

## AREA PLANS SUB-COMMITTEE 'WEST'

16 March 2016

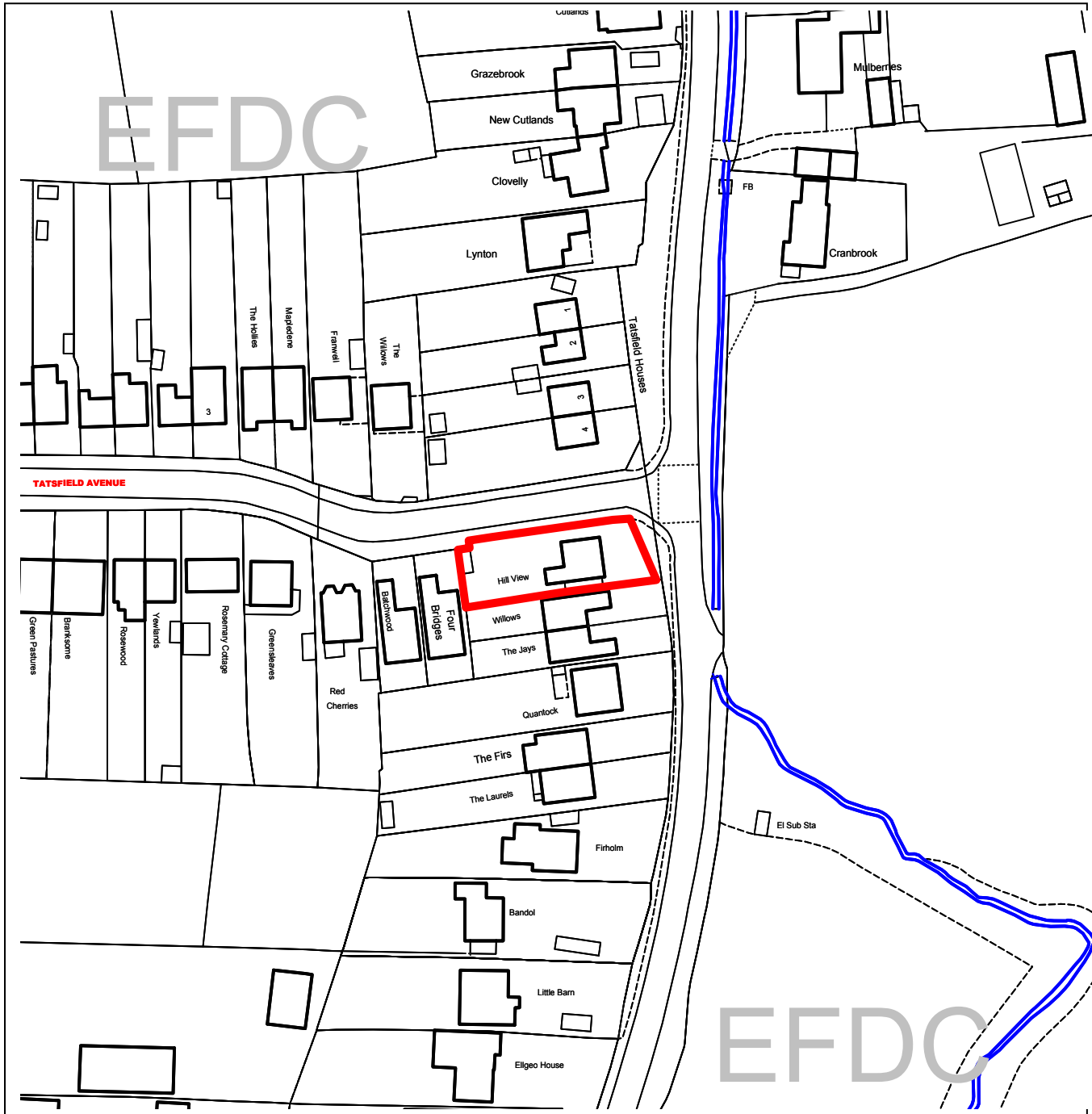
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# Epping Forest District Council

## Agenda Item Number 1



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Application Number:	EPF/2548/15
Site Name:	Hillview, St Leonards Road, Nazeing, Waltham Abbey, EN9 2HQ
Scale of Plot:	1/1250

**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/2548/15
<b>SITE ADDRESS:</b>	Hillview St Leonards Road Nazeing Waltham Abbey Essex EN9 2HQ
<b>PARISH:</b>	Nazeing
<b>WARD:</b>	Lower Nazeing
<b>APPLICANT:</b>	Mr Kevin Ellerbeck
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of existing house and erection of 2 two bedroom flats and 4 one bedroom flats. The 3 ground floor flats to be provided for disabled residents and their families.
<b>RECOMMENDED DECISION:</b>	Grant Permission (Subject to Legal Agreement)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=579733](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=579733)

