 1.4m, the eaves height is low at 3.9m and the roof pitches away from the shared boundary so that the proposal reaches its maximum height of 7.25m some 6.4m into the site. Although there will be some impact on the outlook and amount of light currently enjoyed by these properties, given the distances and low roof height it is not considered so detrimental to justify a refusal on this basis.

With regards to the remaining properties on Crossfields which back onto the site, any impact will be reduced as the distance to the development increases. Although there may be views possible from the rear facing windows, these will be far reaching and not considered to give rise to any significant loss of amenity above the existing situation.

The properties to the northwest on Bushfields have very long rear gardens at some 32m. The proposal development would result in the private garden areas backing onto this shared boundary resulting in a back to back distance between these houses of some 41m. This is considered more than acceptable particularly as guidance suggests a minimum of 25m in such a scenario. Again some overlooking from the first floor windows may be possible, but this is not considered to result in any excessive loss of amenity given the existing situation between houses and that any views would be far reaching.

Turning to the properties on Colson Green Nos. 5, 6 and 7 will back onto the side of the proposal. As with the opposite properties on Crossfields, the proposal is set in from the shared boundary by 1.4m, the eaves height has been kept low and the roof will pitch away from the shared boundary which will help to reduce any overall impact. The gardens on Colson Green are also much longer than Crossfields at 22m and although there again will be some impact on outlook, given the above and this larger distance, it is considered to reduce any significant impact on amenity.

Again with the remaining properties on Colson Green which back onto the site, in the same way as those at Crossfields, any impact will be reduced as the distance to the development increases.

The properties to the southeast which back onto the site are located on Chequers Road. Due to the layout of the proposal with the parking area to the front of the site there will be some 34m from the rear of the Chequers Road properties to the front of the proposed new dwellings. This distance is considered more than adequate to avoid any excessive loss of amenity to the occupiers of the properties on Chequers Road.

This proposal clearly has an impact to some degree on amenity given the large number of properties which back onto the site in a relatively built up location. However having regard to the above detailed assessment it is not considered that there is such a significant detrimental impact on neighbouring amenity to justify a refusal.

Highways

A key issue with this application is the consequence of the loss of the garages. The existing garages on the site are old and measure just 2.2m in width which is smaller than the current requirements of garages (3m in width) and therefore may prove difficult to be used for the parking of modern vehicles.

A transport statement and information with regards to the current letting was included with the application. It states that 5 of the 26 garages are currently rented with the other 21 vacant, it is not known what the rented garages are used for. Of those garages rented, 3 of these are currently rented out to people within 200m of the site.

Parking stress on the surrounding area (within 200m of the site) is currently 50%, if all 26 garages were used for parking and displaced onto the surrounding streets the parking stress would increase to 60% and therefore there would be spare capacity to accommodate any potential displacement. However, records show that only 5 garages are rented out in any event lessening this pressure.

It is acknowledged that parking can be an issue in surrounding roads and some of the neighbour comments have echoed this. However, this is an existing issue and not one as evident from the supporting statement that this application is likely to add too.

Essex County Council Highways have assessed the submitted information and have no objection to the scheme. The Highways Officer has concluded as a result of the submitted Transport Statement that *"there is sufficient on-street parking capacity to accommodate any displacement from the existing garages. Consequently the proposal will not be detrimental to highway safety or efficiency"*.

Additionally the Highways Officer has commented that the proposal will not increase vehicle movements above the level of the existing use and therefore the use of the accessway will not be intensified by the development. Given that the access road is straight, suitable forward visibility is provided if on occasion two vehicles try to use the road at the same time.

The proposal provides 8 spaces for 3 new dwellings which more than complies with the Essex Parking standards and the proposal is not considered contrary to policies ST4 and ST6 of the Local Plan.

Other issues

Affordable Housing:

Local Plan policy H6A would not require any affordable housing to be provided on a scheme of this density on this size of site. However since the proposed development has been put forward on behalf of East Thames Housing Group and is located on Council owned land the development would provide 100% affordable housing. This would be of benefit to the overall housing provision within the district.

Since there is no requirement under Local Plan policy H6A to provide affordable housing on this site, and as this is a Council led development, it is not considered necessary in this instance to secure this by way of a legal agreement.

Waste/Bins:

The proposal includes areas for the storage of waste and the location and size is acceptable and the Waste Officer has no objection.

Landscaping:

There are no trees currently on site, so any landscaping scheme would be welcome. The Tree and Landscape Officer has no objection to the proposal subject to a hard and soft landscaping scheme being submitted.

Contaminated Land:

Due to the use as domestic garages and the presence of the made ground there is the potential for contaminants to be present on site. Therefore the Contaminated Land Officer has requested the standard contaminated land conditions.

Comments on Representations received:

Other than the issues raised within the report above, a concern highlighted by neighbours is access to individual garages during the construction process. As with any proposed development this is a private matter and one that the applicant should liaise with the neighbours about to ensure access is as far as practicably retained. Given the proposal is Council led, in practice that will be the responsibility of the Director of Communities, whose officers are aware of the issue.

A concern has also been raised with regards to lighting of the access road and this can be something that can be dealt with by condition to ensure adequate lighting in terms of safety balanced against preventing any light nuisance to neighbouring properties.

Conclusion:

This proposal given the proximity to neighbouring properties may result in an impact on amenity. However, given the assessment above the proposal is on balance considered acceptable and approval with conditions is therefore recommended.

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

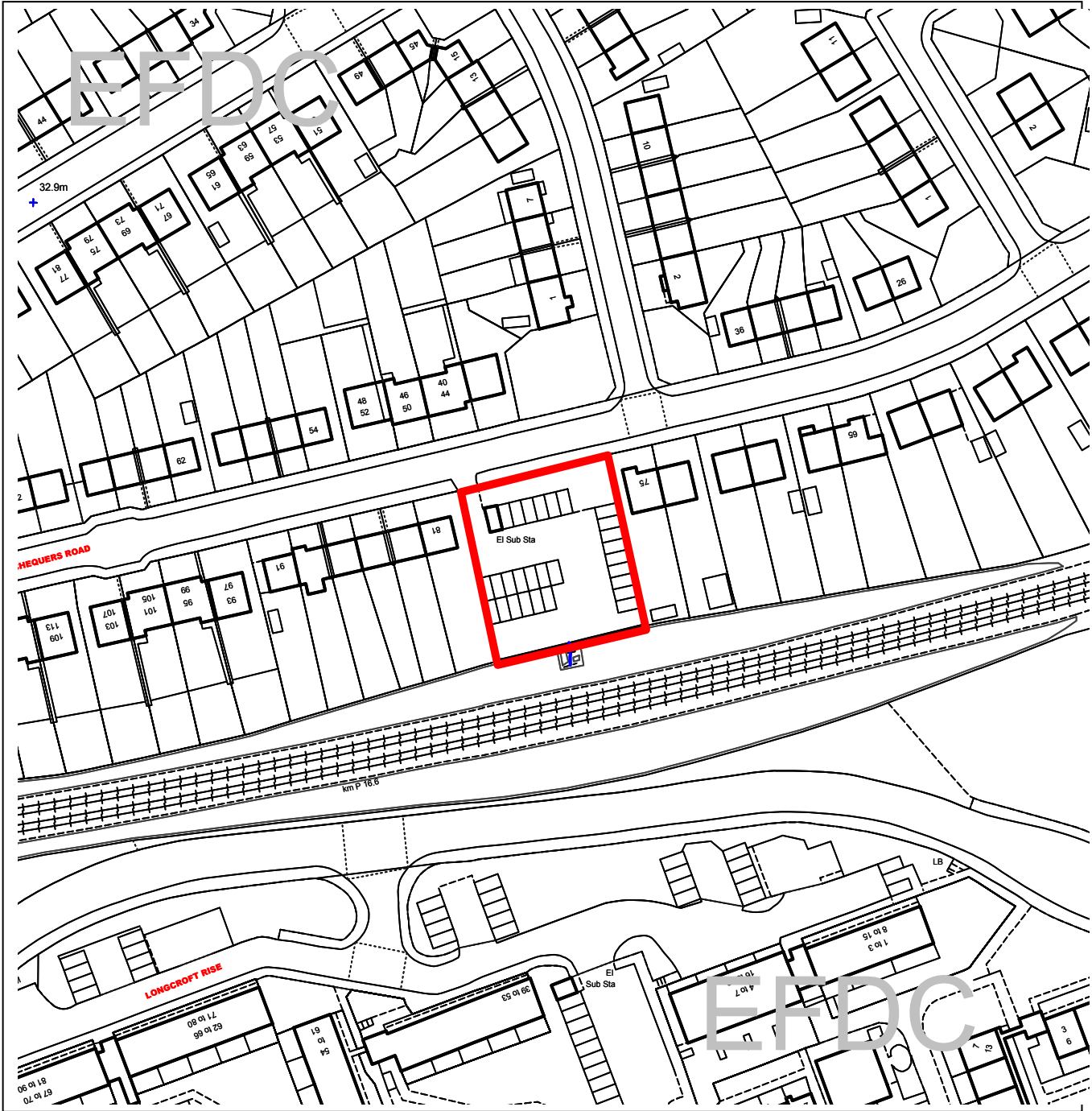
**Planning Application Case Officer: Marie-Claire Tovey
Direct Line Telephone Number: 01992 564414**

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



Epping Forest District Council

Agenda Item Number 8



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Application Number:	EPF/2609/15
Site Name:	Land and Garages Chequers Road Site B, Loughton, IG10 3QF
Scale of Plot:	1/1250

Report Item No: 8

APPLICATION No:	EPF/2609/15
SITE ADDRESS:	Land and Garages Chequers Road Site B Loughton Essex IG10 3QF
PARISH:	Loughton
WARD:	Loughton Alderton
APPLICANT:	East Thames Housing Group
DESCRIPTION OF PROPOSAL:	Demolition of garages and replacement with 5 x 2 bed two storey affordable homes with 10 parking spaces and associated landscaping.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=579894

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: PL01, PL02, PL03 B, PL04, PL05 A, PL06 and PL07
- 3 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 4 Prior to first occupation of the development hereby approved, the proposed window openings in the flank elevations shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 5 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor

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

- 6 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]

- 7 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows]

- 8 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation

scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.

