

Committee Agenda



Epping Forest District Council

AREA PLANNING SUB-COMMITTEE SOUTH **Wednesday, 23rd September, 2020**

You are invited to attend the next meeting of **Area Planning Sub-Committee South**, which will be held as a:

Virtual Meeting on Zoom
on **Wednesday, 23rd September, 2020**
at **7.00 pm.**

Georgina Blakemore
Chief Executive

Democratic Services
Officer:

Democratic Services Tel: (01992) 564243
Email: democraticservices@eppingforestdc.gov.uk

Members:

Councillors J Share-Bernia (Chairman), S Rackham (Vice-Chairman), G Chambers, R Baldwin, A Beales, R Brookes, S Heap, B Jennings, J Jennings, H Kauffman, A Lion, L Mead, G Mohindra, S Murray, S Neville, M Owen, A Patel, C P Pond, C C Pond, C Roberts, D Roberts, B Sandler, D Sunger and D Wixley

WEBCASTING/FILMING NOTICE (VIRTUAL MEETINGS)

Please note: this meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Council's published policy.

Therefore by participating in this virtual meeting, you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes. If members of the public do not wish to have their image captured they should ensure that their video setting throughout the virtual meeting is turned off and set to audio only.

In the event that technical difficulties interrupt the virtual meeting that cannot be overcome, the Chairman may need to adjourn the meeting.

If you have any queries regarding this, please contact the Corporate Communications Manager on 01992 564039.

1. WEBCASTING INTRODUCTION

1. This virtual meeting is to be webcast. Members are reminded of the need to unmute before speaking.

2. The Chairman will read the following announcement:

“I would like to remind everyone present that this meeting will be broadcast live to the internet (or filmed) and will be capable of repeated viewing (or another use by such third parties).

Please could I also remind Members of the Public who have registered to speak that they will be admitted to the meeting at the appropriate time.

Please also be aware that if technical difficulties interrupt the meeting that cannot be overcome, I may need to adjourn the meeting.”

2. ADVICE TO PUBLIC AND SPEAKERS ATTENDING THE COUNCIL PLANNING SUB-COMMITTEES (Pages 5 - 8)

General advice to people attending the meeting is attached.

3. MINUTES (Pages 9 - 14)

To confirm the minutes of the last meeting of the Sub-Committee held on 26 August 2020.

4. APOLOGIES FOR ABSENCE

5. DECLARATIONS OF INTEREST

To declare interests in any item on this agenda.

6. ANY OTHER BUSINESS

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

7. EPPING FOREST DISTRICT LOCAL PLAN SUBMISSION VERSION - PLANNING POLICY BRIEFING NOTE

A Planning Policy Briefing Note (March 2018) has been produced by the Planning Policy Team to ensure that a consistent approach is taken to the provision of planning policy advice for the District, particularly in relation to the Epping Forest District Local Plan Submission Version, which was published on 18 December 2017.

The primary purpose of the Planning Policy Briefing Note is to inform the development management process and to provide assistance for Development Management Officers, Councillors, applicants and planning agents. The Planning Policy Briefing Note is available at:

http://www.efdclocalplan.org/wp-content/uploads/2018/03/Planning-Policy-Briefing-Note_Mar-2018.pdf

8. SITE VISITS

Members are reminded that for the duration of the coronavirus pandemic, as decided at the Group Leaders' Meeting of 24 June 2020, **no member site visits will be conducted.**

Therefore, any planning application deferred for a site visit at an Area Planning Sub-Committee will be automatically referred to the District Development Management Committee for determination.

9. PLANNING APPLICATION - EFP/2378/19 2 PRINCES ROAD, BUCKHURST HILL (Pages 15 - 26)

To consider the attached report for a proposed replacement of a single dwelling with a new building consisting of 2 no. commercial units and 6 no. fully accessible apartments. (Revised application to EPF/0632/19).

10. PLANNING APPLICATION - EPF/2668/19 1 LANDMARK HOUSE, 3 THE BROADWAY, LOUGHTON (Pages 27 - 36)

To consider the attached report for a new front facade to existing shell for public house with new front elevation signage and new air conditioning / ventilation system.

