

## AREA PLANS SUB-COMMITTEE SOUTH

27 June 2018

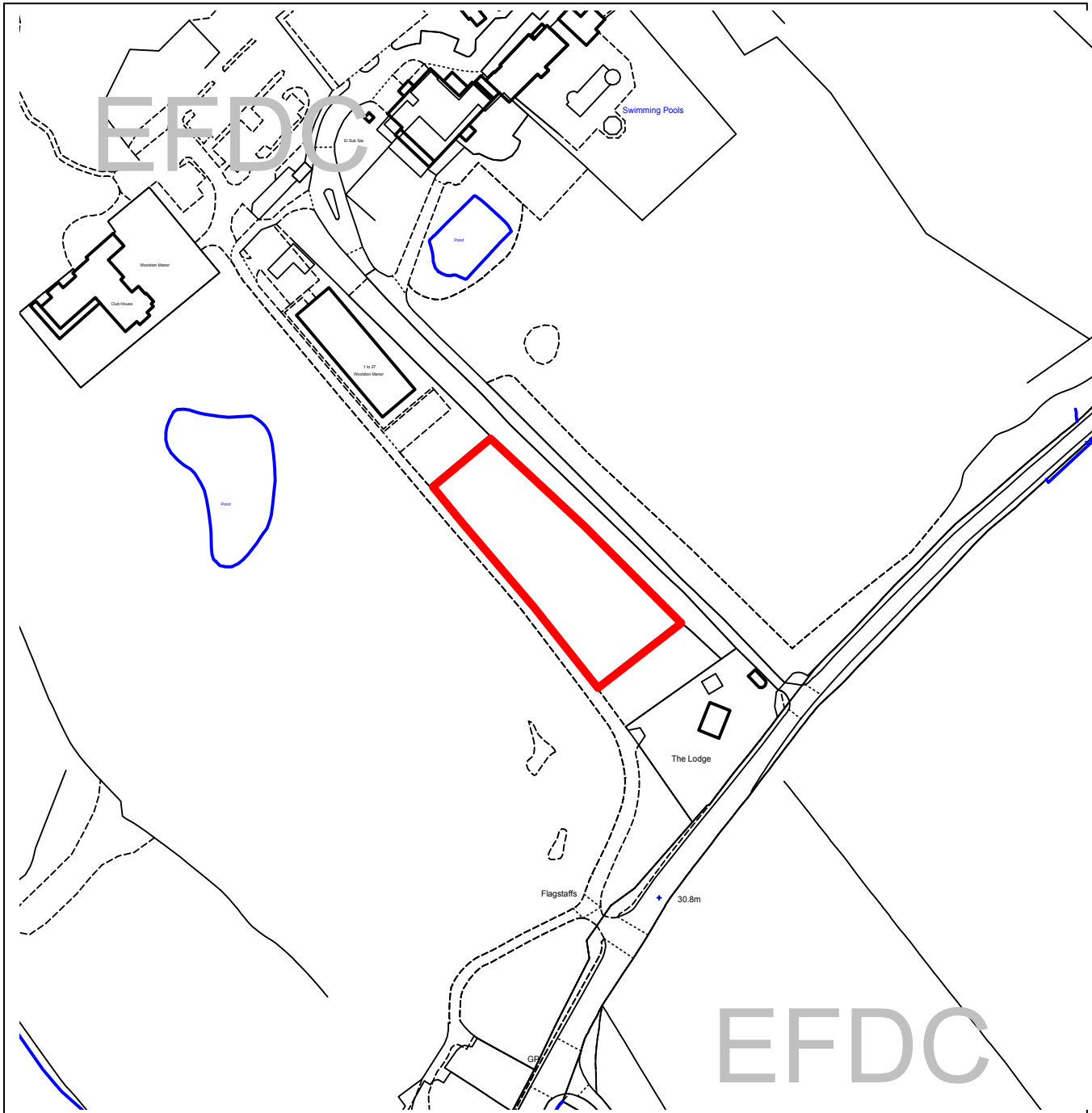
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# Epping Forest District Council

## Agenda Item Number 1



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Application Number:	EPF/0637/18
Site Name:	The Lodge Woolston Hall, Abridge Road, Chigwell, IG7 6BX
Scale of Plot:	1/1250

**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/0637/18
<b>SITE ADDRESS:</b>	The Lodge Woolston Hall Abridge Road Chigwell Essex IG7 6BX
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Chigwell Village
<b>APPLICANT:</b>	Landvest Ltd
<b>DESCRIPTION OF PROPOSAL:</b>	Residential infill comprising 12 no. residential dwelling houses with associated off-street parking, garden space and external landscaping.
<b>RECOMMENDED DECISION:</b>	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=606596](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=606596)

**REASON FOR REFUSAL**

- 1 The proposed development constitutes inappropriate development detrimental to a fundamental aim of the Green Belt to safeguard the countryside from encroachment. The proposal would have a materially detrimental impact on the openness of the Green Belt contrary to the purposes of including the land in the Green Belt and does not meet any exception to the principle of Green Belt policy. The change of use of landscaped area to housing would be detrimental to visual amenity due to its urbanising effect and would unduly diminish the rural character and openness of the landscape. There are no very special circumstances that outweigh the harm from the development. The proposal is contrary to Policies GB2A; GB7A; CP2 (i), (ii), (iv), and (v); DBE4 (i); and LL1(i), LL2 (i) and (ii) of the adopted Local Plan and Alterations; Policies SP 6 and DM 4 of the Epping Forest District Local Plan Submission Version (2017); and, the provisions of the National Planning Policy Framework.
- 2 The proposal would fail to provide any on site Affordable Housing, contrary to Policies H5A, H6A, H7A and H8A of the adopted Local Plan and Alterations; Policies H1 D. and H2 of the Epping Forest District Local Plan Submission Version (2017); and, the provisions of the National Planning Policy Framework, particularly at paragraph 50.
- 3 The proposal is not within a sustainable location and would therefore result in a development heavily reliant on private motor vehicles. As such the proposal does

not sufficiently meet the measures identified in policy regarding sustainable development, in particular with regard to policies CP1 (v), and CP6 (iii) of the Epping Forest District Local Plan and Alterations (2006); policy T 1 B. of the Epping Forest District Local Plan Submission Version (2017); and, the provisions of the National Planning Policy Framework, particularly at paragraph 95.

*This application is before this Committee since it has been 'called in' by Councillor Brian Sandler (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)*

### **Description of Site:**

The site is an open parcel of land to the northwest of The Lodge. The southwestern boundary is an access road to Woolston Manor. The north-eastern boundary is an avenue leading to a leisure complex. To the northwest of the site is a building, a former motel, accommodating flats. The site is off the highway of Abridge Road, between the village of Abridge, to the northeast, and Chigwell, to the southwest.

The site is within the Green Belt.

Trees along the avenue to the northeast are the subject of Tree Preservation Orders. The Lodge is a locally listed building. The northernmost boundary of the site is some 120m from a Listed Building.

### **Description of Proposal:**

Residential infill comprising 12 no. residential dwelling houses with associated off-street parking, garden space and external landscaping.

The houses would be laid out in four terraces each of three houses. The terraces would run north/south, parallel with and facing the vehicular access to Woolston Hall. Each terrace would have its own appearance of though with an overall unity of design to all four. All the houses would have three storeys, an integral garage and four bedrooms.

The site would include an area of communal open space at the southernmost end of the site.

### **Relevant History:**

EPF/1390/17 - Residential infill comprising 12 no. residential dwelling houses with associated off-street parking, garden space and external landscaping – Withdrawn 04/12/2017  
*The application was considered by the Area Plans South Sub-Committee on 27<sup>th</sup> September 2017. The application was referred up to the District Development Management Committee to decide having regard to a validated viability assessment demonstrating what an appropriate contribution (related to Affordable Housing) could be, and Officers' recommendation (of refusal). The application was considered by the District Development Management Committee on 29<sup>th</sup> November when a decision was made that the application be referred to full Council with Officer recommendation for planning permission to be refused. The application was withdrawn by the applicant before the meeting of full Council took place.*

The site forms part of land put forward by developers in the "call for sites", reference SR-0492, in connection with the preparation of the draft local plan. The site formed part of the proposal for a Roding Garden Village on the wider extent of golf club land. However, the site was not allocated as a potential development site in the Draft Plan.

## **Policies Applied:**

### *Adopted Local Plan:*

CP1	Achieving Sustainable Development Objectives
CP2	Protecting the quality of the rural and built environment
CP3	New Development
CP4	Energy Conservation
CP5	Sustainable Building
CP6	Achieving Sustainable Urban Development Patterns
CP9	Sustainable Transport
GB2A	Development in the Green Belt
GB7A	Conspicuous Development
HC12	Development Affecting the Setting of Listed Buildings
HC13A	Local List of Buildings
H2A	Previously Developed Land
H3A	Housing Density
H4A	Dwelling Mix
H5A	Provision for Affordable Housing
H6A	Site Thresholds for Affordable Housing
H7A	Levels of Affordable Housing
H8A	Availability of Affordable Housing in Perpetuity
H9A	Lifetime Homes
DBE1	Design of New Buildings
DBE2	Effect on Neighbouring Properties
DBE4	Design in the Green Belt
DBE6	Car Parking in New Development
DBE8	Private Amenity Space
DBE9	Loss of Amenity
LL1	Rural Landscape
LL2	Inappropriate Rural Development
LL10	Adequacy of Provision for Landscape Retention
LL11	Landscaping Schemes
ST1	Location of Development
ST2	Accessibility of Development
ST4	Road Safety
ST6	Vehicle Parking
I1A	Planning Obligations

Essex County Council Revised Parking Standards 2009 SPG

Epping Forest District Council – Waste and Recycling provisions for new residential & business developments, Good practice guide for developers.