**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: ELA/1, ELA/2, ELA/7, ELA/9, ELA/10, ELA/11 Rev: A, ELA/13 Rev: A, ELA/14 Rev: B, ELA/16 Rev: B, ELA/17 Rev: C, ELA/19 Rev: C, ELA/21, ELA/222 Rev: A, ELA/39 Rev: A
- 3 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 4 Prior to first occupation of the development hereby approved, the proposed upper storey window openings in the northern elevation of the rear projection (shown as obscured glass on Drawing No. ELA/14 Rev: B) shall be entirely fitted with obscured glass to a height of 1.7 metres above the floor of the room in which the window is installed and shall only be side hung from the eastern side (the left hand side when viewed from within the room in which the window is installed). Thereafter the windows shall be permanently retained in that condition.

- 5 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.
- 6 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 7 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 and visitors vehicles.
- 8 Gates shall not be erected on the vehicular access to the site without the prior written approval of the Local Planning Authority.
- 9 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development. The assessment shall demonstrate that adjacent properties shall not be subject to increased flood risk and, dependant upon the capacity of the receiving drainage, shall include calculations of any increased storm run-off and the necessary on-site detention. The approved measures shall be carried out prior to the substantial completion of the development hereby approved and shall be adequately maintained in accordance with the approved management and maintenance plan.
- 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 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.

- 12 All material excavated from the below ground works hereby approved shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.
  
- 13 Prior to occupation of the development details of the proposed refuse storage area, as shown on drawing No. ELA/19 Rev: C. The refuse storage area shall thereafter be constructed in accordance with the approved details prior to occupation of the development and retained as such thereafter.

**And the completion by the 30<sup>th</sup> March 2016 (unless otherwise agreed in writing by the Local Planning Authority) of a legal agreement to restrict the occupation of the three proposed disabled flats to Registered Disabled Persons and their families. In the event that the developer/applicant fails to complete the Legal Agreement within the stated time period, Members delegate authority to officers to refuse planning permission on the basis that the proposed development would not comply with Local Plan policies regarding the provision of adequate off-street parking provision.**

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

**Description of Site:**

The application site contains a single detached three bed chalet bungalow and is located on the junction of St. Leonards Road and Tatsfield Avenue. The dwelling sits on land approximately 1.5m higher than the highway and is adjacent to a pair of semi-detached one-and-a-half storey chalet bungalows. On the opposite junction is a pair of semi-detached two storey dwellings. The site is located towards the edge of Nazeing town and is outside of the Metropolitan Green Belt but is located within an EFDC flood risk assessment zone.

**Description of Proposal:**

Consent is being sought for the demolition of the existing detached chalet bungalow and the erection of a block of six flats consisting of 2 no. two bed and 4 no. one bed flats. The three ground floor flats would be exclusively provided for disabled residents and their families.

The proposed development would be formed from a main structure measuring 10.3m in width and 13.7m in depth and a rear projection measuring 8.3m in width and 8.3m in length. The main structure would have a crown roof to a maximum height of 7m and eaves height of 4m and the rear projection would have a crown roof to a maximum height of 5.8m and eaves height of 3.7m.

The first floor of the proposed flatted development would be located within the roof area and served by seven dormer windows on the northern elevation and seven dormer windows on the southern elevation along with three front dormer windows (facing towards St Leonards Road).

Each of the proposed flats would be served by an individual access with one doorway located on the front elevation and all other doorways being on the northern elevation. The flats would be served by a below ground parking area containing eight off-street parking spaces (including three disabled spaces). Whilst a bin and cycle store are shown within the basement area, in order to address concerns raised by the Councils Waste department the Site Plan has been revised to show a bin store within the side/rear garden area adjacent to Tatsfield Road. As such the bin store within the basement would either not be created or would be utilised for alternative storage purposes. The basement car park would be accessed directly off of Tatsfield Avenue. Whilst three on-street disabled parking bays are shown on Tatsfield Avenue these require separate consent from Essex County Council Highways and therefore cannot be considered as parking provision for this development.

### **Relevant History:**

EPF/0582/05 - Two storey rear extension, raised roof ridge with two dormer windows to front and new garage to rear – approved/conditions 28/09/05

EPF/1306/10 - Raising of roof, two storey rear extension, front porch, front dormer windows and detached garage to rear – approved/conditions 10/09/10

EPF/2113/10 - Vehicle crossover – refused 02/12/10

EPF/1153/11 - Raising of roof, two storey rear extension, gable over flat dormer and detached garage to rear (revised application from EPF/1306/10) – approved/conditions 29/07/11

### **Policies Applied:**

CP1 – Achieving sustainable development objectives

CP2 – Protecting the quality of the rural and built environment

CP3 – New development

CP7 – Urban form and quality

H2A – Previously developed land

DBE1 – Design of new buildings

DBE2 – Effect on neighbouring properties

DBE3 – Design in the urban areas

DBE8 – Private amenity space

DBE9 – Loss of amenity

LL3 – Edge of settlement

LL10 – Adequacy of provision for landscape retention

LL11 – Landscaping schemes

ST1 – Location of development

ST4 – Road safety

ST6 – Vehicle parking

U2B – Flood risk assessment zones

The above policies form part of the Councils 1998 Local Plan. Following the publication of the NPPF, policies from this plan (which was adopted pre-2004) are to be afforded due weight where they are consistent with the Framework. The above policies are broadly consistent with the NPPF and therefore are afforded full weight.