11. PLANNING APPLICATION - EPF/1289/20 37 FAIRLANDS AVENUE, BUCKHURST HILL (Pages 37 - 42)

To consider the attached report for a proposed two storey side extension and loft conversion with remodelling of the garage.

12. PLANNING APPLICATION - EPF/1376/20 37 FOREST VIEW ROAD, LOUGHTON (Pages 43 - 50)

To consider the attached report for a part single storey, part two storey rear extension and loft conversion.

13. EXCLUSION OF PUBLIC AND PRESS

Exclusion: To consider whether, under Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the items of business set out below on grounds that they will involve the likely disclosure of exempt information as defined in the following paragraph(s) of Part 1 of Schedule 12A of the Act (as amended) or are confidential under Section 100(A)(2):

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

The Local Government (Access to Information) (Variation) Order 2006, which came into effect on 1 March 2006, requires the Council to consider whether maintaining the exemption listed above outweighs the potential public interest in disclosing the information. Any member who considers that this test should be applied to any currently exempted matter on this agenda should contact the proper officer at least 24 hours prior to the meeting.

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

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

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

14. REFER SIGN (Pages 51 - 52)

If any member wants to **refer** a planning application to the District Development Management Committee (DDMC), please **hold up this refer sign** in front of your screen immediately after the vote has been taken. If at least 4 members agree/hold up their refer signs, the application will be referred to DDMC.

Alternatively, if any member wishes to **refer** a planning application to DDMC, they should propose a **motion to refer** this application immediately after the vote has been taken. The Chairman will then ask for a seconder. After a seconder has been sought, the Chairman will then ask if any other member wishes to support this resolution. If at least 4 members agree then the application will be referred to DDMC, otherwise the motion to refer will fail.

Advice to Public and Speakers at virtual meetings of the Council's District Development Management Committee and Area Plans Sub-Committees

Are the meetings open to the public?

Yes all our meetings are open for you to attend virtually if you are a speaker, or to view on the Council's website at <https://www.eppingforestdc.gov.uk/your-council/watch-a-meeting/> Only in special circumstances are the public excluded.

When is the meeting?

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

Can I speak?

If you wish to speak **you must register with Democratic Services by 4.00 p.m. on the day before the meeting**, by telephoning the number shown on the front page of the agenda. Speaking to a Planning Officer will not register you to speak; you must register with Democratic Services. Speakers are not permitted on Planning Enforcement or legal issues.

Who can speak?

Three classes of speakers are generally allowed: One objector (maybe on behalf of a group), the local Parish or Town Council and the applicant or his/her agent. In some cases, a representative of another authority consulted on the application may also be allowed to speak.

What can I say?

You will be allowed to have your say about the application, but you must bear in mind that you are limited to three minutes. At the discretion of the Chairman, speakers may clarify matters relating to their presentation and answer questions from Committee members.

If you have registered to speak on a planning application to be considered by the District Development Management Committee, Area Plans Sub-Committee East, Area Plans Sub-Committee West or Area Plans Sub-Committee South you will address the Committee virtually.

Only registered speakers will be admitted to the virtual meeting. This will be via the Zoom meeting invite you have been emailed by Democratic Services. Speakers must NOT forward this invite to anyone else under any circumstances. Alternatively, speakers may be contacted by phone at the appropriate time in the meeting when a Democratic Services Officer will contact you. If you are not present by the time your item is considered, the Committee will determine the application in your absence. Speakers should be following the meeting on the Council's webcaster to enable them to know when their item will be considered.

A transcript of your representation must be supplied in advance of the meeting to enable the Democratic Services Officer to read this out on your behalf should there be a technical problem. Please email your written statement to:

democraticservices@eppingforestdc.gov.uk

Can I give the Councillors more information about my application or my objection?

Yes you can, but it must not be presented at the meeting. If you wish to send further information to Councillors, their contact details can be obtained from Democratic Services or our website <https://rds.eppingforestdc.gov.uk/mgMemberIndex.aspx?bcr=1>. Any information sent to Councillors should be copied to the Planning Officer dealing with the application.