Chigwell Neighbourhood Plan 2018-2033, Submission Plan, March 2018

### *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.

*Epping Forest District Local Plan (Submission Version) 2017:*

The Epping Forest District Local Plan (Submission Version) 2017 has been approved for publication and is the Plan the Council intends to submit for independent examination. The policies in the Plan are considered to be up to date and accord with national policy and therefore should be given substantial weight in the consideration of planning applications in accordance with the Council's decision on 14 December 2017 and paragraph 217 of the NPPF. The policies and the Plan are supported by up to date and robust evidence – the evidence should also be treated as a material consideration. The relevant policies in the context of the proposed development are:

SP 1	Presumption in Favour of Sustainable Development
SP 2	Spatial Development Strategy 2011-2033
SP 3	Place Shaping
SP 6	Green Belt and District Open Land
SP 7	The Natural Environment, Landscape Character and Green and Blue Infrastructure
H 1	Housing Mix and Accommodation Types
H 2	Affordable Housing
T 1	Sustainable Transport Choices
DM 1	Habitat Protection and Improving Biodiversity
DM 2	Epping Forest SAC and Lee Valley SPA
DM 3	Landscape Character, Ancient Landscapes and Geodiversity
DM 4	Green Belt
DM 5	Green and Blue Infrastructure
DM 6	Designated and Undesignated Open Spaces
DM 7	Heritage Assets
DM 9	High Quality Design
DM 10	Housing Design and Quality
DM 11	Waste Recycling Facilities in New Development
DM 15	Managing and Reducing Flood Risk
DM 16	Sustainable Drainage Systems
DM 18	On Site Management and Reuse of Waste Water and Water Supply
DM 19	Sustainable Water Use
DM 21	Local Environmental Impacts, Pollution and Land Contamination
DM 22	Air Quality
D 1	Delivery of Infrastructure
D 3	Utilities
D 5	Communications Infrastructure
D 6	Neighbourhood Planning

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

Number of neighbours consulted: 29  
Site notice posted: 10/04/2018

Responses received:

1 WOOLSTON MANOR – Object, inadequate infrastructure, construction process would cause disruption, noise disturbance, over crowding, over development, out of character with the area, overlooking.

2 WOOLSTON MANOR – Object, noise and other disturbance, significant disruption to our local living environment whilst a development project runs its course, traffic generation would impact of public safety.

6 WOOLSTON MANOR – Object, increased traffic would cause noise/ air pollution, would generate traffic to beyond a safe and acceptable level, construction process would cause disruption.

19 WOOLSTON MANOR – Object, inadequate infrastructure, construction process would disrupt access and traffic, will add to blockage issues with water supply and sewerage, would add to inadequacy of broad band connectivity.

26 WOOLSTON MANOR – Object, drainage and sewage system is clearly at its limits, road system cannot deal safely with the additional traffic, adverse impact on general aesthetics, inadequate connection to communications.

CHIGWELL PARISH COUNCIL: No objection

NATIONAL GRID: No objection.

ECC Archaeology: Recommend a condition to secure the implementation of a programme of archaeological work to any planning permission.

Thames Water: No objection.

### **Main Issues and Considerations:**

The main issue with this proposal is considered to be Green Belt policy. Other considerations are Affordable Housing, strategic implication to the Submission Version of the Local Plan, affect to the setting within the landscape, sustainability, the quality of the design in terms of appearance, highway matters, any affect to heritage assets, any impact to neighbours, and whether the proposal would offer adequate amenity to future occupiers.

Matters which are not considerations are planning obligations (notwithstanding Affordable Housing) since the circumstances are not appropriate for the securing of community benefits.

A financial contribution for Affordable Housing of £1,624,533 is offered by the applicant. This figure has been verified by a consultant acting for the Council, Kift Consulting Limited. However, no legal agreement has been submitted as part of this application to date. Policy 11A requires that, in appropriate circumstances, a legal agreement is in place prior to the grant of a planning permission.

### **Green Belt**

The application site is within the Green Belt. Impact on the openness of the Metropolitan Green Belt is considered to be the main issue. The NPPF states, at paragraph 79, that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

The proposal would replace open land with the built form of four terraces of houses. The proposal is therefore fundamentally contrary to Green Belt policy.

However, the applicant's agent makes the argument that there are very special circumstances such that the proposal would not be inappropriate in the Green Belt. The circumstances are summarised at page 3 of the planning statement submitted as part of the application documentation.

Within the application the argument is made that the site is former garden land of The Lodge and therefore should be considered to be brownfield land. However, based on a site visit the site certainly does not have the character of previously developed land. The site is simply an area of short, but not mown, grass. The site appears to be part of the general landscaping leading to a golf club and similar leisure uses located further beyond Abridge Road. Furthermore, even if the site were accepted to be brownfield land it would also be necessary for the proposal to have no greater impact on the openness of the Green Belt. An exception to development within the Green Belt

being inappropriate includes limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. However, in this case there would be a greater impact on the openness of the Green Belt; the land is now completely open.

Within the application the argument is made that the site is an infill development between Woolston Manor Lodge and Woolston Manor Apartments. Paragraph 89 of the National Planning Policy Framework sets out exceptions to new buildings being inappropriate in the Green Belt. One such exception is limited infilling in villages. However, the site cannot be described as limited infilling in a village. The site is of a substantial size and is not in a village. The site is situated within an isolated rural location, distinct from the built up area of Chigwell.

In relation to a previous planning application (EPF/1390/17), an opinion was expressed in a draft document by a barrister, who was considering a question regarding Affordable Housing provision, that the application site was situated in a settlement (paragraph 45 refers). Elsewhere in the draft document (paragraph 20) there is a suggestion that the term settlement could include a small village.

It is accepted by officers that the site is not in the open countryside. The surrounding area comprises of a house to the immediate southeast and an apartment block to the immediate northwest, with a golf course to the west and some open shrub land to the east beyond which is the Top Golf driving range. North of the site is a small complex of indoor D2 uses – restaurant, building for function hire, fitness centre, leisure use building which includes the driving range that in turn includes a bar, shop and restaurant. It is otherwise surrounded by open countryside.

Nevertheless, the site could not be described, by any stretch of the imagination, as being limited infilling in a village, as required by bullet point 5 of paragraph 89 of the NPPF in order to be considered an exception to being inappropriate in the Green Belt. No definition of the word limited in this context is provided though it is generally accepted that a single dwelling would, in the relevant context, constitute limited infilling. The proposal is for twelve dwellings. The site is not in a village - though it could be said to be on the edge of or even in a cluster of built forms.

With regard to bullet point 6 of paragraph 89 of the NPPF, the site is not a previously developed site (brownfield land). The land does not appear to have been previously developed and historically formed part of the Woolston Hall Estate. It is now part of the Woolston Manor Golf Club and is set over to grass. Aerial photos and historic maps do not show that this field has at any stage been incorporated into the curtilage of The Lodge, and its use appears to have been farmland / pasture / parkland, and is now green space associated with the golf course. The history of the site has been examined with regard to any ground contamination and the relevant team has commented that records indicate that the site formed part of an undeveloped field.

None of the other bullet points at paragraph 89 are applicable to the application site.

In conclusion with regard to Green Belt policy, the proposal is contrary to policy and no exception to Green Belt policy is applicable in this case.

### *Affordable Housing*

In 2017, the Council adopted its new Housing Strategy that includes a number of policies relating to the delivery of affordable housing. This Housing Strategy was adopted at a meeting of the Council's Cabinet on 12 October 2017, following detailed scrutiny by the Council's Communities Select Committee. A copy of the Housing Strategy 2017 – 2022, which provides further background to these policies can be found here:



Under Policy H2 - Affordable Housing of the Local Plan (Submission Version) 2017, the Council requires 40% of dwellings on new housing developments to be for affordable housing provided on site. Since this proposal proposes 12 dwellings, the applicant would normally need to provide at least 5 of the overall number of homes as affordable housing.

The applicants have offered to make a financial contribution in lieu of affordable housing on site towards provision of affordable housing elsewhere in the District. Policy H2 allows for this only in exceptional circumstances where it is inappropriate to provide the affordable housing on site. The applicant's argument in support of this is that the 4 bed houses have been offered to the Council's Preferred Partner Housing Associations and none has expressed an interest. However, the reason for this is that there is very little need for 4 bed houses from those on the EFDC Housing Register and 4 bed houses would therefore be difficult for housing associations to let.

The applicants have put forward the argument that there is a demand for 4 bed properties in the locality. However, planning applicants are required under Local Plan Submission Version (SV) Policy H1 to justify the mix of new homes taking account of local housing need, backed up by evidence, and to include affordable housing in accordance with Policy H2 as set out above. Therefore the affordable housing must meet local needs, which will mean applicants on the Housing Register. The need in this area is for 1, 2 and 3 bed units; 4 bed units are not required. Therefore, the scheme should be redesigned to meet this need and to provide a reflective mix as required by the Local Plan (SV). At least one of the Council's Preferred Partners would be interested in purchasing the affordable housing but only if the dwellings were to be 3 bed houses or smaller.

The applicant has produced a Financial Viability Appraisal which has concluded that the scheme can make a financial contribution of £1,548,800 and still make a healthy surplus. This figure represents an estimate of the increased development value if affordable housing is not provided on site. This is in line with Local Plan (SV) requirements for calculating affordable housing financial contributions in lieu of on-site affordable housing. The appraisal has been validated by Kift Consulting who have concluded that the appropriate financial contribution should be £1,624,533. The applicant has accepted the findings of Kift Consulting and has increased the offer of a financial contribution to £1,624,533.

Specialist advice on Affordable Housing recommends refusal of this planning application from an affordable housing point of view. This is because it would be viable to provide a 40% affordable housing contribution on site if the proposed development were to be redesigned to incorporate 3 bed affordable houses or smaller. There are no exceptional circumstances to justify providing a financial contribution in lieu of on-site affordable housing.

### Emerging Policy Documents

The site is not allocated for housing use in the Submission Version of the Local Plan nor the Chigwell Neighbourhood Plan Submission Version.

### Impact to neighbours

The flats of Woolston Manor Apartments would have an isolation space from the nearest proposed house of some 16m in the form of a car park to the flats. The Lodge would be orientated to the south of the proposed houses and have an isolation space of nearly 20m in the form of an area of communal open space.

Given the isolation spaces in conjunction with the scale, layout and detailed design of the proposed houses, it is considered that no material adverse impact would result to occupiers of neighbouring properties.

### Sustainability

With regard to sustainable building techniques and energy conservation, no particular feature is apparent. The proposal is contrary to policy CP5.

Furthermore, the proposal is not within a sustainable location and would therefore result in a development heavily reliant on private motor vehicles. Each house would have an integral garage and two parking spaces on a drive leading to the garage. As such the proposal does not sufficiently meet the measures identified in policy regarding sustainable development and would be detrimental to public amenity and contrary to Policies CP1 (v) and CP6 and the provisions of the National Planning Policy Framework, particularly at paragraph 96.

The Epping Forest District Local Plan Submission Version (2017) pursues sustainability through numerous policies, for example those relating to sustainable drainage systems, sustainable water use or air quality. The proposal as currently presented addresses none of these requirements.