### **Consultation Carried Out and Summary of Representations Received:**

11 neighbouring properties were consulted and a Site Notice was displayed. Due to concerns raised discussions have taken place between the applicant and the Planning Officer and amended plans have been received. A full reconsultation has been undertaken with regards to the amended plans:

#### **Comments on amended plans:**

PARISH COUNCIL – No objection.

FOUR BRIDGES, TATSFIELD AVENUE – Stand by previous objection and also feel that the relocated bin store will be an eyesore and nuisance for neighbours.

THE HOLLIES, TATSFIELD AVENUE – All objections within the previous letter still stand. Furthermore the changes to the bin store would create an unsightly addition to Tatsfield Avenue.

THE FIRS, TATSFIELD AVENUE – Continue to object on previous grounds.

WILLOWS, TATSFIELD AVENUE – Continue to object on previous grounds.

FRANWELL, TATSFIELD AVENUE – Stand by previous objection and also feel that the relocated bin store will be an eyesore and nuisance for neighbours.

3 TATSFIELD AVENUE – Object to the relocation of the bin store as this will be visually harmful and would result in odours, vermin and other nuisance to neighbours.

GREENSLEAVES, TATSFIELD AVENUE – Object as the flats would put additional strain on limited parking in Tatsfield Avenue and since construction works would cause road safety concerns.

Comments on originally submitted plans:

PARISH COUNCIL – No objection and fully support the application, subject to a condition being placed on the three ground floor flats that they are for disabled people.

RED CHERRIES, TATSFIELD AVENUE – Object as the development is not in keeping with the area, is an overdevelopment with very little garden and minimal space for occupants, it would cause a loss of light, privacy and amenity to neighbours, the size of the building would dominate the street scene, the access to the parking area is a highway safety concerns and the underground car park is too narrow and would be difficult to use.

FOUR BRIDGE, TATSFIELD AVENUE – Object as this would result in a loss of light, loss of outlook, loss of privacy, loss of noise and disturbance, the building would be an overdevelopment out of character with the area, and since the development would result in highway safety and parking concerns.

CRANBROOK, ST LEONARDS ROAD – Object due to the possibility that this site would be offered up as affordable housing in relation to the Chimes development.

THE HOLLIES, TATSFIELD AVENUE – Object as the proposal would be out of keeping with the area, the building is too large and covers nearly 95% of the plot, this could result in additional highway safety problems and on street parking congestion, and due to the highway disruptions that would result from the construction works.

MULBERRIES, ST LEONARDS ROAD – Object since this is overdevelopment of a small site, results in a lack of cohesion with the street scene, will cause on-street parking congestion and could cause a highway safety danger.

THE FIRS, ST LEONARDS ROAD – Object due to the highways safety and parking impact, as the proposal is not in keeping with the landscape, and due to the increased pressure on drainage.

MAPLEDENE, TATSFIELD AVENUE – Object as this is overdevelopment with little or no amenity space to occupants, is overly dominant and obtrusive in the street scene, the underground car park is inadequate, and due to highway safety concerns.

LYNTON, ST LEONARDS ROAD – Object as this is overdevelopment, will cause highway safety problems, there is insufficient parking provision and no visitor parking, would lead to an increase surface water runoff, and as the waste storage area is inadequate.

WILLOWS, ST LEONARDS ROAD – Object due to the possibility of subsidence and as the development would be disproportionate to the surrounding properties.

FRANWELL, TATSFIELD AVENUE – Object as the development is not in keeping with the surrounding properties, the vehicle access is dangerous, and concerned about the disruption during construction.

GRAZEBROOK, ST LEONARDS ROAD – Object since this is too many properties for this dangerous junction, since the infrastructure of Nazeing is already stretched, and since it would appear out of place.

YEWLANDS, TATSFIELD AVENUE – Object due to highway safety concerns, increased traffic, lack of parking provision, as the development would be out of keeping with the area and there would be major disruption during construction.

IVINGHOE, TATSFIELD AVENUE – Object as this is out of keeping with the area, is an overdevelopment of the site, and since this would exacerbate the existing parking problems.

3 TATSFIELD AVENUE – Object as the development would be out of character with the area, would result in an excessive loss of amenity to neighbours, would be obtrusive and dominant in the street scene, it would be an overdevelopment of the site, would cause highway safety and parking problems, and since the site is not close to local facilities or public transport (despite otherwise claimed).