How are the applications considered?

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

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

An Area Plans Sub-Committee is required to refer applications to the District Development Management Committee where:

- (a) the Sub-Committee's proposed decision is a substantial departure from:
 - (i) the Council's approved policy framework; or
 - (ii) the development or other approved plan for the area; or
 - (iii) it would be required to be referred to the Secretary of State for approval as required by current government circular or directive;
- (b) the refusal of consent may involve the payment of compensation; or
- (c) the District Development Management Committee have previously considered the application or type of development and has so requested; or
- (d) the Sub-Committee wish, for any reason, to refer the application to the District Development Management Committee for decision by resolution.

Further Information

Further information can be obtained from Democratic Services.

Area Planning Sub-Committee South 2020-21
 Members of the Committee and Wards Represented:



Chairman
Cllr Share-Bernia
 Buckhurst Hill West

Vice-Chairman
Cllr Rackham
 Grange Hill

Cllr Baldwin
 Loughton Forest

Cllr Beales
 Loughton Forest

Cllr Brookes
 Loughton Roding

Cllr Chambers
 Buckhurst Hill West

Cllr Heap
 Buckhurst Hill East



Cllr B Jennings
 Loughton St John's

Cllr J Jennings
 Loughton St Mary's

Cllr Kauffman
 Loughton St Mary's

Cllr Lion
 Grange Hill

Cllr Mead
 Loughton Fairmead

Cllr Mohindra
 Grange Hill

Cllr Murray
 Loughton Roding



Cllr Neville
 Buckhurst Hill East

Cllr Owen
 Loughton Broadway

Cllr Patel
 Buckhurst Hill West

Cllr C C Pond
 Loughton Broadway

Cllr C P Pond
 Loughton St John's

Cllr C Roberts
 Loughton Alderton

Cllr D Roberts
 Loughton Alderton



Cllr Sandler
 Chigwell Row

Cllr Sunger
 Chigwell Village

Cllr Wixley
 Loughton Fairmead

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EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee:	Area Planning Sub-Committee South	Date:	26 August 2020
Place:	Virtual Meeting on Zoom	Time:	7.00 - 8.50 pm
Members Present:	J Share-Bernia (Chairman), S Rackham (Vice-Chairman), G Chambers, R Baldwin, R Brookes, S Heap, R Jennings, J Jennings, A Lion, L Mead, S Neville, M Owen, C P Pond, C C Pond, C Roberts, D Roberts, B Sandler and D Wixley		
Other Councillors:			
Apologies:	A Beales, H Kauffman, G Mohindra, S Murray, A Patel and D Sunger		
Officers Present:	G Courtney (Planning Applications and Appeals Manager (Development Management)), J Godden (Heritage, Enforcement & Landscaping Team Manager), J Leither (Democratic Services Officer), V Messenger (Democratic Services Officer) and S Mitchell (PR Website Editor)		

34. WEBCASTING INTRODUCTION

The Chairman made a short address to remind all present that this virtual meeting would be broadcast live on the Internet, and that the Council had adopted a protocol for the webcasting of its meetings. The Sub-Committee noted the Council's Protocol for the Webcasting of Council and Other Meetings.

35. WELCOME AND INTRODUCTION

The Chairman welcomed members of the public to the virtual meeting and outlined the procedures and arrangements agreed by the Council, to enable persons to address the Sub-Committee in relation to the determination of applications for planning permission.

36. MINUTES

Resolved:

That the minutes of the meeting of the Sub-Committee held on 29 July 2020 be taken as read and signed by the Chairman as a correct record subject to:

EPF/2486/19 – 5 Staples Road, Loughton IG10 1HP

This application had been appealed on non-determination, therefore any decision by the Sub-Committee would not be issued but would be included in any suggested conditions to be sent to the Planning Inspector.

Conditions agreed were:

- (1) That permitted developments rights were removed; and
- (2) That the standard working time conditions were attached.

37. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor M Owen declared a non-pecuniary interest in the following item of the agenda by virtue of knowing the applicant. The Councillor had determined that he would remain in the meeting for the consideration of the application and voting thereon:

- EPF/0249/20 – 3 Spareleaze Hill, Loughton IG10 1BS.