### Design and landscape

The terraces and houses within them would have a very good appearance, albeit with a somewhat urban character.

The Trees and Landscaping Team has been consulted on the application. In response an objection is raised on the grounds that the proposal would have a greater visual impact and would unduly diminish the rural character and openness of the landscape and as such would be contrary to policies CP2 (i, ii, iv, v,), LL1 and LL2 of the adopted Local Plan and Alterations and policies SP 7 and DM 3 of the Epping Forest District Local Plan Submission Version (2017).

With regard to tree matters, it is acknowledged that there are no trees within the site, and that the submitted tree reports show that trees the subject of Tree Preservation Orders along the driveway are at sufficient distance that they should not be adversely impacted by the proposal.

However, it is the impact on the openness of the landscape that leads the Trees and Landscaping Team to assert that this site is not appropriate for development. Furthermore, to develop this field would set a perilous precedent for the whole extent of agricultural fields between Chigwell and Abridge -it would compromise the openness of the Green Belt and would not safeguard the countryside from encroachment.

Overall the proposal appears intrusive, inappropriate, and detrimental to the appearance and setting of the locality. This view is supported by the Chris Blandford 'Settlement Edge Landscape Sensitivity Study' (Jan 2010) which concludes that this site provides a –

- 'major' contribution to the openness of the greenbelt
- 'moderate' role in checking the unrestricted sprawl of large built up areas – i.e. the landscape setting provides open land between areas of built development.
- 'major' role in preventing neighbouring towns from merging into one another.
- 'moderate' role in assisting in safeguarding the countryside from encroachment to retain the predominant sense of openness.

### Highway matters

The Highway Authority has no comment to make on this proposal as it is not contrary to the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, and policies ST4 and ST6 of the Local Plan. The Highway Authority comment that the site is well served by the existing access to the Golf Club and the traffic movement from the proposal will be insignificant in highway terms. Consequently the proposal will not be detrimental to highway safety, efficiency or capacity at this location. Notwithstanding this, there is no turning facility within the application site; each dwelling would have vehicular access to parking spaces, one behind the other, directly off an access way just beyond the boundary of the application site.

### Amenity of future occupiers

The proposal would offer a high degree of residential amenity to future occupiers.

### Other matters

The application documentation makes great play of the importance of the provision of a five-year supply of land for housing. The Council's Housing Implementation Strategy, published in December 2017 () explains that, in accordance with paragraph 47 of the NPPF, the Council has identified a supply of specific deliverable sites sufficient to provide five years' worth of housing against the housing requirements in the LPSV. On 14 December 2017, at an Extraordinary Full Council meeting, Members approved the Local Plan Submission Version (LPSV) for publication under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) ("the 2012 Regulations") and for submission to the Secretary of State for independent examination under section 20 of the PCPA 2004. The LPSV comprises a series of up-to-date strategic and development management policies for the District, together with site allocations. It sets out the strategy for meeting the District's objectively assessed needs for housing, employment and infrastructure from 2011 up to 2033. The LPSV is based on up-to-date evidence and the results of the previous Local Plan consultations undertaken in 2010/11, 2012, and 2016. Once adopted, the Plan will form part of the statutory development plan for the District and will replace the saved policies of the adopted Local Plan (1998) and Alterations (2006). Any approval of the application proposal, which is a "major" application for more than ten dwellings, could prejudice the delivery of the emerging allocations. Given the substantial and extensive up-to-date evidence and site selection work which underpins the housing allocations in the LPSV, officers generally advise against any support for proposals for development outside of settlement boundaries which are not part of the LPSV allocations, or which are not in accordance with the Local Plan Rural Exceptions policy with respect to housing, or which do not comply with national and local policies concerning Green Belt and brownfield land. Larger scale developments within settlement boundaries which come forward on sites which are not allocated will be assessed against national, adopted Local Plan, and LPSV policies; consideration will be given as to whether the proposal would in any way prejudice the implementation of site allocations within the LPSV.

No objection is raised with regard to ecological matters, subject to conditions to any planning permission addressing an enhancement scheme, protection of nesting birds, retaining the current ecological value until development commences and a bat survey if there were to be any change to trees on the eastern boundary.

As set out in Policy DM 2 and DM 22 of the emerging Local Plan, issues have been identified with respect to the effect of development on the integrity of the SAC as a result of increased visitor pressure arising from new residential development, and from relatively poor local air quality alongside the roads that traverse the SAC. The Council is currently developing with partners an interim strategy for the management and monitoring of visitor pressures on the SAC. This will include measures to be funded through the securing of financial contributions from new development in accordance with Policy DM 2. Notwithstanding the fact that this work is yet to be completed the applicant would be required to enter into a S106 agreement with the level of

contribution being agreed after the committee. However, this issue is redundant since the recommendation is one of refusal.

A Flood Risk Assessment and a Drainage Strategy has been submitted as part of the application documentation. The application form states, in response to question 12, that surface water will be disposed of by a sustainable drainage system.

Specialist archaeological advice for the previous planning application was that any planning permission should be subject to a condition regarding archaeology.

Gas pipelines are near the site though no objection is raised by the relevant authority.

With regard to heritage assets, the site is considered to be sufficiently distant from them such that there would be no material adverse impact to character.

Comments from local residents suggest that internet access is inadequate in the locality. Policy D 5 A. of the Epping Forest District Local Plan Submission Version (2017) requires applicants for major development proposals to demonstrate how high speed broadband infrastructure will be accommodated.

**Conclusion:**

The proposal is contrary to Green Belt policy; fails to provide required on site Affordable Housing; and, does not represent sustainable development. The proposal is contrary to policy set out in both the adopted Local Plan and the Submission Version and would be detrimental to public amenity by virtue of failing to use natural resources prudently and failing to mitigate and adapt to climate change; the proposals would not represent moving to a low carbon economy. Refusal 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: Jonathan Doe  
Direct Line Telephone Number: 01992 564103***

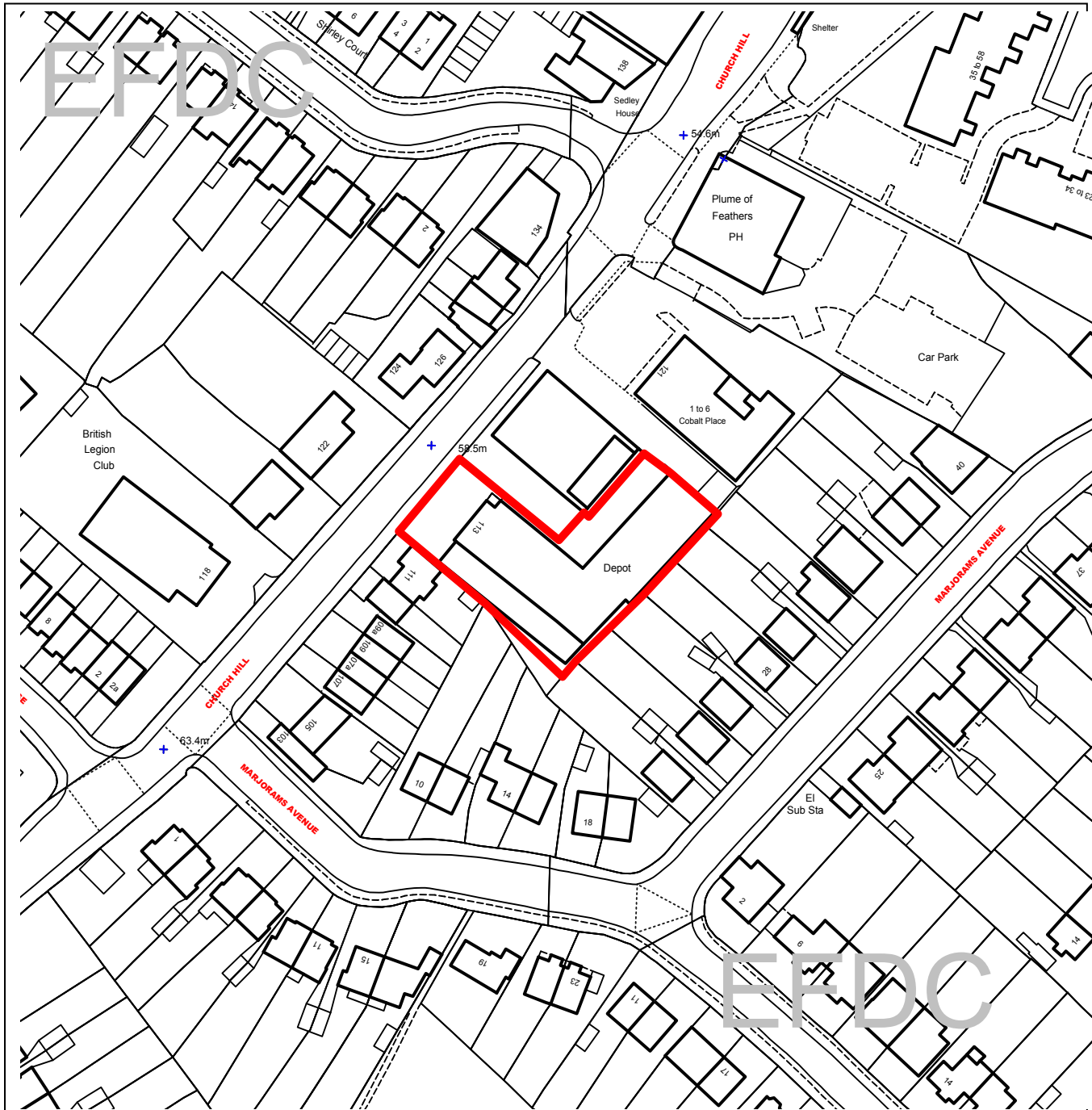
***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***

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# Epping Forest District Council

## Agenda Item Number 2



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Application Number:	EPF/0610/18
Site Name:	113 Church Hill, Loughton, IG10 1QR
Scale of Plot:	1/1250

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/0610/18
<b>SITE ADDRESS:</b>	113 Church Hill Loughton Essex IG10 1QR
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Johns
<b>APPLICANT:</b>	Mr Healey
<b>DESCRIPTION OF PROPOSAL:</b>	Residential development of 10 apartments with associated parking and external amenity space
<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=606495](http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=606495)

**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 no 17068/PL01A, PL02, PL03B, PL04, PL05, PL06 and PL07.
- 3 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]

- 4 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]
- 5 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.
- 6 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.
- 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.
- 8 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.
- 9 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
  1. The parking of vehicles of site operatives and visitors



2. Loading and unloading of plant and materials
3. Storage of plant and materials used in constructing the development
4. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
5. Measures to control the emission of dust and dirt during construction.
6. A scheme for recycling/disposing of waste resulting from demolition and construction works.