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

- 9 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
- 10 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.
- 11 No development shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 12 The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground) for all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the local planning authority which:
provide details on all structures
accommodate the location of the existing London Underground structures
demonstrate access to elevations of the building adjacent to the property boundary with London Underground can be undertaken without recourse to entering our land
demonstrate that there will at no time be any potential security risk to our railway, property or structures accommodate ground movement arising from the construction thereof
mitigate the effects of noise and vibration arising from the adjoining operations within the structures

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works

comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

- 13 Prior to the first occupation of the development the access arrangements, vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The parking and turning areas shall be retained in perpetuity for their intended purpose.
- 14 Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council.
- 15 There shall be no discharge of surface water onto the Highway.
- 16 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 17 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 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 Services – Delegation of Council functions, Schedule 1, Appendix A.(d))

Description of Site:

The application site is a roughly square, Council owned garage court of 22 flat roof garages in three blocks. The site is located between Nos. 75 and 81 Chequers Road and the rear of one of the garage blocks faces onto the streetscene, having the appearance of a brick wall. The houses on Chequers Road are a mix of semi-detached and terraced two storey properties. The site backs onto the London Underground line and there is a gated access to the line at the rear of the site. At the time of the site visit there was evidence of fly tipping on the site. Of the 22 garages 15 are vacant. The site is not within the Metropolitan Green Belt or a Conservation Area.

Description of Proposal:

The application seeks consent for the demolition of the existing garages and construction of 5 x 2 bed two storey affordable homes with 10 parking spaces. The new dwellings will form a terrace row with an access created at the boundary with No. 75 to allow vehicles to park to the side and rear and to allow access to the Underground line behind. There will also be 5 parking spaces to the front of the properties accessed directly from the road.

Relevant History:

No relevant history at this site. However there are a number of Council owned garage sites in the Loughton area under consideration for similar housing schemes. Such proposals will be reported to this Committee as necessary in the course of the next few months.

Policies Applied:

Epping Forest District Local Plan and Alterations

CP2 – Protecting the Quality of the Rural and Built Environment

CP3 – New Development

CP5 – Sustainable Building

CP6 – Achieving sustainable urban development patterns

CP7 – Urban Form and Quality

DBE1 – Design of New Buildings

DBE2 – Effect on Neighbouring Properties

DBE3 – Design in Urban Areas

DBE8 – Private Amenity Space

ST1 – Location of Development

ST4 – Road Safety

ST6 – Vehicle Parking

H2A – Previously Developed Land

H4A – Dwelling Mix

LL10 – Adequacy of provision for landscape retention

LL11 – Landscaping schemes

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

Summary of Representations:

LOUGHTON TOWN COUNCIL: The Committee was concerned that the loss of the existing garages would only serve to displace the parking of these vehicles onto neighbouring roads where there was no capacity for additional parking.

62 Neighbours consulted and a Site Notice erected: No responses received

Issues and Considerations:

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

Suitability of Site

Chequers Road is within the built up area of Loughton and the site itself is classed as previously developed land (a brownfield site). The site is within easy walking distance of Debden Underground Station and the shops, services and facilities of Debden Broadway and is considered a sustainable location.

The proposal is for 5 x 2 bed houses and therefore a minimum of 60m² of private amenity space should be provided for each dwelling. The garden sizes range from just over 40m² to over 90m². Although two of the gardens are below the suggested policy minimums, the gardens are very useable, rectangular in shape and south facing so are considered acceptable.

Design

The proposal creates a terrace of 5 x two storey houses with pitched roofs with hipped ends. The two end properties are broadly inline with the two neighbouring properties front building lines, with the central three properties set back by 2.2m. This set back creates an interest to the front elevation with the forward projections in brick with the set back element in render. Generally the proposal is considered to complement the streetscene, with a good level of separation between the neighbouring properties. The proposal is of a similar height to No. 75 Chequers Road and slightly lower than 81 Chequers Road. It respects their height.

Parking is proposed to the front and this is not unusual within the locality. Landscaping is proposed to the front and side access which will aid the assimilation of this development into the streetscene.

The existing situation is a brick wall fronting the streetscene, which appears from the site visit to have been vandalised in the past. It is considered that the proposed development is an improvement to the overall appearance of this area.

Amenity

There are two neighbouring properties to this development. With regards to No. 75 the proposed development is some 8.5m away from the side wall of this property and therefore the built form is not considered to result in any significant loss of amenity given this distance. Parking is proposed along the side boundary with No. 75, but this will set in from the boundary by 1m and will be separated by landscaping. Although there may be some disturbance caused by the movement of cars, given the separation distance together with the proposed landscaping, and that the number of car movements generated would be less than those generated by the garages if they were used to their full capacity, the potential disturbance would not amount to an excessive loss of amenity.

With regards to No. 81 the proposal is some 4m from the side wall. The proposal does extend some 4m beyond the rear of No. 81, however due to the good level of separation it is not considered the proposal results in any undue loss of amenity particularly as the 45 degree rule is met.

Highways

A key issue with this application is the consequence of the loss of the garages. The existing garages on the site are old and measure just 2.2m in width which is smaller than the current requirements of garages (3m in width) and therefore may prove difficult to be used for the parking of modern vehicles.

A transport statement and information with regards to the current letting was included with the application. It states that 7 of the 22 garages are currently rented with the others vacant, it is not known what the rented garages are used for. Of those garages rented, 6 of these are currently rented out to people within 200m of the site.

Parking stress on the surrounding area (within 200m of the site) is currently 61%, if all 22 garages were used for parking and displaced onto the surrounding streets the parking stress would be 78% and therefore there would be spare capacity to accommodate any potential displacement.

However, records show that only a maximum of 7 garages are rented out in any event lessening this pressure. Further to this, a study completed by Mouchel in 2007 on behalf of Essex County Council (quoted within the Transport Statement) suggested that 78% of rented garages are not used to store vehicles but for general storage/utility instead.

Essex County Council Highways have assessed the submitted information and have no objection to the scheme. The Highways Officer has concluded as a result of the submitted Transport Statement that *“there is sufficient on-street parking capacity to accommodate any displacement from the existing garages. Consequently the proposal will not be detrimental to highway safety or efficiency”*.

The proposal provides 10 spaces for 5 new dwellings which complies with the Essex Parking standards and the proposal is not considered contrary to policies ST4 and ST6 of the Local Plan.

Other issues

Affordable Housing:

Local Plan policy H6A would not require any affordable housing to be provided on a scheme of this density on this size of site. However since the proposed development has been put forward on behalf of East Thames Housing Group and is located on Council owned land the development would provide 100% affordable housing. This would be of benefit to the overall housing provision within the district.

Since there is no requirement under Local Plan policy H6A to provide affordable housing on this site, and as this is a Council led development, it is not considered necessary in this instance to secure this by way of a legal agreement.

London Underground:

Due to the proximity to the Underground line, Transport for London were consulted on this application. They have no objection to the principle of the proposal subject to a condition ensuring the method of construction is acceptable.

Waste/Bins:

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

Landscaping:

There are no trees currently on site, so any landscaping scheme would be welcome. The Tree and Landscape Officer has no objection to the proposal subject to a hard and soft landscaping scheme being submitted.

Contaminated Land:

Due to the use as domestic garages and the presence of the made ground there is the potential for contaminants to be present on site. Therefore the Contaminated Land Officer has requested the standard contaminated land conditions.

Conclusion:

The proposal is an acceptable addition to the streetscene with limited impact on amenity. Evidence has been provided to show that the loss of the garages will not significantly increase on-street parking. Therefore, given the assessment above the proposal is considered acceptable and approval with conditions is recommended.

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

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

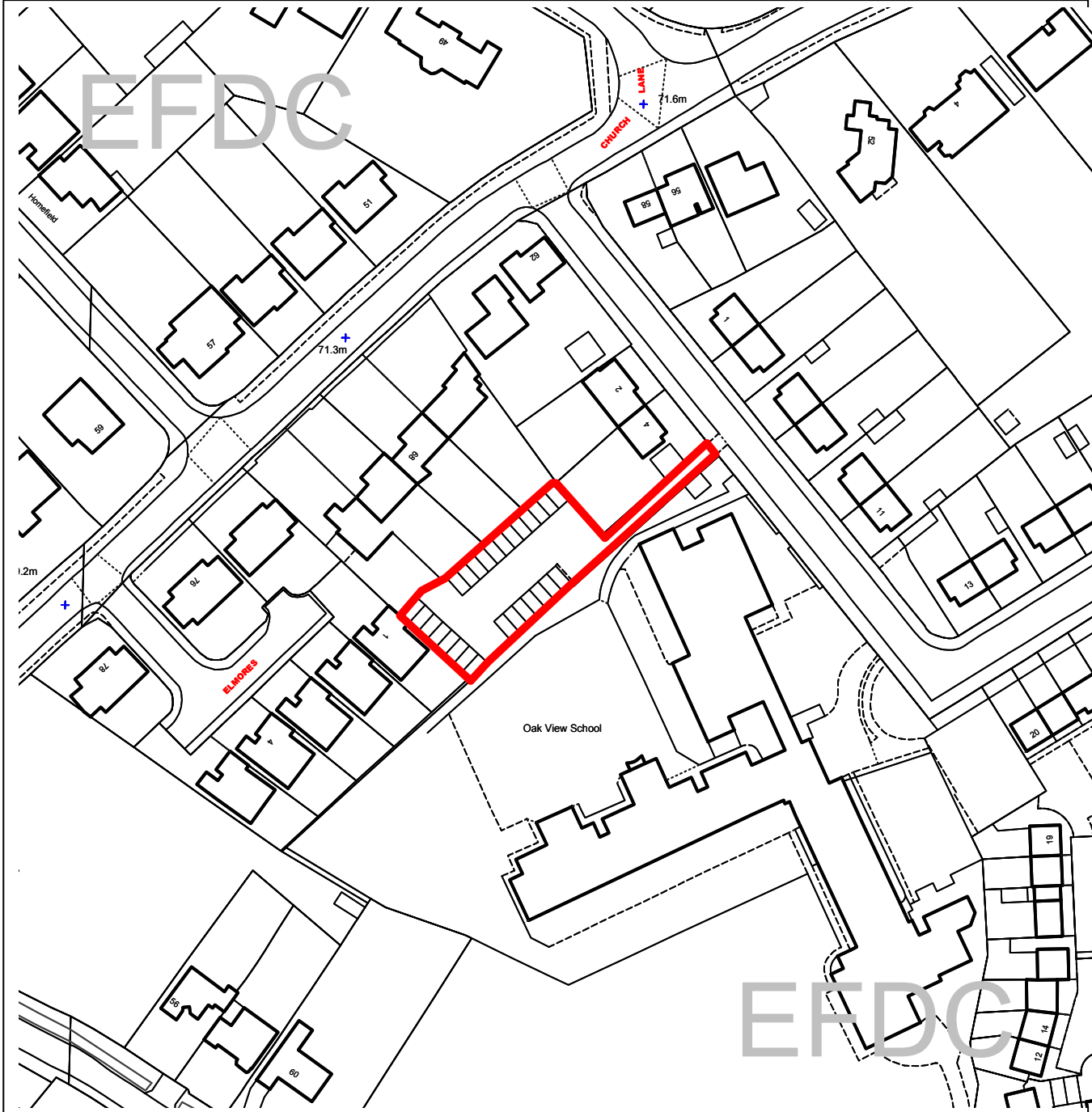
or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

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Epping Forest District Council

Agenda Item Number 9



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Application Number:	EPF/2621/15
Site Name:	Garages to the rear of 66-72 Church Lane accessed from adjacent to 4 Whitehills Road, Loughton, IG10 1TU
Scale of Plot:	1/1250

Report Item No: 9

APPLICATION No:	EPF/2621/15
SITE ADDRESS:	Garages to the rear of 66 - 72 Church Lane accessed from adjacent to 4 Whitehills Road Loughton Essex IG10 1TU
PARISH:	Loughton
WARD:	Loughton St Marys
APPLICANT:	East Thames Housing Group
DESCRIPTION OF PROPOSAL:	Demolition of garages and replacement with 3 x 3 bed two storey affordable homes with 7 parking spaces and associated landscaping.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=579956

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: PL01, PL02, PL03 B, PL04 C, PL05 B, PL06 A and 15-044-063
- 3 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 4 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where

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

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

- 6 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]

- 7 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows]

- 8 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows]

- 9 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.