38. ANY OTHER BUSINESS

The Sub-Committee noted that there was no other urgent business for consideration at the meeting.

39. EPPING FOREST DISTRICT LOCAL PLAN SUBMISSION VERSION - PLANNING POLICY BRIEFING NOTE

The Sub-Committee noted that the Epping Forest District Local Plan Submission Version Planning Policy Briefing note was available at:

http://www.efdclocalplan.org/wpcontent/uploads/2018/03/Planning-Policy-Briefing-Note_Mar-2018.pdf

40. SITE VISITS

There were no formal site visits requested by the Sub-Committee.

41. PLANNING APPLICATION EFP/3046/19 - 19 GREAT OWL ROAD, CHIGWELL IG7 6AL

APPLICATION No:	EPF/3046/19
SITE ADDRESS:	19 Great Owl Road Chigwell IG7 6AL
PARISH:	Chigwell
WARD:	Chigwell Village
DESCRIPTION OF PROPOSAL:	Demolition of existing house & replacement with a three storey single dwelling house.
DECISION:	Refused

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=631444

REASONS FOR REFUSAL

- 1 The proposed development, due to its depth and overall scale, would result in excessive harm to the visual amenities of neighbouring residents on Chester Road and would cause a loss of access to sunlight and

natural outlook, contrary to policies DBE2 and DBE9 of the adopted Local Plan and Alterations, policy DM 9 of the Epping Forest District Local Plan (Submission Version) 2017, and the guidance contained within the National Planning Policy Framework.

- 2 The proposed development, due to the design of the proposed replacement dwelling, would appear incongruous and detrimental to the character and appearance of the street scene, contrary to policies DBE1 and DBE3 of the adopted Local Plan and Alterations, policy DM 9 of the Epping Forest District Local Plan (Submission Version) 2017, and the guidance contained within the National Planning Policy Framework.

Way forward – Considerably reduce the depth of the new dwelling and design it to be more in keeping with the existing street scene.

42. PLANNING APPLICATION EPF/0249/20 - 3 SPARELEAZE HILL, LOUGHTON IG10 1BS

APPLICATION No:	EPF/0249/20
SITE ADDRESS:	3 Spareleaze Hill Loughton IG10 1BS
PARISH:	Loughton
WARD:	Loughton St Marys
DESCRIPTION OF PROPOSAL:	Proposed two storey side extension and a single storey porch.
DECISION:	Refused

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=633194

REASONS FOR REFUSAL

- 1 The proposed side extension would be situated too close to the western boundary, closing this important gap and resulting in a terracing effect, contrary to policies DBE1 and DBE3 of the adopted Local Plan and Alterations, policy DM 9 of the Epping Forest District Local Plan (Submission Version) 2017, and the guidance contained within the National Planning Policy Framework.

Way forward – Move the entire extension (including ground floor) between 1m and 1.5m away from the boundary.

43. PLANNING APPLICATION EPF/0674/20 - 32 QUEENS ROAD, LOUGHTON IG10 1RS

APPLICATION No:	EPF/0674/20
SITE ADDRESS:	32 Queens Road

	Loughton IG10 1RS
PARISH:	Loughton
WARD:	Loughton St Johns
DESCRIPTION OF PROPOSAL:	Proposed annexe (Revised application to EPF/2213/19).
DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=635181

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 and retained strictly in accordance with the approved drawings numbers:

3017/EX00 B, 3017/PR00 B, 3017/ PR01 B, 3017/ PR02 B, 3017/ PR03 B and ROC/QU/01 A.
- 3 Materials to be used for the external finishes of the proposed development shall match those submitted, unless otherwise agreed in writing by the Local Planning Authority.
- 4 The proposed development shall only be used as ancillary accommodation for the existing dwelling house and shall not be occupied as a unit separately from the dwelling known as No.32 Queens Road, Loughton, nor used for business or commercial purposes.
- 5 Tree protection shall be implemented prior to the commencement of development activities (including demolition), and the methodology for development (including supervision) shall be undertaken in accordance with the submitted Tree Survey/ Arboricultural Method Statement reports unless the Local Planning Authority gives its prior written approval to any alterations. Tree protection shall be installed as shown on Moore Partners Ltd 'Tree Constraints / Protection Plan' drawing number ROC/QU/01 rev A dated 3rd June 2020.
- 6 Prior to occupation of the unit hereby approved, full details of soft landscape works and an implementation programme shall be submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved.