- 10 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to 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; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 11 No construction works above ground level shall take place until documentary and photographic details, including samples where required of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 12 Prior to the commencement of the development other than groundworks, details of all walls, fences gates and other means of enclosure, and including where practical retention of existing boundary walls, shall be submitted to and approved by the Local Planning Authority. The works as agreed shall be fully implemented prior tot first occupation of the development. No further gates or means of enclosure shall thereafter be added without prior consent from the Local Planning Authority.
- 13 Prior to the commencement of development other than groundworks, details of all external lighting to be installed on buildings and within the site shall be submitted to and approved by the Local Planning Authority/ The works as agreed shall be fully implemented prior to first occupation of the development.
- 14 Prior to the commencement of the development other than groundworks, details of the design, including security measures of the cycle store with capacity for a minimum of 10 bicycles shall be submitted to and approved by the Local Planning Authority. The works as agreed shall be fully implemented prior to first occupation of the development and thereafter retained for use by residents of the site.

- 15 All parking spaces and turning areas shall accord with the adopted Essex County Council Revised Parking Standards (2009). Details of measures to secure such compliance shall be submitted to and approved by the Local Planning Authority prior to works to construct any parking area commencing. The works as agreed shall be completed prior to first occupation and thereafter retained for residents parking.
- 16 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.
- 17 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed at the site. The installed cleaning facilities shall be used to clean vehicles wheels immediately before leaving the site.
- 18 Works to manage flood risk shall be carried out strictly in accordance with the flood risk assessment (Curtins, Ref 06088/DS, 20 June 2016) submitted with the application unless otherwise agreed in writing with the Local Planning Authority.
- 19 Prior to first occupation of the development the existing redundant vehicular dropped kerb crossing shall be fully reinstated to full height kerbing and footway.
- 20 Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator.
- 21 Prior to first occupation of Units 7, 8 and 10, privacy screens a minimum of 1.8m high shall be fitted to the south west facing end elevation of balconies to Units 7 and 8 and the terrace to unit 10 as so identified on the approved plan. Such screens shall thereafter be permanently retained and maintained in perpetuity unless otherwise agreed by the Local Planning Authority.
- 22 There shall be no discharge of surface water onto the Highway.
- 23 The rear external amenity area at ground floor shall remain available for use by all residents and shall not be enclosed or sub-divided to limit or prevent access thereto for any resident unless otherwise agreed in writing by the Local Planning Authority.
- 24 Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the carriageway.

- 25 All flat roof areas indicated on the floor plan 17068/PL04 as finished as Sedum Roof areas shall be used only for maintenance and repair access to the building and shall not be used as terraces, balconies or other amenity areas.
- 26 Flank windows at first and second floor in the side elevation of the building facing no.111 Church Hill shall be non-opening and finished in obscure glazing, and shall be permanently retained in that form.
- 27 No meter boxes, vents, grilles or ducting shall be fixed to either the front elevation of the building, or the side elevation closer to the road than the refuse store without the prior written approval of the Local Planning Authority.

**And subject to the completion of an agreement under S106 of the Town and Country Planning Act to secure a financial contribution towards monitoring visitors and to and air quality in the vicinity of the Epping Forest SAC**

*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*
- *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*
- *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: Scheme of Delegation, Appendix 3)*

**Description of Site:**

The application relates to the former milk delivery depot site on the south-east side of Church Hill, comprising around 0.1 ha on an L-shaped plot extending behind the adjoining petrol station. Following previous grant of outline permission for redevelopment and for security reasons, the previous single storey buildings on the site have been demolished and the site made secure.

The site is adjoined on its south-east and south-west sides by residential properties. The site also adjoins a petrol station to the north east, beyond which is the Sainsbury Local store in a three storey building including residential accommodation on the upper floors.

The location of the site on Church Hill means there are significant changes in ground levels, rising to both south and east.

**Description of Proposal:**

The application seeks a new full planning permission for residential development of the site to provide 10 flats within a three storey building. The application is not a reserved matters submission following the previous outline approvals but is reflective thereof.

The proposal seeks permission for a part two storey, part three storey building comprising ten x two bedroom flats, 4 on both ground and first floors and two at second floor. The siting of the

building reflects the outline applications, it aligns at the front with the adjoining house and terminates around 8m from the rear boundary. The second floor is set a minimum of 2 metres at the front and 4 metres from the rear, further set backs are indicated on the side elevations. Terraces and balconies are proposed, at first floor on the side elevation facing the petrol station and at roof level to the front and the same north east side. Other flat roof areas are indicated as sedum roofs with no direct access as amenity decks. A shared amenity area is indicated at the rear.

Main entrance to the building is from the side off the access road and a bin store is adjacent also entered from the access road. Ten parking spaces are provided at the rear together with cycle stores. Pedestrian access is also retained on the south-west side of the building.

The building has a contemporary design with flat roofs to minimise the height. The second floor is set back from the front main wall by 2m and from the rear by 4m. Balconies and terraces are provided to first and second floor flats. Mostly on the north west side elevation and at the front at roof level; ground floor units are provided with individual ground level terraces at front and rear. Materials are indicated primarily as brick and at roof level zinc cladding with detail elements of timber boarding.

### **Relevant History:**

EPF/1845/14 Part demolition and part retention of existing building to provide a convenience foodstore (A1 use) (344 sq m gross), the provision of 12 car parking spaces and a dedicated delivery bay. The installation of an ATM within the shopfront. The application was approved, but not implemented due to the nearby Sainsbury development which was allowed on appeal

EPF/1741/16 Outline application for residential development of three storey building comprising 10 no. apartments with details of access. The application was initially refused for three reasons, however two of these relating to parking, highway obstruction from refuse vehicles and visibility splays were later withdrawn in advance of an appeal which proceeded on the grounds that a three storey building was considered to relate poorly to the neighbouring house, would appear over-dominant in the street scene. The appeal against this refusal was successful, and is discussed further below.

EPF/0862/17 Outline application for residential development with details of access, this revised scheme again proposed 10 units but illustrative material indicated a two storey building only. This application was approved.

### **Policies Applied:**

#### *Adopted Local Plan:*

CP1	Achieving sustainable development objectives
CP2	Quality of Rural and Built Environment
CP3	New development
CP4	Energy conservation
CP5	Sustainable building
CP6	Achieving sustainable urban development patterns
CP7	Urban Form and Quality
HC5	Epping Forest
NC1	SPA's, SAC's and SSSI's
RP4	Contaminated land
RP5A	Adverse environmental impacts
H2A	Previously developed land

H3A	Housing density
H4A	Dwelling mix
U3B	Sustainable drainage systems
DBE1	Design of new buildings
DBE2	Effect on neighbouring properties
DBE3	Design in urban areas
DBE6	Car parking in new development
DBE8	Private amenity space
DBE9	Loss of Amenity
LL11	Landscaping schemes
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.

*Draft Local Plan:*

The Epping Forest District Local Plan (Submission Version) 2017 has been approved for publication and is the Plan the Council intend to submit for independent examination. The policies in the Plan are considered to be up to date and accord with national policy and therefore should be given substantial weight in the consideration of planning applications in accordance with the Council's decision on 14 December 2017 and paragraph 217 of the NPPF. The policies and the Plan are supported by up to date and robust evidence – the evidence should also be treated as a material consideration. The relevant policies in the context of the proposed development are:

SP1	Presumption in favour of sustainable development
SP2	Spatial Development Strategy 2011-2033
SP7	The Natural Environment, Landscape Character and Green Infrastructure
H1	Housing Mix and Accommodation Types
T1	Sustainable Transport choices
DM2	Epping Forest SAC and Lee Valley SPA
DM5	Green Infrastructure: Design of Development
DM9	High Quality Design
DM10	Housing Design & Quality
DM16	Sustainable Drainage Systems
DM21	Local environmental impacts, pollution and land contamination
DM22	Air quality

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

Number of neighbours consulted: 48

Site notice posted: 22 March 2018

Responses received: Six objections have been received, from properties 111 CHURCH HILL, and 12, 14, 22 and 26 MARJORAMS AVENUE, and from the LOUGHTON RESIDENTS ASSOCIATION PLANS GROUP. Neighbour objectors raise specific and general issues:

12 Marjorams Avenue – concerned at security risks from removal of boundary walls and argues that at three storey the building is of inappropriate scale. Comment – boundary treatments will be subject to condition if the application is approved, most of the existing boundary walls are shown as being retained and capped, but this will be subject to further assessment for structural integrity.

14 Marjorams Avenue – raise similar issues around boundary security and seek controls over working hours and landscape treatments. Comment – all these matters can be dealt with by condition.

22 Marjorams Avenue – wish to see previous conditions imposed at outline stage included in any new consent to prevent the flat roof areas being used as amenity decks. Comment – A condition to that effect is recommended.

26 Marjorams Avenue – concerned at overlooking from balconies /terraces and boundary issues. Comment – all boundaries are similarly impacted as above. The overlooking issue is discussed below.

111 Church Hill – concerned at overlooking from side windows, general impact of the mass of the upper floor and siting of any bins adjacent to the shared boundary. Comment – two windows are indicated at first and second floors facing the garden, these serve hallways and bathrooms and can be conditioned to be obscure glazed and non-opening. Issues and scale and bulk and considered below. The bin sores were shown on an early version of the scheme abutting the neighbour but are shown on the other side of the building in the application.

LRAPG – The LRA (Plans Group) object to the development, arguing that one parking space per unit is inadequate in the context of highway safety in the location. They do not object to a two storey development with less flats and a more appropriate parking provision. If minded to approve, conditions are recommended on landscaping, working hours and wheel washing.

LOUGHTON TOWN COUNCIL: - OBJECT to the application, commenting as under:

*The proposal was an overdevelopment and three storeys were considered too high. The number of proposed dwellings was excessive for this site and parking provision was inadequate.*

*Members commented it was of poor design and out of keeping with properties in this area, having a detrimental effect on the street scene, contrary to policies CP2(iv), CP7 and DBE1 of the Local Plan and Alterations and the provisions of the National Planning Policy Framework.*

### **Main Issues and Considerations:**

In considering the application, Members must firstly have due regard to what is established by the two previous outline applications.