- 10 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.

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

- 12 No development shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.

- 13 No development shall take place until details of surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.

- 14 Prior to the first occupation of the development the vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The parking and turning areas shall be retained in perpetuity for their intended purpose.
- 15 Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council.
- 16 There shall be no discharge of surface water onto the Highway.
- 17 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 18 No development shall take place until details of proposed external lighting have been submitted to and approved by the Local Planning Authority showing location of lights and light spillage. The development shall be carried out in accordance with those approved details.

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

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

Description of Site:

The application site is a roughly rectangular, Council owned garage site of 27 garages located in three blocks. The site is accessed by a narrow access road of some 30m in length which is located between 4 Whitehills and Oak View School.

Properties in Elmores and on Church Lane also back, or side onto the site. The surrounding properties are quite mixed with terraced, semi-detached and detached properties – all 2 storeys. Of the 27 garages on site, 19 are vacant and several are boarded up. The site is not within the Metropolitan Green Belt or a Conservation Area.

Description of Proposal:

The application seeks consent for the demolition of the existing garages and construction of 3 x 3 bed two storey affordable homes with 7 parking spaces. The new dwellings will form a terrace row with parking to the front of the site and private garden areas to the rear. The existing access will

be retained. The scheme has been revised since first submission with the ridge height reduced by 0.9m to 7.2m.

Relevant History:

No relevant history at this site. However there are a number of council owned garage sites in the Loughton area under consideration for similar housing schemes. Such proposals will be reported to this Committee as necessary in the course of the next few months.

Policies Applied:

Epping Forest District Local Plan and Alterations

CP2 – Protecting the Quality of the Rural and Built Environment

CP3 – New Development

CP5 – Sustainable Building

CP6 – Achieving sustainable urban development patterns

CP7 – Urban Form and Quality

DBE1 – Design of New Buildings

DBE2 – Effect on Neighbouring Properties

DBE3 – Design in Urban Areas

DBE8 – Private Amenity Space

ST1 – Location of Development

ST4 – Road Safety

ST6 – Vehicle Parking

H2A – Previously Developed Land

H4A – Dwelling Mix

LL10 – Adequacy of provision for landscape retention

LL11 – Landscaping schemes

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

Summary of Representations:

LOUGHTON TOWN COUNCIL: The Committee OBJECTED to this revised application. The reduction in the height of the building by 0.9 metres did not adequately address the overlooking of neighbours or the overdevelopment of the site, and members also reiterated their previous concerns below which had not been overcome.

1. The long, narrow, single track access road to the plot was considered inadequate for vehicles.
2. The loss of the existing garages would only serve to displace the parking of these vehicles onto neighbouring roads where there was no capacity for additional parking.
3. The proposal for the collection of the occupants' refuse bins from the site entrance was considered unacceptable in view of point 1 above.

31 Neighbours consulted and a Site Notice erected:

Loughton Resident's Association (Plans Group); Oak View School, 1, 3, 4, 5, 7, 9, 11 and 17 all Whitehills Road; 51, 62, 66, 68, 70 and 72 Church Lane AND 1 Elmores – Objection

Summary of Objections: Increase in traffic, health and safety during construction, safety of access, safety of school children, proximity to existing homes, out of character as a cul-de-sac, detrimental to highway safety, loss of vehicle access to garden gates, no access for fire tenders, waste collection distance too far from homes, small parking spaces, overdevelopment of site, impact on surrounding amenity – blank side wall to Church Lane/overlooking to Elmores, insufficient lighting, insufficient visibility splays, loss of privacy, damage to property prices.

Issues and Considerations:

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

Suitability of Site

Whitehills Road is within the built up area of Loughton and the garage site is classed as previously developed land (a brownfield site). The site is approximately 1.5km from Debden Station and less than 1 kilometre from the shops, services and facilities of Loughton High Road and is considered a sustainable location with good access to public transport.

The proposal is for 3 x 3 bed houses and therefore a minimum of 80m² of private amenity space should be provided for each dwelling to accord with policy DBE8. Two of the properties exceed this amount at approximately 90m² with the central property slightly under at 70m². It is considered that this amount of amenity space is adequate and the gardens are well proportioned, useable and regular in shape.

Design

The proposal creates a terrace of 3 x two storey houses with pitched roofs with hipped ends. This is a backland development site and therefore the proposal will be viewed in semi-isolation to the surrounding properties which back and side onto the site. The proposal has been designed in a traditional brick manner with more contemporary features such as the dark framed windows and first floor windows cutting across the eaves. The proposal is considered an acceptable scheme in terms of design and although different to the surrounding properties is simply a more contemporary design and one that does not detract from the appearance of the locality.

As this site is located some 30m down an accessway, it will not be visible as part of the general streetscene and parking is contained within the site to the front of the properties and therefore the proposal does not disrupt the appearance of the streetscene.

Although the proposal will have a cul-de-sac appearance in terms of layout, this is not unusual in the locality and the neighbouring properties at Elmores is part of a cul-de-sac.

Amenity

The closest properties on Church Lane are Nos. 70 and 72 with a separation distance of 15.1m from the main rear wall of these properties to the side wall of the proposed development. This is not a great distance but it is not dissimilar to surrounding situations such as the relationship at Clerks Piece with the property on Church Lane. Additionally the proposal will be set in from the site boundary by 1m, the eaves height is low at 3.9m and the roof will pitch away from the boundary to a maximum height of 7.2m – reaching this height some 6.5m into the site. Although there will be some impact on outlook and the amount of daylight currently enjoyed by these

properties, given the distance and the low roof height it is not considered any impact is so excessive to justify a refusal.

The other properties on Church Lane which back onto the site will be less impacted in terms of outlook and light. Any overall impact will be reduced as the distance to the development increases. Although there may be overlooking into the rear gardens of these properties these will be far reaching and side views given the orientation of the development. It is therefore not considered to give rise to any significant loss of privacy compared to the existing situation.

The nearest property to the site is 1 Elmores which sides onto the rear of the site. The rear gardens of the proposed development back onto the side of this property and there is a distance of 15m from the rear wall of the proposal to the side of No.1 Elmores. There are no side facing windows on No. 1 and although the proposal will be visible from the rear windows and rear garden, this will in views to the side and some 15m away. It is not considered that the proposal will have a detrimental impact on outlook or light given the orientation, and although there may be some overlooking any views will be far reaching and will not cause a significant rise in loss of amenity.

Properties on Whitehills Road also back onto the site. In this case due to the proposed layout with the parking area and access to the front of the proposed houses there will be some 35m separating the rear of the properties on Whitehills and the front of the proposed houses. This distance is considered more than adequate to avoid any significant loss of amenity to the occupiers of properties on Whitehills Road.

As this proposal is a back land development it will clearly have an impact to some degree on surrounding amenity given the number of properties which back and side onto the site in this relatively built up location. However having regard to the above detailed assessment it is not considered that there is such a significant detrimental impact on neighbouring amenity to justify a refusal.

Highways

A key issue with this application is the consequence of the loss of the garages. The existing garages on the site are old and therefore may prove difficult to be used for the parking of modern vehicles.

A transport statement and information with regards to the current letting was included with the application. It states that 8 of the 27 garages are currently rented with the other 19 vacant, it is not known what the rented garages are used for. Of those garages rented, 4 of these are currently rented out to people who live within 200m of the site.

Parking stress on Whitehills Road is currently 36%. If all 27 garages were used for parking and displaced onto the surrounding streets the parking stress would increase to 72%. Though this does show a substantial increase, there would still be spare capacity and as stated above only 8 of the garages are currently rented and in any event it is not known that they are all used for the parking of cars so this would significantly lessen this predicted stress.

It is acknowledged that parking can be an issue in surrounding roads, particular at school times and this has been echoed in several of the neighbour responses. However, this is an existing issue and not one as evident from the supporting statement that this application is likely to add too.

Essex County Council Highways have assessed the submitted information and have no objection to the scheme. The Highways Officer has concluded as a result of the submitted Transport Statement that *'any displaced parking will not be detrimental to highway safety or efficiency as a result of the development'*.

Additionally the Highways Officer has commented that the proposal will not increase vehicle movements above the level of the existing maximum use and therefore the use of the accessway will not be intensified by the development. Moreover, the access road is straight, suitable forward visibility is provided if on occasion two vehicles try to use the road at the same time. Consequently, it is concluded the proposal will not adversely affect highway safety or efficiency.

The proposal provides 7 spaces for 3 new dwellings which more than complies with the Essex Parking standards and the proposal is not considered contrary to policies ST4 and ST6 of the Local Plan.

Other issues

Affordable Housing:

Local Plan policy H6A would not require any affordable housing to be provided on a scheme of this density on this size of site. However since the proposed development has been put forward on behalf of East Thames Housing Group and is located on Council owned land the development would provide 100% affordable housing. This would be of benefit to the overall housing provision within the district.

Since there is no requirement under Local Plan policy H6A to provide affordable housing on this site, and as this is a Council led development, it is not considered necessary in this instance to secure this by way of a legal agreement.

Waste/Bins:

The proposal includes areas for the storage of waste to the front of the proposed properties and a 'kerbside' location for collection days and the location and size is acceptable and the Waste Officer has no objection.