GREENSLEAVES, TATSFIELD AVENUE – Object due to inadequate parking provision and highway safety concerns.

OAK HAVEN, TATSFIELD AVENUE – Object due to highway safety concerns with the new vehicle access and since there are no facilities for the elderly and disabled.

WESTWAYS, TATSFIELD AVENUE – Object as this will have an overbearing impact and cause a loss of amenities to neighbours. The access is inappropriate and dangerous.

7 TATSFIELD AVENUE – Object due to a lack of parking provision.

### **Issues and Considerations:**

#### **Principle of development:**

The application proposes to demolish the existing three bed detached dwelling and erect a block of six flats. The site is located outside of the Metropolitan Green Belt and would constitute previously developed (brownfield) land as defined within Annex 2 of the NPPF. Although both the NPPF and policy H2A encourage the reuse and more intensive use of previously developed land the definition clearly states that “*it should not be assumed that the whole of the curtilage should be developed*”. Furthermore the NPPF clearly states that “*at the heart of the National Planning Policy Framework is a **presumption in favour of sustainable development**, which should be seen as a golden thread running through both plan-making and decision-taking*”.



The NPPF highlights that 'there are three strands to sustainable development: economic, social and environmental' and gives the following explanations on each:

- **An economic role** – *contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;*
- **A social role** – *supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and*
- **An environmental role** – *contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.*

Paragraph 8 of the NPPF makes it clear that these elements are “*not to be undertaken in isolation because they are mutually dependant...to achieve sustainable development economic, social and environmental gains should be sought jointly and simultaneously through the planning system*”.

The definition of what constitutes sustainable development is not specifically given by the NPPF nor any other Government Guidance and rather it is left to the discretion of the decision maker to decide whether a development can be considered sustainable, having due regards to the guidance given within the NPPF. As such whilst it is important to have regards to each of the three aspects of sustainability, if in the decision makers view one or more of these aspects are not fulfilled then the development can reasonably be determined to constitute unsustainable development.

The application site is located approximately 400m from Nazeing shopping parade, however this parade is by no means a 'town centre' since it is formed from just nine units. Although this includes a small store, butchers, newsagents and pharmacy it is not large enough to cater for everyday needs and is more likely used for 'top up' shopping and specific trips. The closest train station is Broxbourne Main Line Station, which is over 1.7 miles from the site and would take longer than 30 minutes to walk. Furthermore, whilst there is public transport available within this area it is relatively limited and as such it would be expected that the majority of trips would be made by private vehicle use.

It is appreciated that the development would be economically sustainable (since it would make more efficient use of this land) and socially sustainable (since it would provide disabled accommodation) and whilst the location of the site is not particularly sustainable it is not considered that this would be harmful enough to warrant refusal on sustainability grounds. Nonetheless, due to the location of the site the proposal does not comply with the 'presumption in favour of sustainable development' and therefore this does not weigh in favour of the development.

#### Design:

The application site is located on the junction of St Leonards Road and Tatsfield Avenue and the existing dwelling sits approximately 1.5m higher than the highway (along with the other properties along St Leonards Road). Due to this the site is relatively prominent. The existing dwelling is a detached one-and-a-half storey chalet bungalow.

The proposed block of flats would retain the one-and-a-half storey nature of the development but would be approximately 1m higher on the front most section of the proposed building and would be located 1.9m from the side boundary adjacent to Tatsfield Avenue (the main building on the site). The development would also introduce a large one-and-a-half storey rear projection that would extend 8.3m to the rear.

Despite the increase in height the proposed building would still be lower than The Jays and Willows to the south and No's 3 & 4 Tatsfield Houses to the north. The separation from the site boundary would be acceptable since it would not lead to excessive harm to this junction. The recent revisions to the proposal, which follows concerns raised to the scheme, has significantly reduced the height and lowered the height of the rear projection and whilst the entire length of the dwelling would be 22m it is considered that, given the prominent corner location of the building, this addition could be accommodated on the site without appearing incongruous or overbearing.

The proposed flats would all be served by individual entrance doors that open either towards Tatsfield Avenue (although these would be accessed by a shared pedestrian access) or St Leonards Road, which would comply with Local Plan policy DBE3. Notwithstanding this, the entrances along the northern elevation would be largely screened from view by the existing hedge, which is proposed for retention. The layout of the proposed development now allows for a semi-private amenity area to the side of the building and a small vegetated area (and access to the 'front' entrance') along the southern part of the site. This has addressed initial concerns regarding how the building is read in the street scene and the usability and availability of shared communal amenity space.