Taking the second application (EPF/0862/17), the Area Sub-Committee approved this application for 10 units and it was clear from both report and illustrative plans that 10 parking spaces were proposed. The Highway Authority continue to support the one space per unit provision. Thus, the number of units and level of parking have been clearly established.

In regards the three storey element, the Inspector commented '*in view of the wide range of building types in the area, I am not persuaded that a three storey building on the appeal site would be unacceptable in principle*'.

The development is designed in a contemporary style with flat roofs and the upper floor set back, all to seek to reduce potential impact from bulk. The building has had some regard to the previous illustrative scheme which the Inspector felt was too large, by increasing the set back of the front element upper floor particularly from the adjoining house to create a clearer and more distinctive separation, reducing the mass of the roof floor in terms of the upward projection and introducing more contrast in finishes.

The building must be considered in its particular context; the architectural form is similar to that used on the Sainsbury local store (three floors with the upper floor set back), the canopy to the petrol station screens much of the side elevation, and the rising levels to the south mean the main frontage element of the building is subordinate to the large gables on the adjoining house, and the noticeably taller terrace of houses beyond with the high pitched roofs and front dormer windows.

Officers consider that the design alterations have improved the form and appearance of the building and now provide a satisfactory response to the local context.

In amenity terms, it is noted that residents in Marjorams Avenue primarily raise issues of overlooking, particularly from the side facing balconies. It should be noted that the upper terrace is set back from the rear wall by 2 metres, thus a minimum of 14 metres from the boundary and additional screening on the end of first and second floor balconies can be included by condition in order to prevent the perception of overlooking. The flat roof areas otherwise are not accessible. Thus, with screening in place, the siting of the balconies in relation to neighbours is acceptable.

The neighbour in 111 Church Hill has commented on the potential impact from the scale of the building, It should be noted however that the footprint of the two storey element is a similar depth to that indicated in the application EPF/0862/17 approved by Committee. Where the second floor extends beyond the rear of 111 Church Hill, other than the lift shaft, the main element lies at least 5 metres from the boundary. Since the property at no.111 lies to the south-west of the proposed development, the upper floor of the proposal is not considered to have significantly greater impact on the neighbour than the previously agreed scheme.

The frontage of the scheme is enhanced in the current proposals through the removal of refuse stores which were initially indicated as being provided immediately behind the front wall. A purpose built refuse store is now introduced within the ground floor of the building, accessed from the side access road and the frontage incorporates patios to the ground floor flats and screen planting.

As set out in Policy DM 2 and DM 22 of the emerging Local Plan, issues have been identified with respect to the effect of development on the integrity of the Epping Forest Special Area of Conservation (SAC) as a result of increased visitor pressure arising from new residential development, and from relatively poor local air quality alongside the roads that traverse the SAC. The Council is currently developing with partners an interim strategy for the management and monitoring of visitor pressures on the SAC. This will include measures to be funded through the securing of financial contributions from new development in accordance with Policy DM 2. Notwithstanding the fact that this work is yet to be completed the agent has confirmed willingness to enter into a S106 Agreement.

### **Conclusion:**

The detailed proposals follow the principles established in the two previous outline approvals – the three storey scale of the building was deemed acceptable in principle by the Inspector, the two storey part of the building sits on a similar footprint to the scheme approved by Committee, and a ten unit scheme served by 10 parking spaces was accepted in both applications in light of the sustainable nature of the location.

The form of the building responds to concerns at the mass and design – greater articulation, a better contrast of materials to break up the form and a more evident setback of the upper floor. The introduction of balconies, terraces and patios at ground floor provides a high amenity value to occupiers and screening can ensure neighbouring occupiers are not unduly affected, other flat roof areas will not be accessible as terraces.

The site lies within the SAC area and any permission will need to be subject to an agreement over an appropriate contribution to address the effect on the integrity of Epping Forest, and air quality.

**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](mailto:contactplanning@eppingforestdc.gov.uk)**

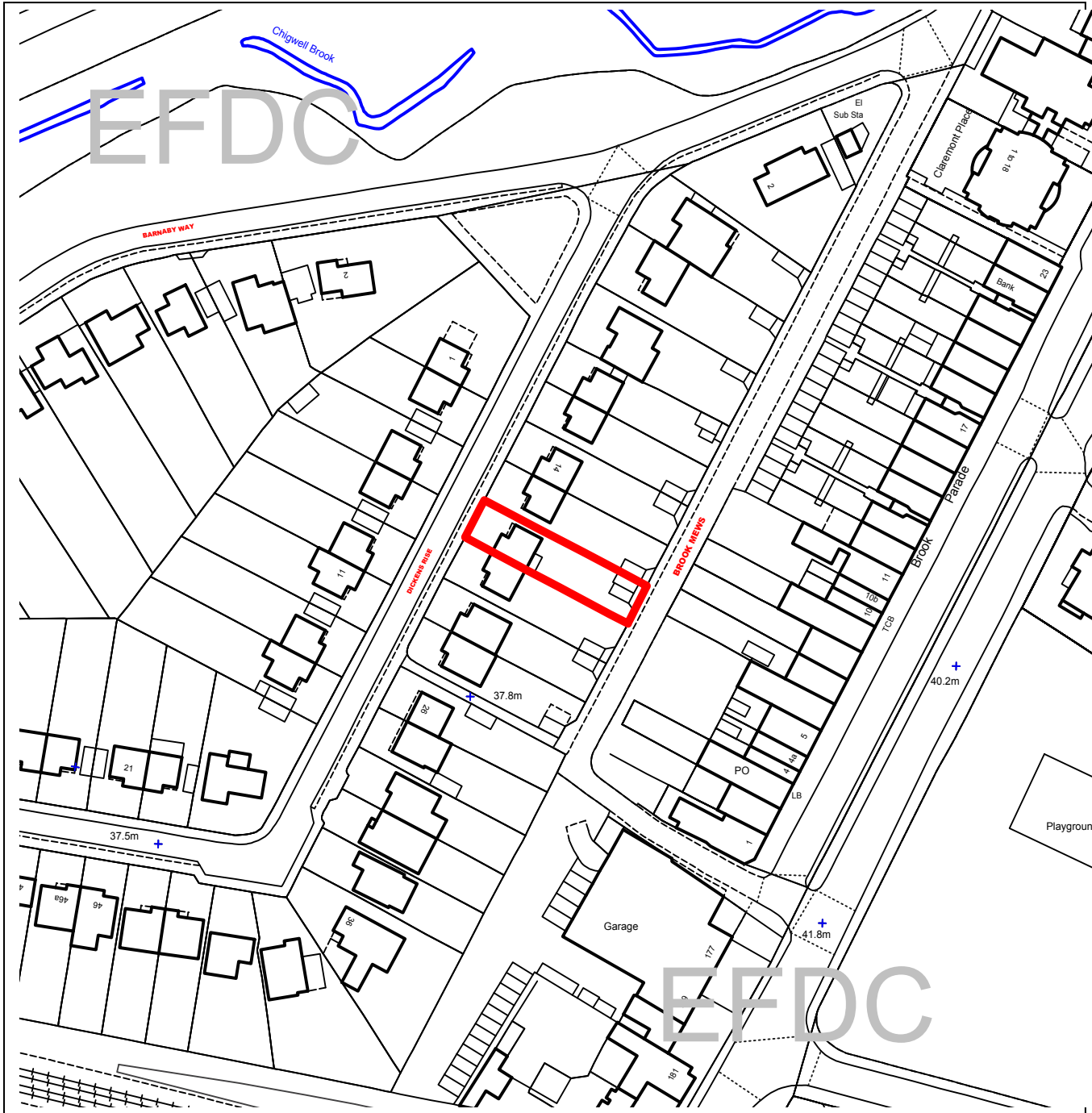


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# Epping Forest District Council

## Agenda Item Number 3



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Application Number:	EPF/0687/18
Site Name:	18 Dickens Rise, Chigwell, IG7 6PA
Scale of Plot:	1/1250

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/0687/18
<b>SITE ADDRESS:</b>	18 Dickens Rise Chigwell Essex IG7 6PA
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Chigwell Village
<b>APPLICANT:</b>	Mrs Sheyl Bagunaid
<b>DESCRIPTION OF PROPOSAL:</b>	Removal of existing garage structure and the erection of a garden annexe.
<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=606773](http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=606773)

**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 annexe building hereby approved shall only be occupied in connection with the existing single family dwelling on the site. It shall not be occupied as a separate dwelling, or rented out as a separate dwelling, or sold as a separate dwelling.
- 3 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

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

**Description of Site:**

A semi detached two storey house in a close of similar houses. The property is not listed nor does it lie within a conservation area. The rear boundary of the property adjoins Brook Mews – a service road and parking area serving the shops and commercial units in Brook Parade.

**Description of Proposal:**

Removal of existing garage structure and the erection of a garden annexe.

**Relevant History:**

None.

**Policies Applied:**

*Adopted Local Plan:*

CP2 – Protecting the Quality of the Rural and Built Environment

CP3 – New development

DBE1 – Design of new buildings.

DBE9 – Loss of amenity.

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.

*Epping Forest District Local Plan (Submission Version) 2017:*

The Epping Forest District Local Plan (Submission Version) 2017 has been approved for publication and is the Plan the Council intend to submit for independent examination. The policies in the Plan are considered to be up to date and accord with national policy and therefore should be given substantial weight in the consideration of planning applications in accordance with the Council's decision on 14 December 2017 and paragraph 217 of the NPPF. The policies and the Plan are supported by up to date and robust evidence – the evidence should also be treated as a material consideration. The relevant policies in the context of the proposed development are:

SP1 - Presumption in Favour of Sustainable Development

T1 - Sustainable Transport Choices

DM9 - High Quality Design

**Summary of Representations:**

CHIGWELL PARISH COUNCIL – Strongly object to this application because the proposed structure is an overdevelopment and thoroughly inappropriate to the area. This building would further exasperate the already existing parking issues and create potential for similar developments on the street.

NEIGHBOURS – 4 neighbours notified and no replies received.

**Issues and Considerations:**

The proposed annexe will replace an existing garage at the foot of the garden (which opens out on to Brook Mews at the rear), plus an existing raised patio. The proposed annexe would measure 8.7m in width by 5m in depth, and would have a height of 2.5m to eaves and 3.5m to the ridge of a sloping roof. It would contain a bedroom, kitchen/living room, and shower.