Landscaping:

The Tree and Landscape Officer has no objection to the proposal subject to a tree protection plan and a hard and soft landscaping scheme being submitted.

Contaminated Land:

Due to the use as domestic garages and the presence of the made ground and nearby infilled ground there is the potential for contaminants to be present on site. Therefore the Contaminated Land Officer has requested the standard contaminated land conditions.

Comments on Representations received:

Other than the issues raised within the report above, a concern highlighted by neighbours is damage to plants/vegetation during the construction process and also access to the existing gates during this process. As with any proposed development this is a private matter and one that the applicant should liaise with the neighbours about to sure access is as far as practicably retained and any disruption is kept to the minimum. Given the proposal is Council led, in practice that will be the responsibility of the Director of Communities, whose officers are aware of the issue.

Comments have been made with regards to the loss of a right of way for vehicles to the existing rear access gates, however again this would be a private matter and outside the scope of planning control.

A concern has also been raised with regards to lighting of the access road and this can be something that can be dealt with by condition to ensure adequate lighting in terms of safety balanced against preventing any light nuisance to neighbouring properties.

Neighbour comments have referred to a 2007 application for the 'Erection of replacement dwelling and residential development to rear to create a total of 5 no. dwellings' under reference EPF/2078/07 at 11 Sunnyside, Epping, with particular reference to the amenity issues raised with this application. Each application is taken on its own planning merits, but notwithstanding this the distances to neighbouring properties in the Sunnyside application unlike this application fell below the suggested acceptable distance of 15.1m between properties. It proposed distances between 11m and 13.8m between properties and the application was therefore refused on the basis that, as a consequence, it was harmful to living conditions of specific neighbours together with other reasons particular to that proposal.

Comments have also been made with regards to access by a fire engine which would be contrary to Building Regulations. This is clearly outside of planning control but it is understood that if a fire engine cannot access a site then either a fire hydrant or sprinkler system would need to be installed to meet Building Regulation requirements.

Conclusion:

This proposal, given the proximity to neighbouring properties may result in some impact on neighbouring amenity. However, given the assessment above the proposal is on balance considered acceptable and approval with conditions is therefore recommended.

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

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

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



Epping Forest District Council

Agenda Item Numbers 10 & 11



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Application Number:	EPF/2701/15
Site Name:	Brownings Farmhouse, Gravel Lane, Chigwell, IG7 6DQ
Scale of Plot:	1/2500

Report Item No:10

APPLICATION No:	EPF/2701/15
SITE ADDRESS:	Brownings Farmhouse Gravel Lane Chigwell Essex IG7 6DQ
PARISH:	Chigwell
WARD:	Chigwell Row
APPLICANT:	Mr Roy Hughes
DESCRIPTION OF PROPOSAL:	Part conversion and part extension of barn and use as residential two bedroom accommodation which is ancillary to the main farmhouse.
RECOMMENDED DECISION:	Refuse Permission (Householder)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=580123

REASON FOR REFUSAL

- 1 The proposed building would be materially larger than the building it replaces. It therefore represents inappropriate development which would cause harm to the openness of the Green Belt. The proposal is therefore contrary to the National Planning Policy Framework and contrary to policy and GB2A of the Adopted Local Plan and Alterations, which is consistent with the NPPF.
- 2 The proposed building, by reason of its size, form and appearance, including a low angled roof over a wide building span, constitutes an excessively large annex building which also has an untraditional form and design inconsistent with its setting. This size and profile, together with a poor porch design and inappropriate roof slate, would result in a building of poor design that would detract from the appearance and setting of the listed farmhouse on the site as well as the character and appearance of the locality. Moreover, the substantial or complete demolition of the curtilage listed barn that the proposal relies on would exacerbate the harm caused to the setting of the listed farmhouse by detracting from its historic interest. The proposal is therefore contrary to policies CP2(i), DBE1, DBE4 and HC12 of the Adopted Local Plan and Alterations, and contrary to the National Planning Policy Framework.
- 3 By reason of its siting within the root protection zone of

adjacent trees the proposal is likely to cause significant harm to them that would be likely to adversely impact on the visual amenities of the locality. Such harm is not assessed in any arboricultural impact assessment and, furthermore, no justified mitigation that may be required is proposed. It is therefore concluded the proposal does not make adequate provision for the retention of trees, contrary to Local Plan and Alterations policy LL10, which is consistent with the National Planning Policy Framework.

Report Item No: 11

APPLICATION No:	EPF/2702/15
SITE ADDRESS:	Brownings Farmhouse Gravel Lane Chigwell Essex IG7 6DQ
PARISH:	Chigwell
WARD:	Chigwell Row
APPLICANT:	Mr Roy Hughes
DESCRIPTION OF PROPOSAL:	Grade II listed building consent for proposed part conversion and part extension of barn, and use as residential two bedroom accommodation which is ancillary to the main farmhouse.
RECOMMENDED DECISION:	Refuse Permission

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=580124

REASON FOR REFUSAL

- 1 The proposal includes the substantial or complete demolition of a designated heritage asset. No substantial public benefit would be secured by the loss or substantial demolition of the curtilage listed barn and none of the 4 criteria for justifying the loss of a designated heritage asset referred to in paragraph 133 of the National Planning Policy Framework (NPPF) are applicable. Accordingly, the substantial or complete loss of a designated heritage asset is without justification, contrary to the provisions of the NPPF and Local Plan and Alterations policies HC10 and HC11, which are consistent with the NPPF.

These applications are before this Committee since a) the recommendations differ from the views of the local council (pursuant to section P4, schedule A (g) of the Councils delegated functions), and b) because Councillor Knapman has requested that the applications be referred to Committee if the recommendation is to refuse planning and listed building consent.

Description of Site:

A mainly two storey listed farmhouse stands on the site. The site also contains a converted barn used as a residential annexe to the main building. To the immediate south west of the site lies extensive buildings known as Brownings Farm, some of which are occupied by commercial businesses. The site lies in a rural Green Belt locality.

This application relates to the eastern part of the site, which comprises the garden of the listed farmhouse. A barn was located in that part of the site amongst significant trees that generally screened it from view. The barn has recently been demolished without permission. The demolition was in connection with further unauthorised works carried out to erect a building in a similar position.

Information included with both applications the subject of this report indicates the barn was a curtilage listed building. As such, in law it is treated as part of the main listed building [section 1(5) of the Planning (Listed Buildings and Conservation Areas) Act 1990] and consequently was a designated heritage asset.

Description of Proposal:

A planning application (EPF/2701/15), and listed building application EPF/2702/15), for the extension of a barn sited within the curtilage of Brownings farmhouse, and its reuse as residential two bedroom accommodation which is ancillary to the main farmhouse on the site. The applications for listed building consent and planning permission are assessed and must be decided separately but since they are so closely related they are dealt with in this single report.

Notwithstanding the description of the development, as indicated above, inspections of the site by Officers found the annexe building is partially constructed and the construction process has resulted in the demolition of the barn.

The applications are made on the basis that the demolished barn was a curtilage listed building. Whether it was is unclear and this matter is discussed in this report.

Relevant History:

EPF/1426/02 - planning permission granted for a conversion of barn to form a granny annexe. This approval relates to a building on the western site boundary and has been implemented.

EPF/2613/14 – a prior approval application for conversion of an agricultural building to a dwelling house – was withdrawn. This agricultural building was the same barn that has been demolished. The application was withdrawn since there was considerable doubt that the building had in fact been used for agricultural purposes and consequently could not benefit from Permitted Development rights to change its use to a dwellinghouse.

Policies Applied:

CP2	Protecting the quality of the rural and built environment.
GB2A	Development in the Green Belt
HC11	Demolition of Listed Buildings
HC12	Development affecting the setting of listed buildings
DBE1	Design of new buildings
DBE4	Design in the Green Belt
DBE9	Loss of amenity.
LL10	Adequacy of Provision for Landscape Retention

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

Summary of Representations:

NEIGHBOURS – 10 properties consulted and no replies received.

CHIGWELL PARISH COUNCIL – Support

The Council supports this application as the intended development would be complimentary to the existing listed building. The proposal would also allow for an independency and increased quality of life for the disabled resident. The structural alterations are in excess of 30 metres from the main farmhouse and therefore would have no visual impact.

Issues and Considerations:

Officer's assessment of the merits of the applications for listed building consent and planning permission is set out below.

Application for listed building consent: EPF/2702/15

The main issue raised by the works proposed in the application for listed building consent is whether the extension and conversion works described in the application preserve the special architectural or historic interest of the curtilage listed barn.

The submitted plans appear to show that the only parts of the barn to be retained are partial sections of the north and west facing walls. The proposal therefore amounts to the substantial loss of the barn and clearly little of its special interest would be preserved.

Furthermore, it is clear that the submitted drawings do not clearly show the barn and certainly not any of its detail. It is also clear that they significantly exaggerate the size of the barn that existed on the site. On the basis that they do show the proposed building accurately, it is clear that the proposal would achieve the total loss of the barn since the proposed building would be sited over the footprint of the barn. Inspections of the site confirm that is indeed what has actually happened.

Having regard to the fact that the actual works that have taken place include demolition of the barn, it is necessary to consider whether the loss of the barn is justifiable. Detailed policy guidance is set out in paragraph 133 of the National Planning Policy Framework, which states:

“Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site; and*
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and*
- the harm or loss is outweighed by the benefit of bringing the site back into use.”*

Very limited information has been submitted to demonstrate the particular special interest of the barn. A submitted heritage statement gives limited information and does not include a survey of the barn to inform decision making. The statement describes its location as separated from the farmhouse by significant trees and large bushes but maintains it is within the curtilage of the listed building. In relation to the building itself the statement says:

“It was a timber building which had been rebuilt on various occasions and so has a mixture of different types of wood. The roof (both pitched and flat), consisted of corrugated iron which tends

towards placing it in the Post World War Two period or much later. Windows were wooden or metal framed. There is no significant history to the building but it appears to have been used for storage during the last twenty years and prior to that as a chicken barn. The southern end was rebuilt in 2015 after it has listed due to tree growth in, around and over the barn itself.”

Section 1(5) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states any object or structure within the curtilage of a listed building that existed before 1 July 1948 forms part of the listed building. Advice of the Conservation Officer is that there are no public records of the building and having regard to the Council’s mapping data it seems the building did not appear on Ordnance Survey maps of the locality until after 1987. If that is accurate, it may well be the case that the building is not actually curtilage listed since it would not have existed until after 1948. However, since the building was well screened by trees it is possible that the Ordnance Survey simply missed the building until relatively recently.