44. **PLANNING APPLICATION EPF/0997/20 - 11 DICKENS RISE, CHIGWELL IG7 6PA**

APPLICATION No:	EPF/0997/20
SITE ADDRESS:	11 Dickens Rise

	Chigwell IG7 6PA
PARISH:	Chigwell
WARD:	Chigwell Village
DESCRIPTION OF PROPOSAL:	Proposed outbuilding in the rear garden.
DECISION:	Refused

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=636817

REASONS FOR REFUSAL

1. The proposed outbuilding by reason of its height and scale would appear as a bulky, over dominant and incongruous addition that would detract from the amenity and outlook of the neighbouring occupiers, that would cause harm to the character and appearance of the locality as a result. Accordingly, the proposal fails to comply with policy DBE9 & DBE10 of the adopted Local Plan (1998), policy DM 10 of the Submission Version of the Local Plan (2017) and the NPPF (2018).

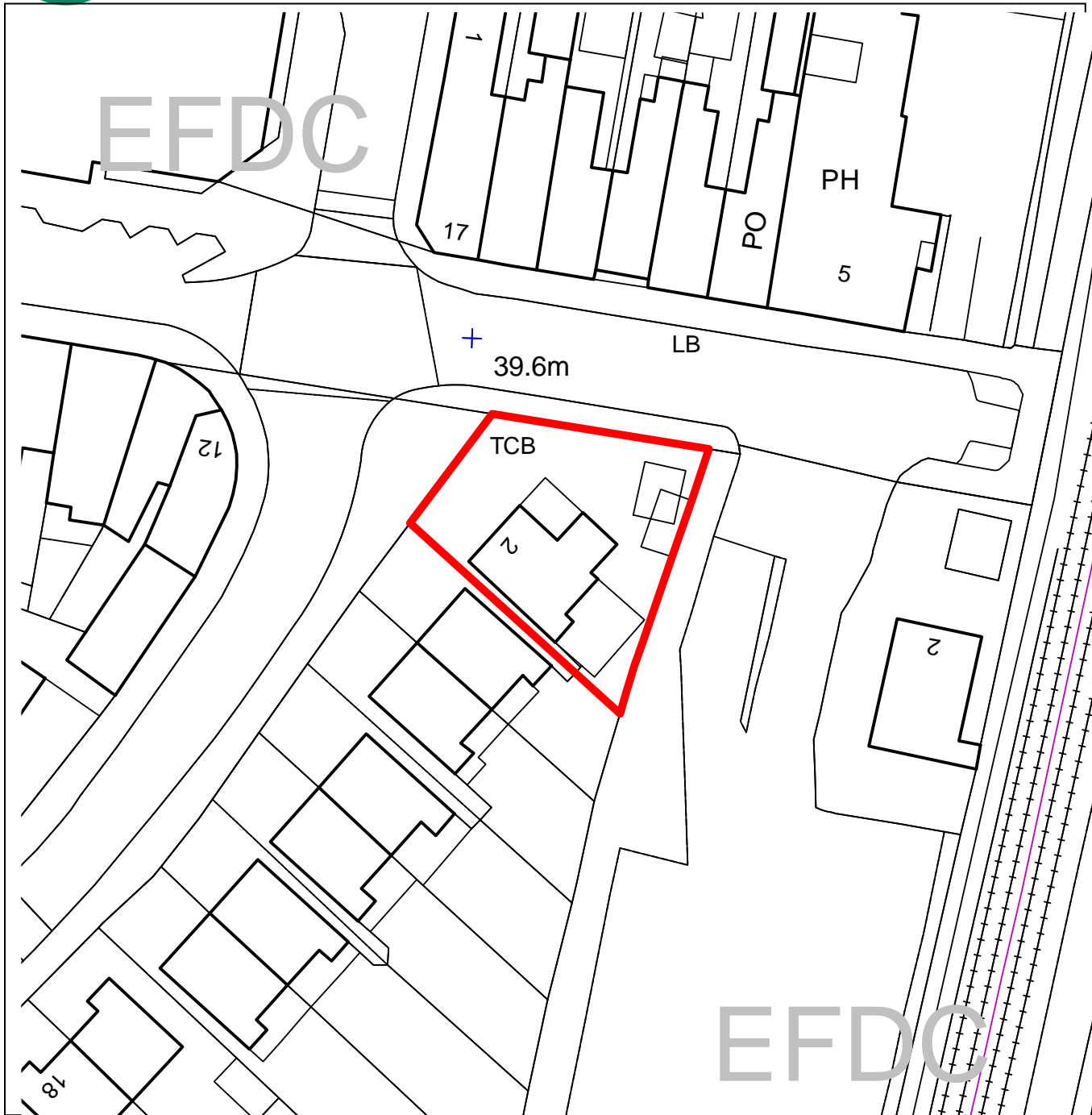
Way forward – Implement the permitted development scheme previously agreed by way of a Certificate of Lawful Development.