The Parish Council state that the proposal constitutes overdevelopment. However the proposed annexe is at a logical position at the foot of the rear garden and other houses have outbuildings or garages in this position. It is true that the proposed building would have a ridge roof 0.65m higher than the existing garage. However this increase in height is modest and the size of the outbuilding as a whole is similar to many outbuildings found in domestic rear gardens. For these reasons the proposal is not considered to be an overdevelopment.

The Parish also argue that the proposal is inappropriate to the area, and would create potential for similar developments on the street. Again the outbuilding is located in an acceptable position at the foot of the rear garden where neighbouring houses for instance have garages that open out on to Brook Mews. It may be that the Parish are concerned that this annexe, if approved, would then be used or adapted to use as a separate dwelling, and that this could encourage similar developments to take place. However the description of development clearly refers to an annexe, and a condition would be added to any approval stating that the annexe cannot be used, or rented out, or sold, as a separate dwelling. Officers are also aware that there is still a strong demand for annexe accommodation – not just for elderly relatives but also for young adults who cannot get access to an expensive housing market. This is the case here where the applicants want their 20 year old son to have more space and independence but where he will still be able to remain part of, and close to, the family home.

There will be no rear door opening onto Brook Mews at the rear – hence the only access to the annexe is via the main house - and this fact also mitigates against the annexe being used as a separate dwelling. The applicant also wishes to provide a solid appearance (without door openings) on to Brook Mews so as to reduce the likelihood of burglaries that have been experienced locally.

The Parish are also concerned at inadequate car parking. However, the front drive area of the house has space to accommodate 3 cars being parked off the street, and this provision is acceptable and more than complies with parking standards that require 2 spaces for a dwelling with two or more bedrooms.

### **Conclusions:**

For the reasons set out in the report above it is recommended that conditional planning permission be granted.

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

***Planning Application Case Officer: David Baker***

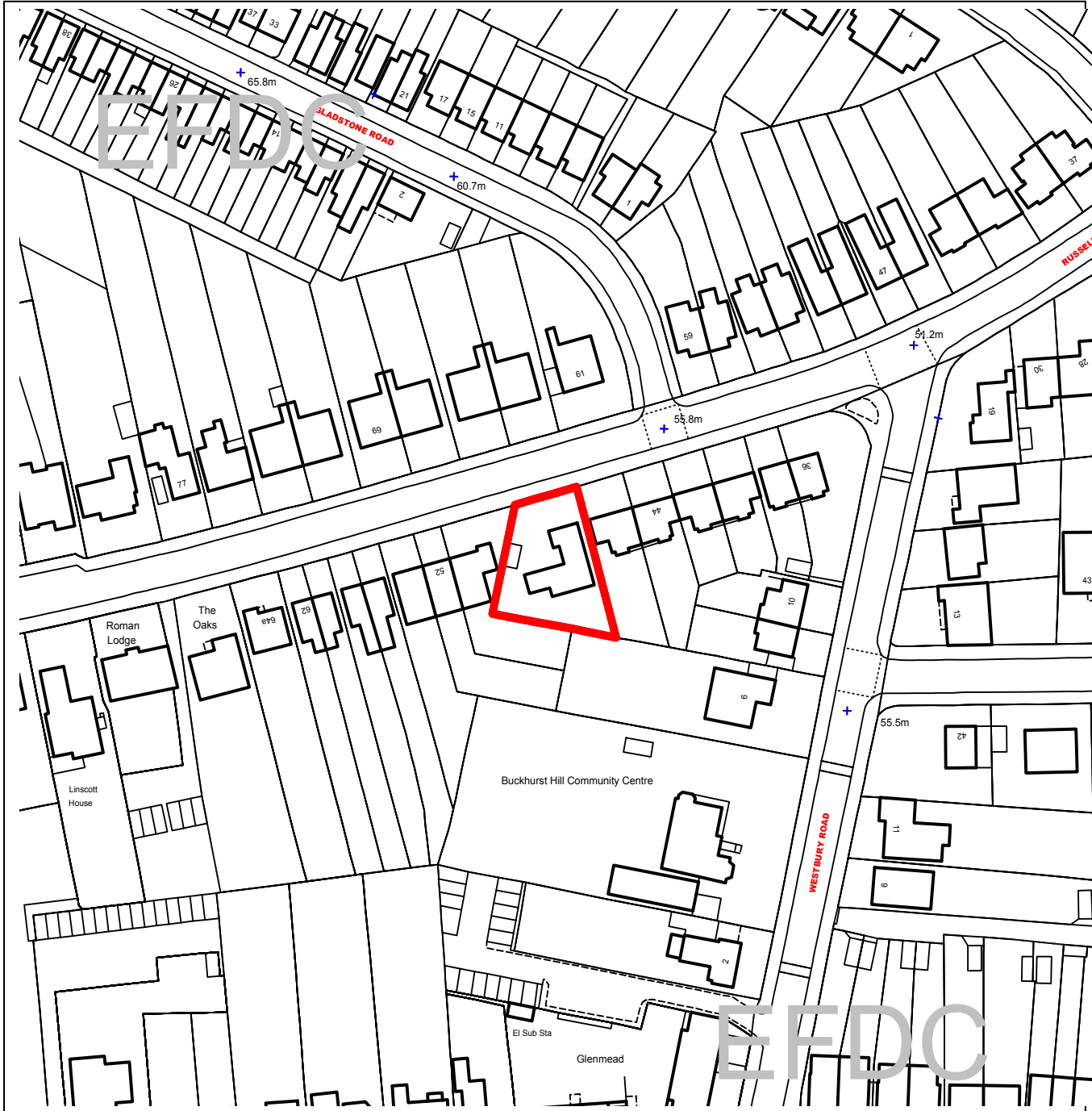
***Direct Line Telephone Number: 01992 564514***

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



# Epping Forest District Council

## Agenda Item Number 4



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Application Number:	EPF/0826/18
Site Name:	48 Russell Road, Buckhurst Hill, IG9 5QE
Scale of Plot:	1/1250

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/0826/18
<b>SITE ADDRESS:</b>	48 Russell Road Buckhurst Hill Essex IG9 5QE
<b>PARISH:</b>	Buckhurst Hill
<b>WARD:</b>	Buckhurst Hill West
<b>APPLICANT:</b>	Mr David Saunders
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of existing bungalow and erection of 3 flats
<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=607374](http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=607374)

**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:  
318-PL-11 - Site & Location Plans  
318-PL-12 - Proposed & Existing Street Elevation  
318-PL-13 - Proposed Ground Floor Plan  
318-PL-14 - Proposed Lower Ground & First Floor Plans  
318-PL-15 - Proposed Second Floor & Roof Plans  
318-PL-16 - Proposed Elevations  
318-PL-17 - Proposed and Existing Section A-A  
318-EX-01 - Existing Lower & Ground Floor Plans  
318-EX-02 - Existing Roof Plan  
318-EX-03 - Existing Elevations  
Supporting Documents:  
Tree Constraints Plan  
Arboricultural Report
  
- 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, 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.

- 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 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.
- 6 If any tree, shrub or hedge shown to be retained in the submitted Arboricultural reports is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased during development activities or within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.
- 7 No development, including works of demolition or site clearance, shall take place until foundation details have been submitted to the Local Planning Authority and approved in writing. The foundations shall consist of piles and an above ground beam design. Drawings submitted shall include cross sectional detail of pile and beam join and the location of piles in plan form. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 8 No services shall be installed within the root protection area of the retained trees on or adjacent to the site unless the Local Planning Authority gives its prior written approval. .



- 9 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.

- 10 An electric vehicle charging point shall be provided for each of the approved dwellings prior to first occupation
- 11 Prior to first occupation measures shall be incorporated within the development to ensure a water efficiency standard of 110 litres (or less) per person per day.
- 12 Prior to first occupation of the dwellings hereby approved measures to improve the ecological value of the site shall be implemented in accordance with details that have been submitted to and agreed in writing by the Local Planning Authority.
- 13 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed. The installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.
- 14 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.

**And subject to the completion of consultation with Natural England, to secure an appropriate financial contribution for management and monitoring of visitors to the Epping Forest Special Area of Conservation together with the completion of a suitable agreement under Section 106 of the Town and Country Planning Act 1990**

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

**Description of Site:**

The application site comprises of a large single storey detached dwelling on a hillside location which slopes downwards to the south at the rear and downwards to the east from the front elevation. Due to the complicated levels of the site the bungalow has 1 non habitable room at lower ground floor level, however it cannot be considered a two storey dwelling. Adjoining the western boundaries are three storey terraced houses and adjoining the eastern boundary is a pair of two storey semi detached dwellings. Russell Road is made up of a mixture of a wide mixture of dwellings, with apartment buildings on either side of the road and opposite the application site. The site is within an urban area and is not listed nor within a conservation area.

**Description of Proposal:**

Permission is sought for the demolition of the existing bungalow and the construction of a block of 3 flats over three floors. Car parking, with two disabled bays, bin and cycle storage would be situated in the front forecourt.

This application follows a previous refusal for the redevelopment of the site for a detached two storey dwelling house. The previous scheme was greatly reduced in order to omit any significant impact on neighbouring amenity, however it was ultimately found contrary to Policy H1 of the Local Plan Submission (2017), as it would have facilitated the loss of a bungalow. Furthermore the development has been redesigned to provide a more symmetrical and softer appearance than the previous scheme.

Access to the site is as existing. 1 parking space is provided for each flat and storage area for up to 6 bicycles. The bike and bin store measures 5m deep by 2m wide.

The schedule of accommodation is as follows

Flat no.	Bedrooms	Floor area	Amenity space
1	2	75.5m <sup>2</sup>	6m <sup>2</sup>
2	2	75.5m <sup>2</sup>	10.8 <sup>2</sup>
3	1	60.1m <sup>2</sup>	12m <sup>2</sup>

**Relevant History:**

EPF/3212/17 Demolition of existing bungalow and erection of 5 bedroom house. Refused on the basis of the loss of a bungalow and consequent reduction in housing choice.

**Policies Applied:**

Epping Forest Local Plan (1998) and Alterations (2006):

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 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.