It is stated by the applicant that the dwelling benefits from an extant consent for a 4m deep two storey rear extension (EPF/0582/05), however it does not appear that work commenced on this scheme and therefore this permission expired in September 2008. Similarly the latest application in 2011 (EPF/1153/11) to raise the roof of the dwelling and add a two storey rear extension expired in July 2014 and also does not appear to have been implemented. Therefore there is no existing fallback position from these previous extensions, although it is accepted that such resubmissions would likely continue to be considered acceptable. Reference has also been made to the ability to add an 8m deep rear extension under the 'larger homes' permitted development rights. Whilst prior determination would be required for such works it is accepted that it may be possible for such determination to be obtained. Nonetheless such works would only permit a maximum 8m deep single storey extension as opposed to an 8.3m deep projection one-and-a-half storeys in height, as proposed. Nonetheless the likely 'fallback position' of the site should be given some weight in this decision.

Concern has been raised with regards to the relocated bin store, which was previously to be located within the basement car park but following an objection from the Councils Waste Services section is now proposed within the western part of the site. This would be located behind a screen of planting and therefore is not likely to cause any significant harm to the character and appearance of the area.

#### Amenity considerations:

The amended scheme now proposed a far shorter rear projection than previously proposed and as such this would now only extend some 6.2m beyond the neighbour's rear wall. This has also been reduced in height from the original plans. The rear projection would be set back some 3.3m from the shared boundary with Willows and would be one-and-a-half storeys in height and whilst it encroaches on a 45 degree angle when measured from the neighbours rear window this is at a distance of some 8m and purely relates to the last 1m of the rear projection, which primarily consists of the pitched roof. As such it is considered that this would not be unduly detrimental to the residents of the neighbouring site with regards to a loss of light or outlook.

The revised plans have resulted in a number of first floor windows directly facing towards the Willows. Whilst the four in the front section of the building would only overlook the roof of this neighbour the three windows within the first floor of the rear projection would directly overlook the neighbour's rear amenity space. Although no objection has been received from the neighbour on these grounds (they have objected but only due to concerns about subsidence and since they consider the proposal to be an overdevelopment of the site) it is clear that this would cause greater overlooking than the existing situation. Whilst not an ideal situation, in order to overcome this issue a specifically worded condition could be imposed with regards to these particular windows requiring them to be obscure glazed up to a height of 1.7m and only to be hung from the eastern side (the left hand side when viewed from inside the room). This would ensure that opening windows can be installed within these rooms, however the obscure glazed windows themselves would act as a screen once opened to protect against any occupants of the room having direct views towards Willows. As such the impact from these windows would be no greater than would occur from first floor windows being installed within the rear elevation of the existing dwelling, which could be undertaken without the need for planning consent.

Despite the overall number of flank dormer windows on the northern elevation it is considered that, due to the location of the property and distance between the proposal and the property to the north, there would not be any excessive loss of privacy as a result of the development.

Concern has been raised with regards to the relocated bin store and any potential odour or vermin nuisance as a result of this. It is not uncommon to have external bin storage areas such as this in flatted developments and the bins would be fully enclosed, which would assist in reducing any potential nuisance. As such it is not considered that the bin storage would cause any significance harm to the amenities of surrounding residents.

An area of communal amenity space would be located at the western end of the site and small soft landscaping areas would be provided along the southern side of the site. The entire front garden adjacent to St Leonards Road would also be retained as amenity space. It is considered in this instance that the level of shared amenity space proposed is satisfactory.

#### Car Parking:

The application proposes an underground car park that would provide eight off-street parking spaces, three of which would be disabled spaces. The Essex County Council Vehicle Parking Standards (2009) recommends a minimum of ten off-street parking spaces, which includes two visitor parking spaces. Whilst this proposal falls short of the required level of car parking provision it is supported by a legal agreement ensuring that the three ground floor flats would be occupied by Registered Disabled Persons and their families. It is accepted that lesser car parking provision can be provided for purpose built disabled accommodation since it is common for there to be less car ownership amongst Registered Disabled Persons. As such, in this particular instance it is considered that eight off-street parking spaces would be sufficient.

Whilst the submitted plans indicate the provision of three disabled bays on the highway these cannot be considered as part of this application since they would need to be secured through legislation outside of planning.

#### Highway safety:

The underground car park of the proposed development would be served by a new vehicle access from Tatsfield Avenue. Whilst concerns have been raised by neighbours, and initially an objection was received from Essex County Council Highways, sufficient additional information has been provided to show that the new vehicle access would not be detrimental to highway safety or the free flow of traffic on Tatsfield Avenue, despite its proximity to the junction. As such ECC have withdrawn their objection to the proposed access.

### Flood risk:

The site lies within an EFDC flood risk assessment zone and is of a size where it is necessary to avoid generating additional runoff and where the opportunity of new development should be taken to improve existing surface water runoff. As such a Flood Risk Assessment (FRA) is required, which can be dealt with by condition.

The applicant is proposing to dispose of surface water by soakaway, however the geology of the area is predominantly clay and infiltration drainage may not be suitable for the site. Further details are therefore required, which can be sought by way of a condition.