CHAIRMAN

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Epping Forest District Council



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Application Number:	EPF/2378/19
Site Name:	2 Princes Road Buckhurst Hill IG9 5EG
Scale of Plot:	1:500

Report Item No: 9

APPLICATION No:	EPF/2378/19
SITE ADDRESS:	2 Princes Road Buckhurst Hill IG9 5EG
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
APPLICANT:	Mr J Davis
DESCRIPTION OF PROPOSAL:	Proposed replacement of a single dwelling with a new building consisting of x 2 no. commercial units and x 6 no. fully accessible apartments. (Revised application to EPF/0632/19).
RECOMMENDED DECISION:	Grant Permission (Subject to Legal Agreement)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=628980

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 and retained strictly in accordance with the approved drawings numbers: 349-PL-01 Rev B, 349-PL-02 Rev B, 349 -PL-03 Rev B, 349-PL-04 Rev B, 349-PL-05 Rev B, 349-PL-07 Rev B, 349-PL-08 Rev B and 349-PL-09
- 3 No construction works above ground level shall have taken 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, prior to the commencement of the development. The development shall be implemented in accordance with such approved details.
- 4 The window opening(s) in the south west elevation (marked as elevation D on plan number 349-PL-07) shall be fitted with obscured glass with a minimum Level 3 obscurity to the extent as outlined on the same plan and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 5 The ground floor units shall only be used as Class A1/A2 and A3 (known as Class E from 1st September 2020) as shown on the approved ground floor plan 349-PL-02 and for no other purpose (including any other purpose of the Schedule to the Town & Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order.

- 6 Prior to any above ground works, full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) shall be submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 7 Prior to preliminary ground works taking place, details of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 8 Prior to first occupation of the development, measures shall be incorporated within the development to ensure a water efficiency standard of 110 litres (or less) per person per day.
- 9 No development shall commence until an assessment of the risks posed by any contamination, carried out in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), shall have been submitted to and approved in writing by the local planning authority. If any contamination is found, a report specifying the measures to be taken, including the timescale, to remediate the site to render it suitable for the approved development shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures and timescale and a verification report shall be submitted to and approved in writing by the local planning authority. If, during the course of development, any contamination is found which has not been previously identified, work shall be suspended and additional measures for its remediation shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures and a verification report for all the remediation works shall be submitted to the local planning authority within 21 days of the report being completed and approved in writing by the local planning authority.
- 10 Following completion of the 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.
- 11 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 Phase 2 report, work shall be suspended and additional measures for its

remediation shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures and a verification report for all the remediation works shall be submitted to the local planning authority within 21 days of the report being completed and approved in writing by the local planning authority.