#### Epping Forest District Local Plan (Submission Version) 2017:

The Epping Forest District Local Plan (Submission Version) 2017 has been approved for publication and is the Plan the Council intend to submit for independent examination. The policies in the Plan are considered to be up to date and accord with national policy and therefore should be given substantial weight in the consideration of planning applications in accordance with the Council's decision on 14 December 2017 and paragraph 217 of the NPPF. The policies and the Plan are supported by up to date and robust evidence – the evidence should also be treated as a material consideration. The relevant policies in the context of the proposed development are:

SP1 - Presumption in Favour of Sustainable Development  
SP7 - The Natural Environment, Landscape Character and Green and Blue Infrastructure  
H1 - Housing Mix and Accommodation Types  
T1 - Sustainable Transport Choices  
T2 - Safeguarding of Routes and Facilities  
DM3 - Landscape Character, Ancient Landscapes and Geodiversity  
DM9 - High Quality Design  
DM10 - Housing Design and Quality  
DM11 - Waste Recycling Facilities on New Development  
DM18 - On Site Management of Waste Water and Water Supply  
DM21 - Local Environmental Impacts, Pollution and Land Contamination

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

Number of neighbours consulted: 7  
Site notice posted: No, not required  
Responses received: 5

6, 8 WESTBURY ROAD, 31, 63 RUSSELL ROAD and BUCKHURST HILL RESIDENTS ASSOCIATION all raise objections to the proposal.

Objections summarised as: Impact on parking, out of keeping with the character and appearance of the surrounding area

BUCKHURST HILL PARISH COUNCIL – OBJECT – Scale of the Development is out of keeping with street scene. Overbearing on adjacent properties. Insufficient amenity space for 3 flats.

**Main Issues and Considerations:**

This revised application follows a previously refused application for the erection of a single dwelling. The reason for refusal on this was:

*The proposed loss of this bungalow would reduce housing choice, particularly for people with accessibility needs, including the current and future needs of older people, which would be at odds with this Council's objective of achieving mixed and balanced communities, contrary to Policy H 1 of the Epping Forest District Local Plan Submission Version 2017.*

Emerging policy H1 lists a number of requirements regarding housing mix, which includes H1 F., which states that *"the loss of bungalows and specialist accommodation will be resisted"*. The proposed redevelopment of this site would result in the loss of an existing bungalow that would be contrary to this part of the emerging policy.

Nonetheless there is a current identified need for additional housing in the District since the Council are currently unable to identify a five year supply of land for housing. The proposed redevelopment of this small urban site into 3 flats would go some way in addressing the current shortfall and resisting the pressure for sites within the Metropolitan Green Belt. Furthermore the proposed redevelopment would provide 2 no. two bed and 1 no. one bed flats, built to Lifetime Home Standards, with a lift to all floors, which would need to conform to current Building Regulations requirements and would provide replacement accommodation suitable for potential older future occupants. As such, in this instance, the benefits of redeveloping this site for additional housing would be sufficient enough to outweigh the harm that would result through the loss of an existing bungalow on this site by providing 3 accessible homes. This assessment is based on written advice from the Council's Planning Policy Team subsequent to the decision on application EPF/3212/17.

In terms of Government guidance, the site is previously developed land and, in line with the NPPF, the redevelopment of this land is encouraged. The NPPF's presumption in favour of sustainable development requires local planning authorities to positively seek opportunities to meet the development needs of their area and requires Council's to be able to identify a five-year land supply for housing. As such the proposed redevelopment would accord with the NPPF.

**Impact on character and appearance of the surrounding area**

Russell Road is varied in character, and architectural design and style. Dwellings located on this street primarily comprise of large two storey detached Victorian and twentieth century dwellings built on generous plots, a number of which have been converted into apartments , 1930's semi detached properties, as well as 1950's town houses and apartments. Whilst the application proposal would result in an increase in the bulk and size of the application dwelling, the application dwelling would have a similar footprint to neighbouring buildings on this street. Whilst the overall design and appearance of the dwelling (particularly when viewed from the front) would significantly change under the proposal, it would result in an interesting design with more visual interest than the existing red brick bungalow and given the significant variation in the style and design of dwellings on this street, the proposed development would appear acceptable when viewed from the general streetscene.

As the application dwelling is set back by approximately 8m from the highway, the proposed development would not appear significantly prominent or overbearing in terms of its massing when viewed from the general streetscene. Moreover, the development has a front building line which is

not too dissimilar to neighbouring dwellings so would not appear significantly out of character when viewed from the frontage. The proposed roof height and form also respects the neighbouring semi detached and terraced properties and will continue the pattern of roof heights within the street scene.

The prominent front bay element, as well as the material palette, would reference surrounding 19<sup>th</sup> century properties and create a property with an interesting visual appearance that would sit well against the neighbouring properties and create a positive contribution to the street scene.

*Impact on neighbouring residential amenity:*

The previously refused scheme on the site, which proposed a single dwelling on an identical footprint, was amended through the course of the application in order to reduce any potential impacts on the amenities of neighbouring properties. The rearwards projection of the proposal has been set well in from the boundary with 46 Russell Road and will not impinge on any lines of sight from 45 degrees of the rear windows of the neighbouring property.

In addition the design will move some of the flank wall away from no. 46 and create an improvement on the existing boundary situation. Due to the siting of no. 50 the proposal will have no significant impact on neighbouring amenity and due to the screening provided on site is unlikely to be visible from the rear of no. 50 Russell Road.

The proposed first floor and roof level balconies are well screened and set well away from the rear of neighbouring properties and would not have any significant impact on neighbouring amenity.

*Quality of resultant residential accommodation:*

Policy DBE8 of the Local Plan requires each flat to have access to at least 25m<sup>2</sup> of amenity space and that this space should be useable and provide privacy on a continuing basis. Whilst this matter is a concern of the previous proposal the proposed development would provide a shared amenity area to the rear of the unit, with separate, smaller private amenity space to each property. Flat 1 would have some 6 square metres of dedicated private amenity space, Flat 2 would have 11 square metres and Flat 3 would have 12 square metres. The shared amenity space to the rear of some 150 square metres would be provided for use by all 3 flats. The combination of dedicated private space and communal space is significantly in excess of the Councils policy requirements for amenity space provision.

*Highway safety and parking provision:*

The Highway Authority has reviewed the plans and considers that, subject to conditions; the proposal will not have a detrimental impact on highway safety. Furthermore, given the location of the site close to the town centre it is satisfied that one parking space per flat plus will not cause excessive parking congestion. It is on this basis that the proposal is considered to comply with the requirements of policy ST4 and ST6 of the Local Plan.

**Conclusion:**

The revised application, with an increased number of fully accessible residential units along with the overall bulk and scale of the proposed development, would be considered acceptable. Despite objection from neighbouring residents the proposal would not cause any undue loss of amenity to neighbouring residents nor would it cause any parking or highway harm. Furthermore it would adequately serve the living conditions of future occupants. Therefore the proposal complies with the guidance set out within the NPPF and the relevant policies contained within the adopted Local Plan and Alterations, and the Submission Version of the emerging Local Plan. As such the application is recommended for approval.

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

**Planning Application Case Officer: Corey Isolda**  
**Direct Line Telephone Number: 01992 564380**

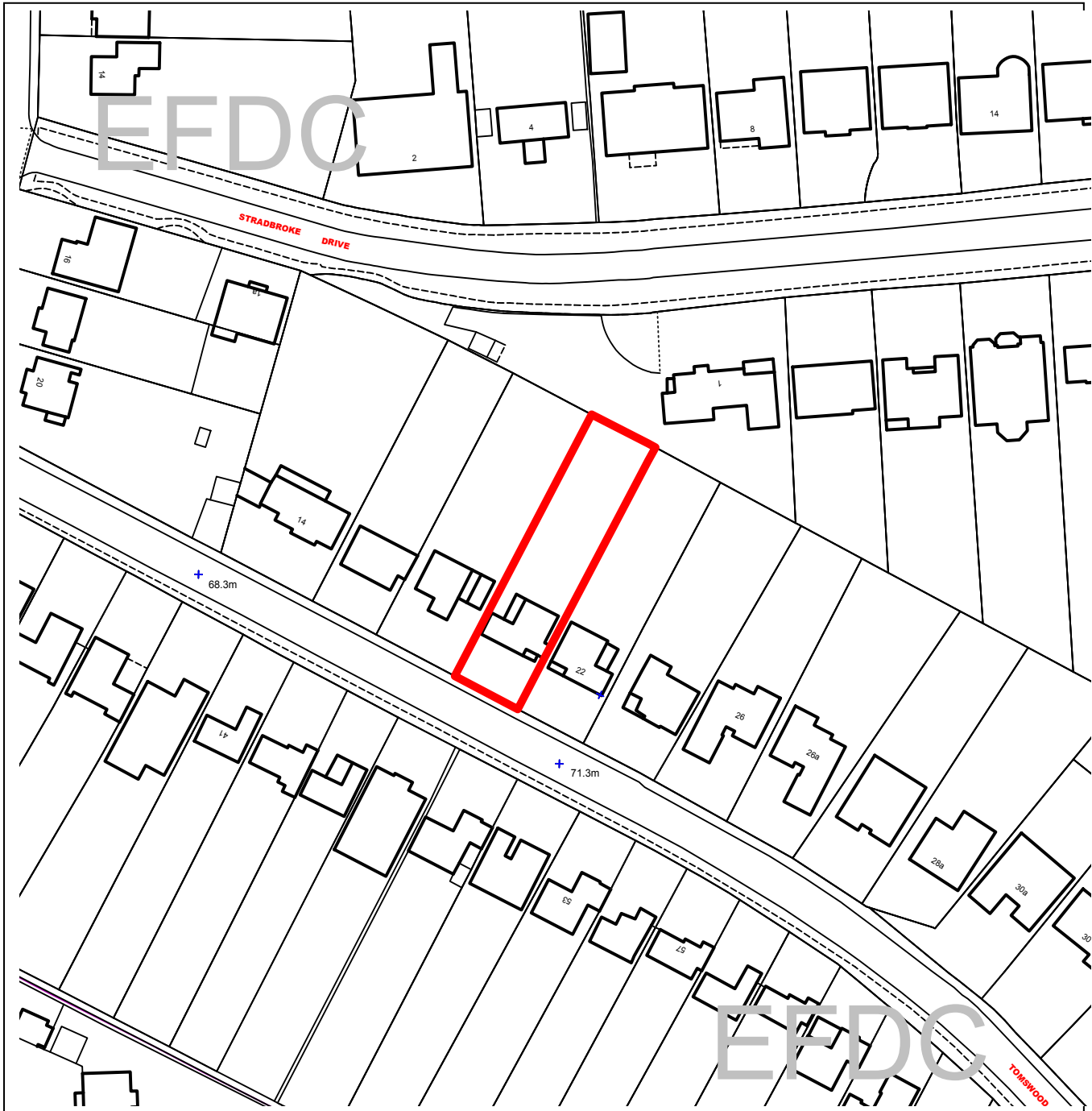
**or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)**

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# Epping Forest District Council

## Agenda Item Number 5



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Application Number:	EPF/1110/18
Site Name:	20 Tomswood Road, Chigwell, IG7 5QS
Scale of Plot:	1/1250



**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/1110/18
<b>SITE ADDRESS:</b>	20 Tomswood Road Chigwell Essex IG7 5QS
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Grange Hill
<b>APPLICANT:</b>	Mrs S Saleem
<b>DESCRIPTION OF PROPOSAL:</b>	Single storey rear extension linking house and outbuilding.
<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=608456](http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=608456)

**CONDITIONS**

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

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

**Description of Site:**

The application site is a large detached two storey dwelling, on the northern side of Tomswood Road. It has a single-storey rear extension which projects 2.5m adjacent to the site boundary with 18 Tomswood Road and 4m adjacent to the boundary with 22 Tomswood Road. The change in depth occurs 6.5m from the boundary with no. 18. Set 2.5m beyond that part of the extension

adjacent to no. 18 is an outbuilding that contains a swimming pool. It has a length of 16m and is sited on the boundary with 18 Tomswood Road. The outbuilding was deemed Lawful under the General Permitted Development Order in 2013 (Ref. EPF/1661/13).