The proposed development includes a large underground car park. In certain soil conditions, particularly in areas with known springs, subterranean development can impact on groundwater flows and levels. This form of development has been known to block or redirect natural groundwater flows, causing subsidence, instability, saturation and/or flooding where this was not previously occurring. These matters are dealt with under separate legislation and therefore are not part of the planning considerations, however it should be highlighted to the applicant that any such effects on neighbouring property and structures may result in civil litigation and therefore it is recommended the hydrological and flooding implications of your proposed development are thoroughly investigated.

### Landscaping:

The site benefits from a substantial hedge along the side boundary adjacent to Tatsfield Avenue, however there is little other noteworthy landscaping on the site. It is proposed to retain the majority of the existing hedge and to install additional landscaping within the front of the site. Whilst this would assist in the screening and softening of the proposed development it would not be sufficient enough to outweigh the harm as stated above.

### Other considerations:

#### *Disabled accommodation:*

One of the factors in favour of the proposed development is that the three ground floor flats would be provided for disabled occupants who reside within a five mile radius of the site, and a legal agreement has been submitted to secure this (although at the time of writing the report this the legal agreement had not been signed). A copy of the draft consultation on proposed changes to the national planning policy titled 'Equality Statement' (December 2015) has been submitted by the applicant and it is stated within the submitted design and access statement that "*a fundamental part of this application is that the ground floor flats will be designed to a full mobility standard and reserved solely for the occupation by disabled persons with families. There are no purpose-built facilities such as these in Nazeing, and the development will fulfil a local need*".

Whilst no evidence has been provided to back up the above claim, and two of the proposed three 'disabled' flats are one bed and therefore would be unlikely to cater for "*disabled persons with families*", the application benefits from the support of the Parish Council on the basis that the three ground floor flats would be provided for local disabled occupants. This suggests that there is a requirement within the local area for such development and as such this matter is given significant weight in favour of the development.

#### *Waste:*

A refuse storage facility is proposed within the western part of the site, which is considered by the Council Waste Services section to be an acceptable location. No elevational details have been

submitted with regards to the means of enclosure of this store, however this matter can be dealt with by condition.

*Impact on LVRP:*

The LVRPA have been consulted on the proposed development and whilst they consider the scheme to “*represent an over development of the plot*” they conclude that “*it has minimal impact on the amenity of the Regional Park*”.

*Disruption during construction:*

The disruption and disturbance suffered due to construction works are not material planning considerations since any harm would be short lived. Nonetheless, due to the residential nature of the area conditions to mitigate any potential harm could be imposed in order to control and reduce the disturbance and disruption caused.

**Conclusion**

Whilst the site is not considered to be particularly sustainable the principle of additional development on this previously developed site would nonetheless be considered acceptable. Furthermore the provision of disabled accommodation weighs in favour of the development.

The revised design and layout of the proposed development has overcome previous concerns and it is now considered that the proposal would not be unduly detrimental to the character and appearance of the street scene. Subject to a condition regarding obscure glazing and eastern hung windows within the southern first floor elevation of the rear projection there would be no excessive loss of amenity to surrounding residents and, due to the restriction on the occupation of the ground floor flats, the level of parking provision is considered to be acceptable.

There are no highway safety issues that would result from the proposed vehicle access and adequate screening and landscaping can be retained/provided on site. Therefore, subject to a number of conditions and the signing of the Unilateral Undertaking, the proposed development would comply with the guidance contained within the National Planning Policy Framework and the relevant Local Plan policies and is therefore recommended for approval.