- 12 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
1. The parking of vehicles of site operatives and visitors
 2. Loading and unloading of plant and materials
 3. Storage of plant and materials used in constructing the development
 4. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 5. Measures to control the emission of dust and dirt during construction, including wheel washing.
 6. A scheme for recycling/disposing of waste resulting from demolition and construction works.
 7. Tree protection measures.
- 13 No ground works 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.
- 14 Additional drawings that show details of proposed new windows, doors, eaves, verges, fascias, cills and shopfronts by section and elevation at scales between 1:20 and 1:1 as appropriate, shall be submitted to and approved by the LPA in writing prior to the commencement of any works.
- 15 Details of privacy screens (with a minimum height of 1.7m) to the south side of the balconies serving flats 2 and 5 shall be submitted and agreed in writing by the Local Planning Authority prior to first occupation. The agreed screens shall be installed prior to first occupation and shall be permanently retained in that agreed position and form.
- 16 The A1/A2 use hereby permitted shall not be open to customers / members outside the hours of 8am to 6.30pm on Monday to Saturday and 10am to 4pm on Sundays and Bank Holidays.
- 17 The A3 use hereby permitted shall not be open to customers / members outside the hours of 8am to 10.30pm on Monday to Saturday and 10am to 8pm on Sundays and Bank Holidays.
- 18 Prior to first occupation of the development, a scheme to enhance the ecological value of the site shall be submitted to and agreed in writing by the Local Planning Authority. The ecological value shall be quantified using the Biodiversity Impact Assessment Calculator (BIAC) where appropriate. The scheme shall be implemented in full prior to the occupation of the development hereby approved.

- 19 The cycle store hereby approved shall be retained so that it is capable of allowing the storage of bikes, and shall at no time be converted into a room or used for any other purpose.
- 20 No air conditioning units or extraction systems shall be installed without the prior written approval of the Local Planning Authority.
- 21 Prior to any above ground works a scheme shall be submitted to the Local Planning Authority for approval to provide that the residents of the development, other than those residents with disabilities who are Blue Badge Holders, have no entitlement to a resident's parking permit. This shall include an agreed timescale for implementation and the approved scheme shall be implemented in accordance with the approved timescale.

This application is before this Committee since the recommendation is for approval contrary to an objection from a Local Council and at least one non-councillor resident, on planning grounds material to the application (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council)).

Description of Site:

The application site is a corner site located at the junction of Princes Road (which the site fronts) and Queens Road which sides onto the application site. The site slopes away to the rear with vehicular access to the underground carpark backing onto the site. There is an existing dwelling on the site, which is a heavily extended detached bungalow with dormers/roof extensions to three sides. The site lies just outside of the Small District Centre Buckhurst Hill boundary and is the end dwelling within a row of residential properties which extend to the south and on to the residential area of Buckhurst Hill. On the three remaining corners of the junction commercial units occupy the ground floor with flats above (except for at Waitrose). The site is not within a Conservation Area or the Metropolitan Green Belt.

Description of Proposal:

The application seeks consent for the demolition of the existing dwelling and replacement with a new building consisting of x 2 no. commercial units at ground floor and x 6 no. 1 bedroom flats at first and second floor. The proposal includes a refuse area, bike storage, private amenity area. No car parking is proposed.

Relevant History:

Various extensions to the bungalow and most recently:

EPF/0632/19 - Proposed replacement of a single dwelling with a new building consisting of x 2 no. commercial units and x 7 no. apartments – Withdrawn

Policies Applied:

Local Plan (1998) and Alterations (2006)

Section 38(6) Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan currently comprises the Epping Forest District Council Adopted Local Plan (1998) and Alterations (2006).

The following policies within the current Development Plan are considered to be of relevance to this application:

CP2 – Protecting the quality of the Rural and Built Environment
DBE1 – Design of new buildings
DBE2 - Effect on neighbouring properties
DBE5 – Design and Layout of new development
DBE8 – Private amenity space
DBE9 – Loss of amenity
ST01 – Location of Development
ST06 – Vehicle Parking
LL10 – Adequacy of provision for landscape retention
TC6 – Local Centres

NPPF:

The revised NPPF is a material consideration in determining planning applications. As with its predecessor, the presumption in favour of sustainable development remains at the heart of the NPPF. Paragraph 11 of the NPPF provides that for determining planning applications this means either;

- (a) approving development proposals that accord with an up-to-date development plan without delay; or
- (b) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole

The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making, but policies within the development plan need to be considered and applied in terms of their degree of consistency with the Framework.