Notwithstanding the limited information about the building and the possibility that it may not have been a curtilage listed building at all, since an application for listed building consent has been submitted the Council must decide the application. Having regard to paragraph 133 of the NPPF, it is clear that no substantial public benefit would be secured by the loss or substantial demolition of the barn and none of the 4 criteria for justifying the loss of a designated heritage asset referred to in the paragraph are applicable. In the circumstances it is concluded that the proposed substantial demolition of the barn and the actual complete demolition of it do not meet the policy tests set out in the NPPF. Local Plan and Alterations policies HC10 and HC11 are consistent with the policies of the NPPF therefore the proposal is also contrary to those policies.

In the circumstances it is recommended that listed building consent is refused on the basis that there is no proper justification for its substantial or complete demolition, contrary to the provisions of the NPPF and Local Plan and Alterations policies HC10 and HC11. A way forward for the Applicant would be to investigate the history of the building in much more detail since it appears possible the building was not curtilage listed.

Members are advised that works to a listed building, especially its substantial or complete demolition, without listed building consent is an offence under section 9 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Whether it is in the public interest to prosecute any person for the offence that on the face of it appears to have taken place and, indeed, whether it is expedient to issue a listed building enforcement notice securing the reinstatement of the building, is a matter that will be considered by the Council’s Planning Enforcement Team. As indicated in the suggested way forward for the Applicant, evidence of the history of the building should be submitted to inform that assessment since if it demonstrates the building is post 1948 then listed building consent is not required for the works carried out and there is no offence to investigate.

Application for planning permission: EPF/2701/15

Building work on this new residential annex began last year and much of the outer walls to first floor level, and its basic structure has been built. Work has ceased in recent months pending the consideration of these two applications. Although the description of development on the application forms refers to part conversion of a barn the proposed development is a new building. The main issues to consider when assessing the merits of the planning application are the consequences of the new building for the Green Belt, its design and its consequence for the setting of Brownings Farmhouse. A further issue is impact of the new building on adjacent trees.

Green Belt:

The 2012 NPPF allows for some more flexibility for new replacement buildings to be built in the Green Belt than was hitherto the case. The relevant section at para 89 states that the

replacement of a building can be acceptable provided the new building is in the same use and is not materially larger than the one it replaces.

In terms of use it is accepted that this barn outbuilding stood in the residential curtilage of the main house and that its use would have been for purposes ancillary to the main dwelling. The proposed development is described as two bedroom accommodation which is ancillary to the main farm house - so in terms of use the proposal is acceptable.

However the size of the replacement building is large. The submitted plans show that the footprint size of the proposed building is not much greater than the footprint of the original barn. However officers feel that the footprint of the previous barn is not accurately portrayed, and having regard to ordnance survey maps, aerial photographs available on web sites, and the case officer's visit to the site in connection with last year's application EPF/2613/15, it is considered that the barn building measured some 7.5m in length by 7.5m in width. The proposed new building measures 15.8m by 8.7m which is 2.44 times the footprint size of the original barn. In terms of height the proposed building has a first floor in a roof form with gabled ends where the height to eaves is 3.2m, with the height to the roof being 5.05m. Elevations of the original barn have been submitted which shows the barn had an eaves height of 2.85m and a ridge height of 4.85m. Unfortunately, it is again felt that these heights of the barn are not accurately portrayed, and more realistic heights are considered to be 2.5m to eaves, and 3.7m to ridge.

Having regard to the dimensions referred to above it is clear that the proposed building will be at least two and a half times the size of the original barn that stood on the site. It will therefore be materially larger, by some margin, than the building it replaces, and consequently it will be inappropriate development in the Green Belt as set out in paragraph 89 of the NPPF. Its size and height will therefore detract from the openness of the Green Belt, contrary to Local Plan and Alterations Policy GB2A.

Design and Setting of Listed Building:

When considering this matter the advice of the Council's Conservation Officer was sought and it is reproduced below:

"The amended plans submitted do not overcome the concerns I previously had and therefore do not meet our expectations on heritage and design grounds. This material change to the barn, including its residential appearance, its larger scale, and poor design, will irreversibly alter and diminish the appearance of this listed property and its setting. The following elements of the design still raise concern as they result in a building with an untraditional and unsympathetic appearance which will appear incongruous within the setting –

- i) the roof slope is very slack and this combined with the width of the span, creates a squat appearance*
- ii) The dwelling is badly proportioned as the ratio of roof to wall is wrong.*
- iii) The porch is too wide and features inappropriate details (brick and a large expanse of glazing) and this, along with the fact that its eaves are lower than the eaves of the building makes it visually over dominant.*
- iv) The use of slate is not appropriate as barns are more traditionally roofed with red plain clay tiles.*

Reference is also made to page 81 of the Essex Design Guide where the narrower widths of rectangular buildings to be spanned with pitched roofs should not be greater than 6.5m, and are usually of the order of 5m. Roofs should normally be pitched at about 50 degrees. Buildings with a span of more than 5m will result in wide gable ends uncharacteristic of traditional building in Essex.

Taking the above factors into account I would still recommend that the amended application be refused, supported by policies HC12 and DBE1 of the Local Plan.”

In addition to its effect on the Green Belt the considerable footprint and height of the proposed building, together with its design, resembles that of a house in its own right as opposed to a smaller more typical annex or barn type of outbuilding that is occupied ancillary to a main dwelling on the site. Also, as pointed out by the Councils Conservation team in their comments above, the wide span of the proposed building, (even after amended plans were received) creates a roof slope with a low 22 degrees angle of slope which creates a squat appearance. This appearance is very different from many traditional barn conversions in the Green belt where the roof pitch is traditionally steep e.g. at 50 degrees angle. The Parish Council state that, at some 30m distance from the listed house on the site, the proposed building would have no visual impact. However Officers are of the opinion that the size of the building is excessive, its profile is not a traditional one for a converted barn/outbuilding found in the in the Green Belt, and therefore it will have an adverse effect on the appearance and setting of the listed main dwelling on the site. Other concerns relate to a poorly designed porch, and inappropriate roof slate to be used rather than clay tile.

On the basis that the proposal has resulted in the demolition of a curtilage listed building without proper justification, it has resulted in significant harm to the special historic interest of the listed farmhouse by way of the loss of an historic relationship between the barn and farmhouse. That significantly compounds the harm caused to the setting of the listed farmhouse that would be caused by the erection of the proposed annexe building.

On the above assessment it is concluded the proposal is contrary to Local Plan and Alterations policies CP2(i), DBE1, DBE4 and HC12.

Trees

The new building and works for the construction of its foundations are within the root protection zones of a number of trees, particularly 2 silver birches. Advice of the Councils tree and Landscape Team is the works are likely to have caused extensive root damage to at least one tree such that it is potentially unstable with the consequence that the tree will have to be felled in order to protect the building. Furthermore, no arboricultural assessment is submitted with the application therefore insufficient information is available to demonstrate in detail the impact of the development on trees within its vicinity. It is therefore concluded the proposal does not make adequate provision for the retention of trees, contrary to Local Plan and Alterations policy LL10.

Conclusions and way forward

It is to be regretted that, on the face of it, a designated historic asset has been demolished or substantially demolished without listed building consent. That is without proper justification and therefore cannot be permitted. A suggested way forward for the Applicant that would also address the matter of whether an offence has taken place, is to submit good evidence of when the barn was erected since it seems possible the barn was not actually a curtilage listed building.

It is also to be regretted the building works were well advanced on the proposed replacement annexe building before operations ceased. As described above the building is inappropriate development in the Green Belt that would be harmful to its openness on the basis that it is significantly larger than the building it replaces. The footprint, height and appearance of the proposed building are also unacceptable in design terms and would cause harm to the setting of Brownings farmhouse. Moreover, the proposal makes inadequate provision for the retention of trees.

Resolving the question of whether the demolished barn was a curtilage listed building is critical to the way forward for the Applicant. If it were curtilage listed, then an appropriate course of action for the Council to consider is securing the reinstatement of the building. Any revised proposal therefore would need to include that as a component, which would be likely to deal with the Green Belt, design and setting issues.

If evidence demonstrates the demolished building was not curtilage listed there is more flexibility for the planning application and listed building consent is not required. An alternative proposed building should not be materially larger than that demolished. A new predominantly single storey annex building, somewhat but not significantly larger than the footprint of the former barn, would be likely to be more acceptable. In addition, the width or span of an alternative annex building would need to be narrower allowing for a more traditional and steeper roof to be formed.

Regardless of the status of the demolished building, any new application for planning permission should include an arboricultural impact assessment in accordance with BS 5837:2012 demonstrating consequence for trees together with a landscaping scheme demonstrating how the impact on existing trees and the visual impact of the proposed building would be mitigated by new tree planting.

Recommendations:

For the reasons outlined above it is recommended that listed building consent and planning permission be refused.

Should you wish to discuss the contents of this report item please use the following contact details by 4pm on the day of the meeting at the latest:

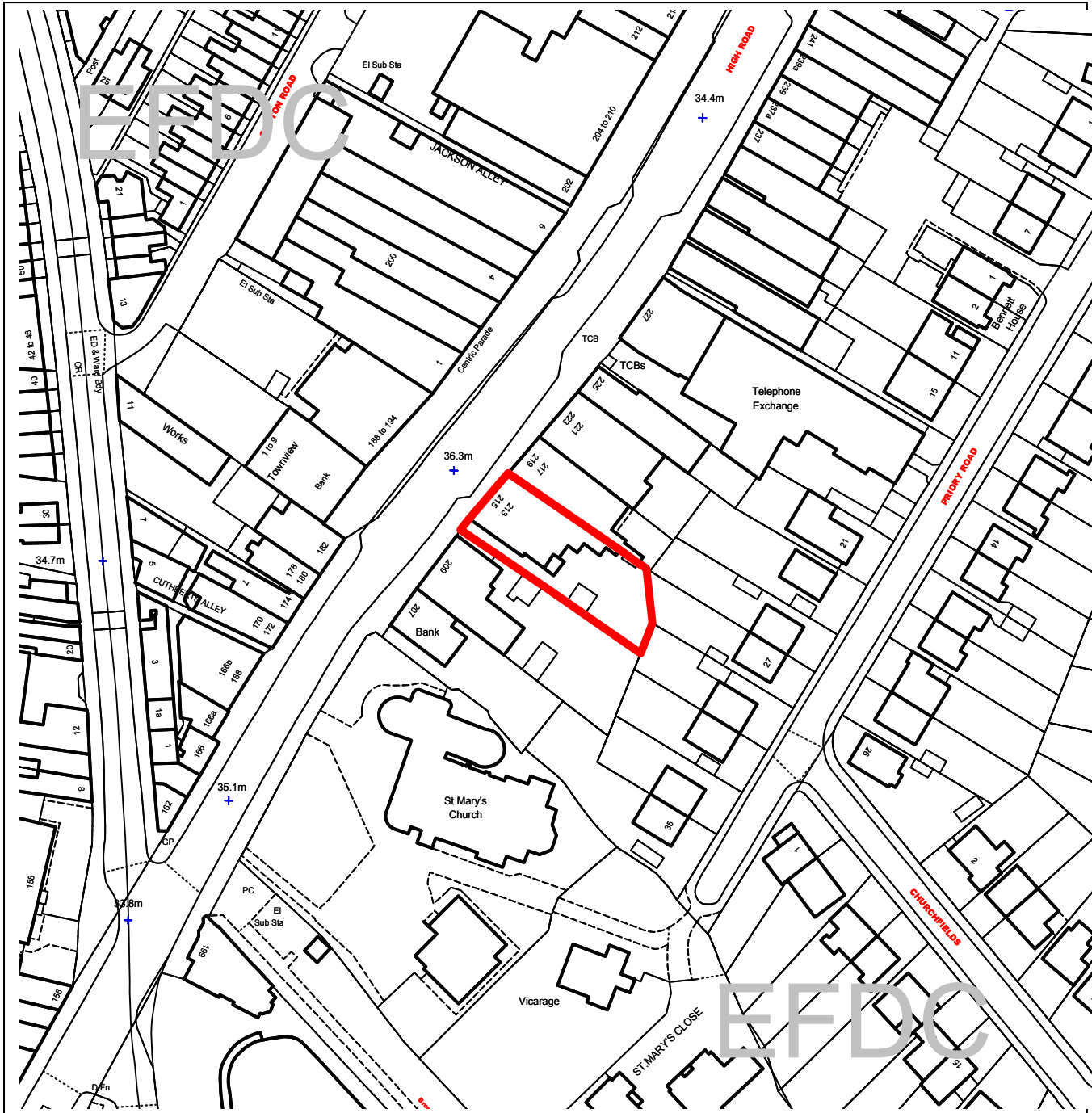
***Planning Application Case Officers: David Baker and Stephan Solon
Direct Line Telephone Number: 01992 564514 and 01992 564018 respectively***

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



Epping Forest District Council

Agenda Item Number 12



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Application Number:	EPF/2753/15
Site Name:	Mackays Stores Ltd, 213 High Road, Loughton, Essex, IG10 2BB
Scale of Plot:	1/1250

Report Item No: 12

APPLICATION No:	EPF/2753/15
SITE ADDRESS:	Mackays Stores Ltd 213 - 215 High Road Loughton Essex IG10 1BB
PARISH:	Loughton
WARD:	Loughton St Marys
APPLICANT:	Mr David Shternzis
DESCRIPTION OF PROPOSAL:	Redevelopment of existing site to provide 2 x A1 retail units, 7 x 1 bed apartments and a detached office building
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=580238

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

Planning Authority gives its written consent to any variation.

- 4 Details of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority before any work commences, and the development shall be implemented in accordance with such agreed details.
- 5 No development shall take place until full details of refuse and cycle stores including details of storage of materials for recycling have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 6 Prior to the first occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator.
- 7 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.
- 8 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

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

Description of Site:

The application relates to a pair of properties at the end of a terrace on the east side of the High Road. The building is part single, part two storey with the upper floor set back from the road frontage by around 11.5metres; the ground floor comprises a single retail shop with ancillary staff and store rooms at the first floor. The rear yard serves the site exclusively but does not appear to be in regular use at present.

The site lies at the southern end of a group of three sites that are similarly constructed with the deeply recessed first floor. Nearby properties on the same side of the road present a more conventional two storey form with upper floors flush to the road. Opposite the site lie two four

storey buildings originally built as retail with offices over again flush to the road frontage. To the rear lie residential properties in Priory Road

The site is centrally located in the town centre where the majority of units remain in retail use at ground floor.

Description of Proposal:

The application has been amended since first submission. It proposes demolition of all existing buildings and erection of a part single, part three storey building comprising a single retail unit at the ground floor front and seven x 1 bedroom flats, one at the rear of the ground floor and three on each of the upper floors. The upper floors are set back from the road frontage by a minimum of 3.8 metres and the top floor takes the form of a mansard roof. Access to the residential units is from the side where refuse and cycle stores are built in to the side of the building, a new gate is proposed in the side way 8 metres back from the road frontage behind the bin stores. At the rear, an external amenity area is provided for the ground floor flat along with two parking spaces and a landscaped buffer abutting the rear boundary.

Relevant History:

None relevant

Policies Applied:

CP1	Achieving Sustainable Development Objectives
CP2	Quality of Rural and Built Environment
CP3	New Development
TC3	Town Centre Function
DBE1	Design of new buildings
DBE2	Effect on neighbouring properties
DBE3	Design in Urban Areas
DBE5	Design and Layout of new development
DBE6	Car Parking in New Development
DBE8	Private Amenity Space
DBE9	Loss of Amenity
DBE12	Shopfronts
ST4	Road safety
ST6	Vehicle parking

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

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 53

Site notice posted: 27 November 2015

Responses received: Two objections have been received from nos. 27 and 31 Priory Road at the rear. Both residents were consulted on the original submission and cover similar grounds:

- Scale and intensity of development is excessive, leading to noise and disturbance and a general loss of amenity,
- Overlooking from residential units into homes and gardens
- Overshadowing and visual impact from the building.

Both objectors raised concerns about the original scheme that included an office at the rear and the siting of bins stores but the amended scheme deletes the office building and has relocated the bin store.

LOUGHTON RESIDENTS ASSOCIATION (PLANS GROUP) objected to the original application but withdrew their objection after seeing the revised scheme.

LOUGHTON TOWN COUNCIL: Objection

The Town Council objected to the original scheme. On re-consultation with the revisions, the Town Council maintained its objection:

The Committee objected despite the removal of the detached office building at the rear to create an additional parking space. There was still concern over the lack of parking provision as the two spaces provided within the scheme for seven one-bed apartments and only one retail unit.

Members asked for a planning condition to prohibit occupants of those flats from being issued with residents parking permits, if such a scheme was brought into Loughton in the future.

Members considered the scheme was still an overdevelopment of the site that would be overbearing on the residents at the rear.

The Committee had no objection to the provision of one A1 retail unit.

Main Issues and Considerations:

The main issues are the appropriateness of the development in the town centre in terms of scale and intensity, effect on neighbouring occupiers, design issues and parking considerations

National and local planning policy advocates new development in highly accessible locations in order to reduce pressure on other less accessible, less sustainable locations. Policy TC3 can be seen as promoting the provision of residential accommodation is appropriate above ground floor. Such developments may be expected to provide a higher density of accommodation and to require compromises in other areas, such as car parking. In this context, the development is of a medium scale both in terms of the built form and the number of units proposed. Subject therefore to detailed considerations below, officers consider this to be a highly sustainable location for a development of this character.

Impact is potentially greatest on occupiers of residential properties to the rear in Priory Road. Amendments to the application have seen potentially conflicting uses removed from the rear and this is now simply residential uses backing on to each other. The new building lies around 30 metres from the properties at the rear which is adequate separation to prevent loss of amenity through overlooking, there are no rear facing balconies at upper level and the rear amenity area provided comprise a medium size terrace for the ground floor flat. The new building lies north-west of the objectors properties and no overshadowing results. Officers are satisfied that the relationship with adjoining residents to the rear is acceptable.

There are no residential properties above the immediate adjoining neighbour while properties opposite on High Road are set back and are unaffected.

In design terms, the building as a whole will be three storeys only with the upper floors set back. In the context of the immediate vicinity and the town centre as a whole, the building responds to the general context where buildings up to four storeys high exist opposite. As a result the overall scale proposed is appropriate. The developer has proposed a mansard form for the roof arguing that this is an appropriate roof form for development in a town centre. This is difficult to dispute, particularly given the wide variety in built form in the area.

The scheme includes only two car parking spaces although all residential units are provided with cycle parking space readily accessible. The site does lie in a location well served by public transport within walking distance of the station and a realistic compromise needs to be achieved in such cases where full provision for parking is difficult to achieve.

The Town Council's request for a condition on future parking permits would be unenforceable. That may be achievable by way of a S106 agreement, however, even it is, given the relatively small and low number of dwellings proposed (7 one bedroom flats) together with the fact that the site is not presently within a residents parking scheme, it is not considered necessary or proportionate to require such a planning obligation. Consequently the applicant has not been approached regarding this matter. Notwithstanding Planning Officers assessment of this matter, legal advice has been sought to inform Members decision and will be reported verbally.

Conclusion:

This is a highly sustainable town centre location where higher density development can be provided. While more intensive than an out-of-centre development, the scheme remains modest in the immediate context, setting back the upper floors ensuring the building sits comfortably in its surroundings.

The development has little impact on residents to the rear, the building is sufficiently distant to ensure there is no overshadowing or overlooking and the level of activity will not lead to undue disturbance.

A compromise on car parking is balanced to some degree by provision for cycles and access to public transport such that the development will be appropriate to this location.