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

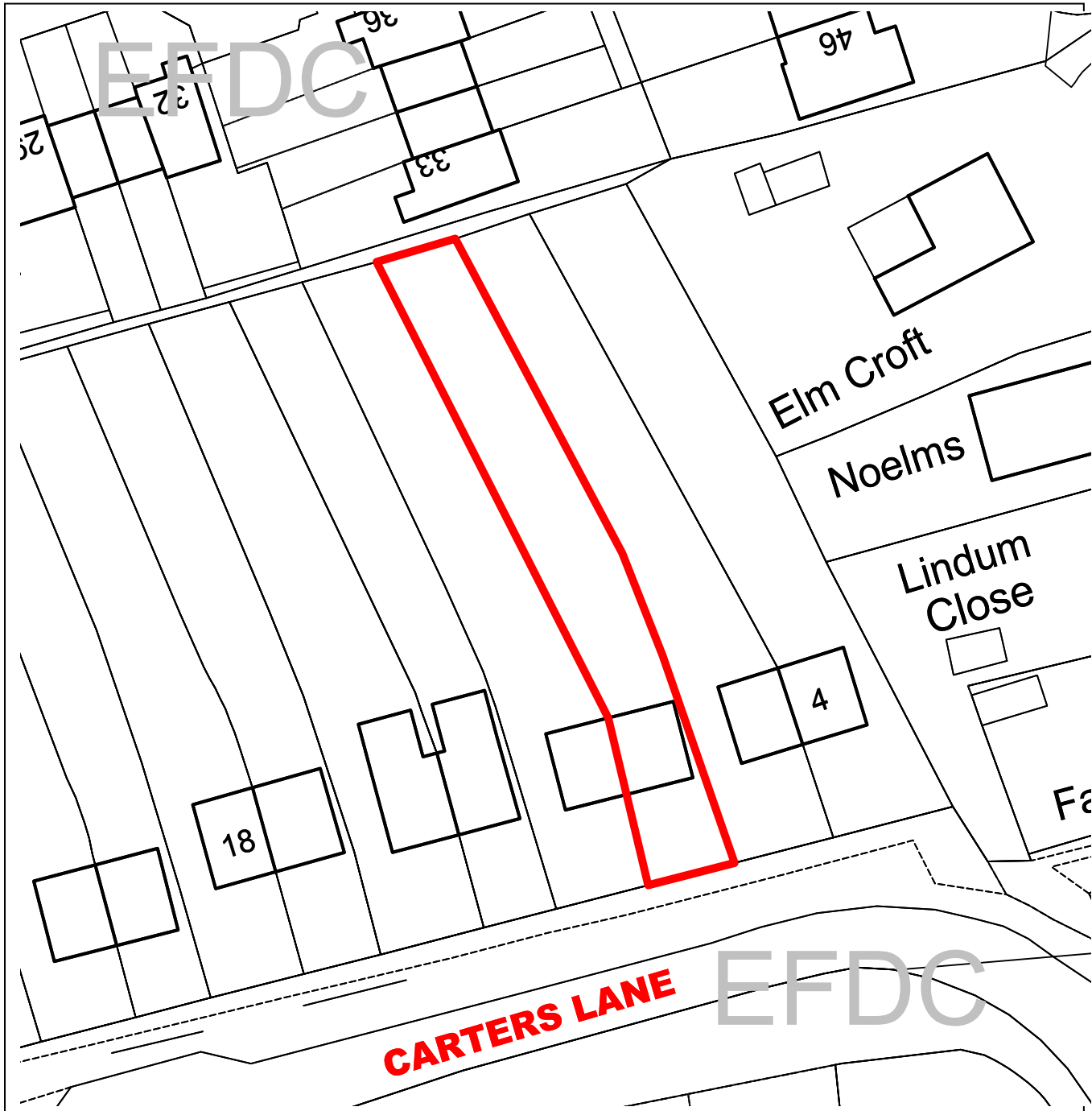
***Planning Application Case Officer: Graham Courtney  
Direct Line Telephone Number: 01992 564228***

***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***



# Epping Forest District Council

## Agenda Item Number 2



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Application Number:	EPF/0067/16
Site Name:	8 Carters Lane, Epping Green, Epping, CM16 6QJ
Scale of Plot:	1/1250

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/0067/16
<b>SITE ADDRESS:</b>	8 Carters Lane Epping Green Epping Essex CM16 6QJ
<b>PARISH:</b>	Epping Upland
<b>WARD:</b>	Broadley Common, Epping Upland and Nazeing
<b>APPLICANT:</b>	Mrs Clair Finch
<b>DESCRIPTION OF PROPOSAL:</b>	Ground floor front, side and rear extension. Hip to gable loft conversion with dormer.
<b>RECOMMENDED DECISION:</b>	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=581876](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=581876)

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

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

## **Description of site**

Carters Lane is located within the small settlement of Epping Green. The existing building is a semi detached two storey dwelling situated within a long plot, which mirrors that of the adjacent neighbours. The application site is not located within the boundaries of the Metropolitan Green Belt and it is not in a conservation area.

## **Description of proposal**

The proposed development is for a ground floor front, side and rear extension. Hip to gable loft conversion with dormer.

For Information:

The Block Plan and drawings 100/57 RM0 and 101/57 RM1 show the attached neighbours extensions which indicate that the works have been carried out. This is not the case. Only the works altering the roof from a hip end to a gable end and the rear dormer window have been undertaken. However as the works do not form part of this application and are not within the submitted red line of the application site revised drawings are not required.

## **Relevant History**

EPF/1234/15 - Erection of a two storey rear extension and single storey front extension – Withdrawn

6 Carters Lane – EPF/1593/15 - Proposed hip to gable roof extension, with rear dormer window, single storey side extension and single storey rear extension – Approved 21/01/16

10 Carters Lane – EPF/2430/14 - Ground floor, front, side and rear extension and a hip to gable loft conversion – Approved 04/12/14

## **Policies Applied**

CP2 – Protecting the Quality of the Rural and Built Environment

DBE9 – Loss of Amenity

DBE10 – Design of residential extensions

ST4 – Road Safety

ST6 – Vehicle Parking

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

## **Consultation carried out and summary of representations received**

Epping Upland Parish Council – OBJECTION:

- Overdevelopment of the site
- Inappropriate in its setting
- Effect on parking: insufficient provision for parking in an area where are already parking issues not least due to the school
- No provision for refuse/recycling bin due to extensions to boundaries
- Potential terracing effect



7 neighbours consulted – No objections received

### **Issues and considerations**

The main issues to consider when assessing this application are the potential impacts on the living conditions of the neighbours, the character and appearance of the proposal in relation to the existing building and its setting and any parking issues.