No 18 Tomswood Road is set on land approximately 200mm lower than the application site. It has a 4.5m deep single-storey rear extension set approximately 1m from the site boundary with secondary windows and a glazed door in the flank elevation. A timber fence, approximately 2m high at the application site and 2.2m high at no 18 encloses the site boundary adjacent to the extension to 18 Tomswood Road.

Land levels fall beyond the rear elevations of both the application site and 18 Tomswood Road. The site is not within the Metropolitan Green Belt or within a conservation area.

### **Description of Proposal:**

It is proposed to erect a 2.2 metre deep single-storey rear extension that would link the existing rear extension to the adjacent swimming pool building. The extension would align with the flank of the outbuilding adjacent to 18 Tomswood Road and have a width of 5.7m. The extension would have a flat roof with a maximum height of 2.5m. The extension has been designed to kink away from boundary with no. 18 closest to the side windows of the properties single storey rear extension.

### **Relevant History:**

EPF/1661/13 – Certificate of lawful development for proposed single storey outbuilding to enclose proposed swimming pool.– Lawful

EPF/2151/08 - Erection of single storey rear ground floor and first floor front extension and loft conversion with dormer windows – Granted

EPF/2863/17 - Single storey rear extension linking house and outbuilding.- Refused on the basis of causing a loss of light to flank windows to an extension to 18 Tomswood Road.

### **Policies Applied:**

#### *Adopted Local Plan*

CP2 – Protecting the quality of the rural and built environment

DBE9 – Loss of amenity

DBE10 – Residential extensions

#### *NPPF:*

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

#### *Epping Forest District Local Plan (Submission Version) 2017:*

The Epping Forest District Local Plan (Submission Version) 2017 has been approved for publication and is the Plan the Council intend to submit for independent examination. The policies in the Plan are considered to be up to date and accord with national policy and therefore should be given substantial weight in the consideration of planning applications, in accordance with the Council's decision on 14 December 2017 and paragraph 217 of the NPPF. The policies and the

Plans are supported by up to date and robust evidence – the evidence should also be treated as a material consideration. The relevant policies in the context of the proposed development are:

DM9 - High Quality Design

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

Number of neighbours consulted: 4  
Site notice posted: No, not required  
Responses received: 0

CHIGWELL PARISH COUNCIL – OBJECT – The proposed extension will create an overtly domineering rear extension that would result in the loss of light to the neighbouring property.

**Main Issues and Considerations:**

Visually the proposal, which is contained between two much larger buildings, will not have any significant impact on the appearance of the house. Consequently, the main issue to consider when assessing the merits of the proposal is its consequence for the living conditions of 18 Tomswood Road. There would be no consequence for any other neighbour due to the distance it is set from the site boundaries with other neighbours.

The proposed addition would be sited opposite the flank of the single storey rear addition to no. 18 Tomswood Road. The flat roof of the extension would be sited adjacent to the site boundary in part and would be 600mm higher than the existing fence on the boundary. The area of the extension closest to the extension of no. 18 has been curved away from the shared boundary creating a gap, limiting the loss of any light to the secondary windows of no. 18. Whilst the small extension will still be visible from the side windows of no.18, the relationship will only cause a very small loss of light to the secondary windows which could in no way be considered significant. Having regard to approved plans for the extension of no. 18, the affected room appears to be used as a kitchen (permission ref EPF/1484/96). The plans show the kitchen has an area of 34m<sup>2</sup>, therefore it can be regarded as a habitable room. Given the kitchen also receives light from two rear facing windows, the degree of harm caused to the living conditions of 18 Tomswood Road would not amount to excessive harm.

A previous link extension to the lawful pool house was refused as it would cause an excessive loss of light to the side facing windows of a single-storey rear extension to 18 Tomswood Road, to the detriment of its living conditions. The proposed extension has been carefully designed with a limited height, no excessive parapet wall and curved away from the boundary with no. 18 in order to ensure that a sufficient amount of light can access the property. Moreover the flat roof design is more in-keeping with the flat roofs of existing extensions and will no longer appear an uncomplimentary addition to the property. On the basis of this assessment it is concluded this revised proposal overcomes the previous reasons for refusal through its careful design.

**Conclusion:**

The proposed development would be in keeping with the appearance of the existing house and, while it would cause some loss of light to flank windows to a kitchen at 18 Tomswood Road, the degree of harm arising would be limited since the kitchen also receives light from two rear facing windows. More importantly, the significant reduction in height of the current proposal and deletion of a parapet wall ensures the degree of impact on light to the affected flank windows would be much reduced, thereby overcoming the Council's objections to the proposal previously refused under application reference EPF/2863/17. It is therefore concluded that the revised proposal would not cause excessive harm to the living conditions of 18 Tomswood Road. Accordingly, the

proposal complies with the guidance contained within the National Planning Policy Framework and with relevant Local Plan policies. It is recommended 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: Corey Isolda  
Direct Line Telephone Number: 01992 564380***

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

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# Epping Forest District Council

## Agenda Item Number 6



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Application Number:	EPF/1159/18
Site Name:	100 Rous Road, Buckhurst Hill, IG9 6BT
Scale of Plot:	1/1250

**Report Item No: 6**

<b>APPLICATION No:</b>	EPF/1159/18
<b>SITE ADDRESS:</b>	100 Rous Road Buckhurst Hill Essex IG9 6BT
<b>PARISH:</b>	Buckhurst Hill
<b>WARD:</b>	Buckhurst Hill East
<b>APPLICANT:</b>	Mrs Hannah Jordan
<b>DESCRIPTION OF PROPOSAL:</b>	Part garage conversion and part ground floor side and front extension.
<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=608660](http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=608660)

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

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

**Description of Site:**

The property is a two storey semi-detached house with an attached garage, comprising a single domestic dwelling. The house has been previously extended to the rear. Land levels rise rear of the rear elevation at the application site and immediate neighbours. The site is within a built up area of Buckhurst Hill. It is not within a conservation area, nor is it within the Green Belt. PD rights are intact.

### **Description of Proposal:**

The application proposes a front porch, part single storey front/side and rear extension that will replace the existing garage.

The front element would project 1.2 metres from the front main wall with a gabled front porch attached to a gabled roof over the front elevation of the front/side extension.

The side element will extend right up to the boundary line of no 102 Rous Road with no windows to the flank wall. It would extend rear of the rear elevation to the depth of an existing conservatory to be retained, some 3m. A 3.3m high parapet wall will enclose a flat roof rear of the gabled roof over the front elevation.

Roof tiles would match those of the existing building while external walls would be finished in painted render.

### **Relevant History:**

EPF/1695/07 – Rear Conservatory – Permission Granted

### **Policies Applied:**

#### *Adopted Local Plan:*

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

#### *NPPF:*

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

#### *Epping Forest District Local Plan (Submission Version) 2017:*

The Epping Forest District Local Plan (Submission Version) 2017 has been approved for publication and is the Plan the Council intend to submit for independent examination. The policies in the Plan are considered to be up to date and accord with national policy and therefore should be given substantial weight in the consideration of planning applications, in accordance with the Council's decision on 14 December 2017 and paragraph 217 of the NPPF. The policies and the Plan are supported by up to date and robust evidence – the evidence should also be treated as a material consideration. The relevant policies in the context of the proposed development are:

SP1	Presumption in Favour of Sustainable Development
DM9	High Quality Design
DM10	Housing Design and Quality

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

Number of neighbours Consulted: 4. No response received  
Site notice posted: No, not required



BUCKHURST HILL PARISH COUNCIL – The Committee OBJECTED to this application on the grounds that the proposal would have an adverse impact on the street scene.

**Main Issues and Considerations:**

The main issues to be considered with this application relate to the impact on the character and appearance of the locality and neighbouring amenities.

*Character and appearance:*

The proposal would appear to wrap around the front corner of the house, with the gabled porch component giving appropriate emphasis to the main entrance to the house. The gabled design reflects the design of porches elsewhere in the street, including the porch of the attached neighbour.

In terms of scale and degree of forward projection the proposal would appear subordinate to the existing house while the traditional appearance of the front elevation would complement the design of the existing house. The contrasting rendered finish and single-storey height would sensitively add variety to the appearance of the house, while remaining very much subordinate. The relationship of the forward projection to an adjacent ground floor bay window is not uncommon.

To the rear, its limited projection, coinciding with the depth of the retained conservatory is not excessive and would relate well to the existing built form. The parapet wall is a common solution to flat roofed structure that serves to hide the roof form.

On the basis of the above assessment it is concluded the proposal has a simple design that would complement the design of the existing house.

*Living conditions of neighbours:*

The proposal would have a limited impact on the living conditions of the neighbours. The single storey side extension would not create any additional overlooking nor would the proposal, by reason of its height, width and depth result in a loss of light.

On the basis of that assessment it is concluded the proposal would not cause any significant harm and detract from neighbouring amenities and it would safeguard the living conditions of the neighbours.

**Conclusion:**

The proposal would simplify and enhance the appearance of the existing house while respecting the visual relationship to neighbouring houses and safeguarding their living conditions. Accordingly, it is recommended that planning permission be granted.

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

***Planning Application Case Officer: Muhammad Rahman  
Direct Line Telephone Number: 01992 562184***

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