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

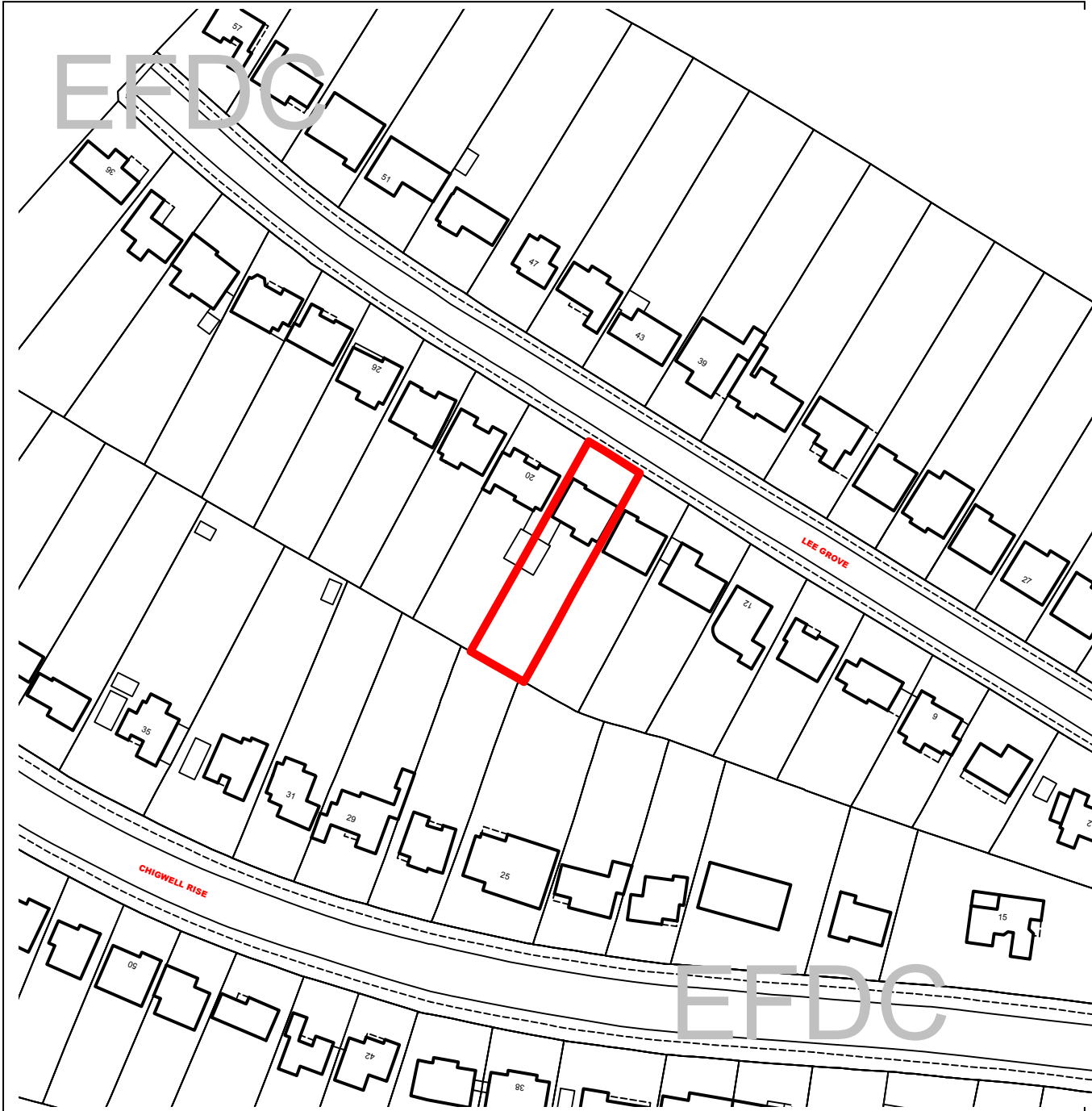
***Planning Application Case Officer: Ian Ansell
Direct Line Telephone Number: 01992 564481***

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



Epping Forest District Council

Agenda Item Number 13



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Application Number:	EPF/2775/15
Site Name:	18 Lee Grove, Chigwell, IG7 6AF
Scale of Plot:	1/1250

Report Item No: 13

APPLICATION No:	EPF/2775/15
SITE ADDRESS:	18 Lee Grove Chigwell Essex IG7 6AF
PARISH:	Chigwell
WARD:	Chigwell Village
APPLICANT:	Mr Chris Antonoiu
DESCRIPTION OF PROPOSAL:	Proposed single-storey rear extension, including connection of existing garage with main house, provision of raised rear terrace enclosed at sides with timber fencing.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=580294

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 3 The 1.8m high fences to be erected at the sides of the raised terrace at the rear shall be erected before the terrace is first brought into use.
- 4 The new window in the side elevation of the snug room to be formed in the existing garage (facing number 16, Lee Grove) shall be fitted with obscured glass up to a minimum of 1.7m above floor level. This obscured glazing shall thereafter be retained on a permanent basis

This application is before this Committee since the recommendation differs from the views of the local council (pursuant to section P4, schedule A (g) of the Councils delegated functions).

Description of Site:

Two storey detached house in a road of detached dwellings. The property is not listed, nor does it lie in a conservation area.

Description of Proposal:

Proposed single-storey rear extension, including connection of existing garage with main house, provision of raised rear patio enclosed at sides with timber fencing.

Relevant History:

None

Policies Applied:

DBE9 – Loss of amenity.
DBE10 – Residential extensions.

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

Summary of Representations:

CHIGWELL PARISH COUNCIL – The council objects to this application on the grounds of the impact on number 16.

NEIGHBOURS – 4 properties consulted and no replies received.

Issues and Considerations:

The main issue raised by this proposal is the impact on living conditions of neighbours.

The extension will project rearwards by 4m on the side close to the boundary with no. 16, and by 5.5m on the side close to no.20. With regard to no.16 this neighbouring house has recently been extended at the rear by some 4 to 5m and the proposed extension to no.18 will therefore have a net projection of only 0.3m. Consequently, there will be a minimal loss of light and amenity to no.16. The proposal also includes provision of a raised terrace to be formed adjoining the proposed extension. Overlooking to the rear of no.16 could therefore occur. However a 1.8m high timber privacy screen will be provided at the side of the patio next to the boundary, and at the request of the case officer this privacy screen has been lengthened by 2m so that people walking up the steps from the garden to the patio will also not be able to look into the rear of no.16. This extended privacy screen will ensure that there is no material loss of privacy to no.16.

On the other side the extension will link up with a recessed building which provides a garage for both no.16 and no 18. In addition to this shared garage building no.20 has a 2m high wall that links the house with the garage. This wall and garage will screen most of any impact the proposed extension would have had, and the amenity and outlook of the neighbours at no.20 will only be affected to a limited degree.

The garage to no.18 will be converted to habitable accommodation. Although the side facing window in this new room will be over 9m from the boundary with no.16 its rearward position could give rise to sideways overlooking. To prevent this the applicant is willing to accept a condition that the side facing glazing be obscured up to 1.7m above floor level.

A secondary issue in this case is design. In terms of appearance the extension will be rendered a white/cream colour to match that on the existing house, and the appearance of the extension will be acceptable.

Conclusion

The Parish Council have raised concerns over the impact of the proposal on the amenity of the neighbour at no.16. However, this impact will only be limited for the reasons set out above. It is therefore recommended that conditional planning permission be granted.

Should you wish to discuss the contents of this report item please use the following contact details by 4pm on the day of the meeting at the latest:

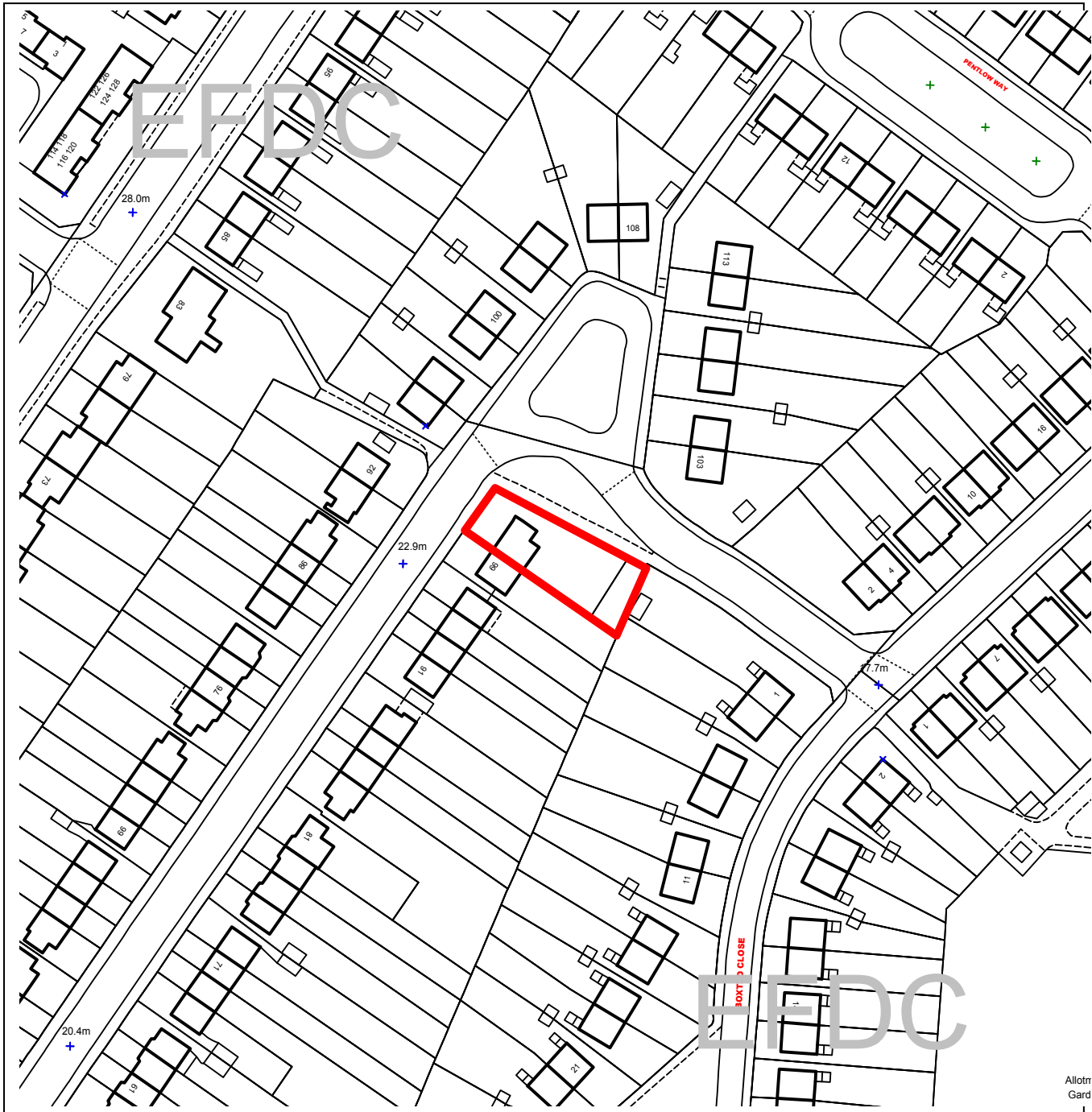
***Planning Application Case Officer: David Baker
Direct Line Telephone Number: 01992 564514***

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



Epping Forest District Council

Agenda Item Number 14



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Application Number:	EPF/3074/15
Site Name:	101 Rous Road, Buckhurst Hill, IG9 6BU
Scale of Plot:	1/1250

Report Item No: 14

APPLICATION No:	EPF/3074/15
SITE ADDRESS:	101 Rous Road Buckhurst Hill Essex IG9 6BU
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill East
APPLICANT:	Mrs Maria Poullos
DESCRIPTION OF PROPOSAL:	Amendments to existing planning consent (extension to existing dwelling to create a new dwelling, car parking to the front and two patio areas to the rear ref: EPF/2234/15) to include alterations to approved hipped roof to create a hipped to gable roof with 1no. rear dormer window.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=581075

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: 1606/01; 1606/02;1606/03A; 1606/04B;1606/05D; 1606/06C; 1606/07; 1606/08A; and 1606/09A.
- 3 Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 4 The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site.