#### *Living Conditions*

The proposed rear extension will be set on the shared boundary with no.10 and will project 6m from the existing rear elevation and will have a height of 3.3m. The depth and height mirrors that approved at the attached neighbour. The neighbour at No.10 has confirmed in an email to Officers dated 03.03.2016 that work on their ground floor rear extension is due to take place this April.

The application dwelling has a very long garden (some 40m long). As a result the attractive open outlook to the rear that 10 Carters Lane currently enjoys will not be compromised by the extension given its reasonable height and projection.

Furthermore, weight must be given to the fact that planning permission has already been granted for a 6m deep single storey rear extension as part of the neighbour's wider scheme, which has partly been started in the form of the loft conversion.

The rear extension is set away from the shared boundary with the detached neighbour at 6 Carters Lane and as a result will not cause any harm to their living conditions.

The side extension will be set against the side elevation of no.8 and will then project approximately 3m past its front elevation. Given that the extension is single storey and the net projection is not excessive, there will be no significant loss of light to the neighbour and it will not appear overbearing. The side extension mirrors that approved at both 6 and 10 Carters Lane.

The front extension will project approximately 2m from the existing front elevation and will be set on the shared boundary with no. 6. It is single storey height and given its modest depth would not cause any significant harm to their living conditions. The front extension mirrors that approved at both 6 and 10 Carters Lane.

The hip to gable roof extension will not cause any harm to neighbours.

Rear dormer windows are generally accepted forms of residential development. Indeed the majority of rear dormers are permitted development and as a result the Government views them as developments which do not cause excessive harm to the living conditions of neighbours. The application property has full permitted development rights and therefore a rear dormer window could be built without planning permission. Nevertheless planning permission has been sought as it forms part of the wider application and in this case it would have no additional impact on the privacy of neighbours over and above the existing situation.

The proposal would comply with policy DBE9 of the adopted Local Plan (1998) and Alterations (2006).

#### *Character and Appearance*

The rear extension will not be visible from public areas of the street scene but is conventionally designed and will therefore not cause any harm to its character or appearance.

The side and front extensions are considered acceptable and would not appear overly prominent in the street scene. Furthermore front extensions are not uncommon along Carters Lane and as a result it will not appear discordant within the street scene.

The rear dormer window although large will be on the rear elevation of the property and therefore will not cause any harm to the character or appearance of the street scene. The hip to gable roof extension is a common residential feature and will not cause any visual harm.

The proposal is almost identical in terms of design to those approved at 6 and 10 Carters Lane.

The proposal would comply with policies CP2 and DBE10 of the adopted Local Plan (1998) and Alterations (2006).

#### *Parking considerations*

The front extension will leave approximately 5m from the edge of the public carriageway for the parking of cars, which is sufficient space for off street parking and consequently there will be no harm to the existing parking arrangements. In addition this depth had been retained at the approved schemes at Nos 6 and 10 Carters Lane.

The proposal would comply with policy ST4 and ST6 of the adopted Local Plan (1998) and Alterations (2006).

#### *Response to Parish Council Objections*

*Overdevelopment of the site:* The extensions are single storey and the works to the roof can be undertaken without the need for planning permission. The impact of the works on the character and appearance of the host dwelling and surrounding area has been covered above and is considered acceptable. The resultant dwelling will not appear cramped on the plot. The proposal is almost identical to those approved at the adjoining neighbours

*Inappropriate in its setting:* The street is residential and extensions are commonplace within residential areas. The works proposed are considered appropriate

*Effect on parking:* The proposal would retain off street parking and there are no on-street parking restrictions. The depth retained matches the approved schemes.

*Refuse/recycling bin:* Bins can be accommodated on site whilst still retaining adequate space for the parking of vehicles. Again the same amount of space is shown on the neighbouring proposals

*Potential terracing effect:* The side extension is single storey and the hip to gable extension does not bring the house closer to the boundary being still set approximately 1.7m off it.

#### **Conclusion**

The extension will not harm the living conditions of the neighbours, the design is acceptable and parking is retained. The objections have been considered. The scheme is almost identical to the recent permissions at 6 and 8 Carters Lane. The development is considered to comply with relevant National and Local Plan policies.

Therefore it is recommended that planning permission is granted.

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

**Planning Application Case Officer: Steve Andrews  
Direct Line Telephone Number: 01992 564 337**

**or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)**