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

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

- 5 The rear garden boundary between the new dwelling and existing dwelling at 101 Rous Road shall be enclosed by a fence or wall between 1.7m and 2m high for a distance of at least 5m rear of the rear wall of the houses.
- 6 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 7 No development shall take place until details of surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.

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

Description of site:

Semi-detached house, located at the end of a run of houses on the south eastern side of Rous Road adjacent to a 90 degree turn in the road such that the road bounds the front and side site boundaries. The surrounding area consists of mixed housing types but predominantly terraced and semi-detached properties, many of which have previously had roof extensions with hipped side gables and rear dormer windows. The site is not in the Green Belt, not in a Conservation area and not listed.

Description of proposal:

Amendments to existing planning consent to create a new dwelling by way of an extension to existing dwelling, ref: EPF/2234/15, to include a gabled rather than hipped roof with 1 rear dormer window. The proposed rear dormer window would be 2.72m in depth, 1.4m in height and 3.2m in width, with a flat roof.

The proposal would facilitate the provision of a bedroom with en-suite bathroom in the roofspace. The house would therefore have 4 rather than 3 bedrooms as approved.

Consultation Carried Out and Summary of Representations Received:

Number of neighbours consulted: 21
Site notice posted: No, not required

Responses received: 3 responses were received from neighbours 94, 96 and 98 Rous Road, objecting to this application as summarised below:

94 Rous Road:

- We are not happy with how the outcome of this building will affect us personally.
- Parking could get worse including during construction.
- It will be intrusive to our dwelling.
- Overlooking our living and sleeping areas.

96 Rous Road:

- Parking, as it's on a dangerous bend.
- It would change the immediate house from semi-detached to terraced properties.
- It will affect the value of properties in future.
- When I enquired about building over the existing garage to my property I was told this was not possible.
- The character of the area would be affect.

98 Rous Road:

- Parking and the reason is it's on a dangerous bend.
- Impact on character and appearance.
- In addition to this, when I enquired about a two story extension to my existing property I was told that this was not possible.

BUCKHURST HILL PARISH COUNCIL: No objection to this application.

Planning History:

EPF/1737/86: Single storey side extension –Approved/Conditions 02/01/1987.

EPF/0224/08: First floor side extension over existing garage and conversion of garage to room – Refused 26/03/2008 and Appeal Dismissed 20/01/2009.

EPF/0933/08: First floor side extension over existing garage, conversion of garage to room and loft conversion with rear dormer window. (Revised application) –Approved/Conditions 01/07/2008.

EPF/1163/11: Extension of time limit to EPF/0933/08. (First floor side extension over existing garage, conversion of garage to room and loft conversion with rear dormer window. Revised application) –Approved/Conditions 19/07/2011.

EPF/2234/15: extension to existing dwelling to create a new dwelling, car parking to the front and two patio areas to the rear –approved/conditions 19/11/2015.

Policies Applied:

CP2 – Protecting the Quality of the Rural and Built Environment

CP7 – Urban Form and Quality

DBE1 – Design of new Buildings

DBE2 – Impact on Amenity

DBE8 – Private Amenity Space

DBE9 – Loss of amenity

DBE10- Residential Extensions.

ST01 – Location of Development

ST4- Road Safety

ST6-Vehicle Parking
U3B-Sustainable Drainage Systems.
RP3 –Water Quality.

National Planning Policy Framework (NPPF) 2012.

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

Issues and Considerations

The main issues for consideration in this case are:

- Design.
- Living Conditions.

Other matters, including those raised by the objectors will also be considered.

Design:

The proposed amendments would result in the alteration of the approved roof, from a hipped roof to a side gable end roof form and the construction of rear dormer window with a flat room. The proposal would achieve an appearance similar to those of other houses within the immediate locality, including at the attached property no.99 and adjoining neighbour no.103 Rous Road. Consequently, although the rear dormer would be visible from the street due to it wrapping around the front and side site boundaries, the proposed amendments would not result in the approved development to be out of character with its surrounding area .

Living Conditions:

Policy DBE2 and DBE9 requires new developments safeguard the amenities of the occupiers of neighbouring properties. This application has been the subject of a site visit where the impact on all neighbouring properties was assessed. The proposed rear dormer window and all other amendments to the existing approval would not result in any harm to the living conditions of any neighbouring property by way of overlooking or overbearing having or visual impact. The house would not adjoin any house other than the host house, the distance from houses opposite is the same as that separating them from the host house (27m) and a distance of some 50m would separate the proposed house from the house to the rear, no 1 Boxted Close. No 103 Rous Road is also situated rear of the proposed house, but is set at least 20m north of the site and some 30m from the proposed house such that there would be no direct line of sight between the proposal and no 103.

Other Matters:

The issues including parking, land drainage, refuse, highways and contaminated land were considered under previous application reference EPF/2234/15. Whilst the proposal under this current application seeks to amend the existing planning consent, the amendment is of no further consequence to those matters.

This application has attracted some number of objections during the consultation process. However, many of the objections received appear to relate to already approved development under application reference: EPF/2234/15. In particular, parking concerns have already been considered under previous application and the number of off-street parking spaces required for a 4

bedroom house is the same as that required for a 3 bedroom house: 2. The proposal would provide 3 parking spaces for the proposed house and 2 for the existing house therefore it complies with the adopted Vehicle parking Standards.

Neighbour no.94 Rous Road objected that the proposed development would result to the loss of privacy from overlooking into their habitable rooms. However, this neighbour is situated about 27 metres away from the proposed development/application site to opposite side of the road in north. It would therefore be practically very impossible to overlook into this neighbour's habitable rooms at such a substantial distance.

The impact of the proposed development to the value of existing properties and informal planning advice previously given in respect of proposed extensions to neighbouring houses are not material planning considerations.

Conclusion:

Having taken all material considerations into account, it is considered that the amendments to the existing planning consent as proposed in this current application would have an acceptable impact being in keeping with the character of the locality with no harmful consequence for the living conditions of any neighbouring properties. Accordingly, it is recommended that planning permission be granted with conditions.

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

***Planning Application Case Officer: Moses Ekole
Direct Line Telephone Number: 01992 56 4109***

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



Epping Forest District Council

Agenda Item Number 15



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Application Number:	EPF/3166/15
Site Name:	47 Deepdene Road, Loughton, IG10 3PP
Scale of Plot:	1/1250

Report Item No: 15

APPLICATION No:	EPF/3166/15
SITE ADDRESS:	47 Deepdene Road Loughton Essex IG10 3PP
PARISH:	Loughton
WARD:	Loughton Alderton
APPLICANT:	Mr Jacques Van Heerden
DESCRIPTION OF PROPOSAL:	New rear outbuilding.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=581336

CONDITIONS

- 1 The existing outbuilding hereby approved shall only be used for domestic purposes incidental to the original house at no. 47 Deepdene Road, Loughton, IG10 3PP.

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:

Deepdene Road is characterised by a mix of short terraces and semi-detached houses with single storey side garages set between them. The application site comprises a semi-detached house located to the western side of Deepdene Road. It has a single storey side garage and three rear/side out buildings. One, in the rear part of the garden between an older building and the site boundary with 45 Deepdene Road is under construction and is the subject of this application. The site is not in a conservation area nor listed.

Description of Proposal:

Erection of a single storey rear outbuilding measuring 4.45m wide, 7.35m, and 2.8m in height with a flat roof. Submitted plans indicate it would be used as an office in connection with the use of the existing house as a dwellinghouse.

Relevant History:

EPF/2706/15: Two storey side extension –refused 19/01/2016.

Policies Applied:

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

The National Planning Policy Framework (NPPF) 2012;

The (NPPF) was published on 27 March 2012. Paragraph 214 states that due weight should be given to the relevant policies in existing plans according to the degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 4
Site notice posted: No, not required
Responses received: No response received from neighbours.

LOUGHTON TOWN COUNCIL: The Committee OBJECTED to this application which was considered overbearing on the neighbours. If granted, members asked for a condition to ensure the rear outbuilding(s) remained ancillary to the main dwelling.

Main Issues and Considerations:

The main issues for consideration in this case are:

- Design.
- Living Conditions.

Design:

Ground levels are naturally higher at the bottom of the rear gardens of almost all the properties on the western side of Deepdene Road including the application site. For this reason, the any building located at the very bottom of the rear garden would appear higher at this position.

The basis ctructure of the outbuilding this application relates to is close to completion. Visually, it fills a gap between an earlier outbuilding and the site boundary with 45 Deepdene Road. It is sited 0.5m from the boundary with 45 Deepdene Road, and 0.5m from rear boundary shared with Barfields, which has a significant timber outbuilding sited a similar distance from the boundary. In the position proposed the outbuilding is seen in the context of a previously existing outbuildings at the site and on neighbouring land. In terms of its detailed design, the proposal is of similar depth as the timber building and about a third wider. It has a flat roof of similar height, some 300mm higher than that allowed for a Permitted Development outbuilding at the front elevation. At the rear elevation, however, the building is shown to comply with the Permitted development limitation due to the rising level of land.

In the circumstances, the building complements its setting and respects the character of the locality. Moreover, on the face of it the proposal actually appears to comply with Permitted development size limitations for outbuildings since the GPDO specifies that the height of buildings where land is sloping should be measured at the highest adjacent land.

Impact on living conditions:

The ground levels are naturally higher at the bottom end of all the rear gardens of the properties along this side of Deepdene Road as such; the existing outbuilding appears prominent by virtue of its location at this elevated position. However, the outbuilding is a substantial distance of about 23 metres away from any nearby house. Given its limited height, the distance it is set from neighbouring houses and the proximity of earlier outbuildings at the site and on adjacent land the proposal does not result in any excessive harm to amenity. It does not appear overbearing and does not cause any loss of light, loss of privacy or any other harm. In terms of consequence for the living conditions of the host house, it does not result in any significant loss of private amenity space for the dwelling.

Conclusion:

The concerns of the Parish Council have generally been addressed in the body of this report. The impact of the existing outbuilding is considered acceptable in planning terms. The single storey rear outbuilding the subject of this application is considered to be in accordance with the aforementioned policies of the adopted Local Plan (1998) and Alterations (2006) and guidance in the NPPF (2012). Accordingly, it is recommended that planning permission be granted with conditions.

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

***Planning Application Case Officer: Moses Ekole
Direct Line Telephone Number: 01992 56 4109***

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