Epping Forest District Local Plan (Submission Version) 2017

Although the LPSV does not currently form part of the statutory development plan for the district, on 14 December 2017 the Council resolved that the LPSV be endorsed as a material consideration to be used in the determination of planning applications.

Paragraph 48 of the NPPF provides that decision-takers may give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);

- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

The LPSV has been submitted for Independent Examination and hearing sessions were held on various dates from February 2019 to June 2019. On the 2nd August, the appointed inspector provided her interim advice to the Council covering the substantive matters raised at the hearing and the necessary actions required of the Council to enable her to address issues of soundness with the plan without prejudice to her final conclusions.

The following policies in the LPSV are considered to be of relevance to the determination of this application, with the weight afforded by your officers in this particular case indicated:

Policy		Weight
DM2	Epping Forest SAC and the Lee Valley SPA	Significant
DM9	High Quality Design	Significant
DM10	Housing Design and Quality	Significant
DM22	Air Quality	Significant
E2	Centre Hierarchy/Retail Policy	Significant
T1	Sustainable Transport Choices	Significant
H1	Housing Mix and Accommodation	Significant

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 43
 6 objections received:
 4 and 6 PRINCES ROAD
 11, 15 and 15A QUEENS ROAD
 BUCKHURST HILL RESIDENTS' SOCIETY

Objections can be summarised as follows:

Overlooking and loss of privacy from windows and balconies, loss of light to windows and garden areas, disruption of construction process, inadequate parking when existing parking issues, obscures views, sense of enclosure to junction, not in keeping with surrounding bungalows, location of bin store adjacent to shared boundary, there are existing empty shops, noise from commercial deliveries.

BUCKHURST HILL PARISH COUNCIL: Objection – Overdevelopment of the site, serious impact on the streetscene, overbearing on neighbouring bungalows, concerns on loss of single storey accommodation in the Parish, inadequate size of commercial units appears to have been addressed, total lack of parking spaces for residential and commercial units.

Main Issues and Considerations:

The main issues are considered to be the principle of the development in light of the draft SVLP policies, Design, Impacts on Amenity, Highways and Parking and impact on the SAC.

Principle of Development

Loss of Bungalow

Policy H1 of the SVLP resists the loss of bungalows, and the justification behind this policy is so that bungalows are retained to meet the needs of those that require level living accommodation. In this case, although originally a bungalow, this dwelling has been extended to a significantly large degree so that it has a full first floor with bedrooms and bathroom. It is considered that this dwelling can no longer be classed as a bungalow in the definition that is the spirit of policy H1 and therefore the loss of this dwelling is not contrary to policy H1.

In addition, the proposed flats will be accessible by lift, providing an alternative level living accommodation.

Small District Centre

Within the Places chapter of the SVLP the vision for Buckhurst Hill is set out which includes: *'provide varied employment...as part of a successful and prosperous High Street. New opportunities for wider employment uses will be maximised.'*

This application site located just outside of the small district boundary is considered to offer both employment opportunities (by way of the proposed two commercial units) as well as aid to the vitality and viability of the centre (by way of additional residential units) to support a more prosperous High Street. Although just outside of the small District boundary, the location is considered to complement this eastern side of Queens Road improving the general streetscape by adding animation/active frontage and a continuation of the centre along this well used pedestrian route.

It is noted that the proposed allocated site BUCK.R2 (Queens Road Car Park) is directly to the rear of the site. The proposal is not considered to prejudice the future development of this site. There is a reference within Appendix 6 of the SVLP for BUCK.R2 that states: *'Development proposals should consider incorporating retail uses at the ground floor level, where they would complement the offer of the adjacent Small District Centre'*. It is considered that this sentiment for the adjacent site is equally applicable to this application site.

Design

The design of the proposal has been amended since the previously withdrawn submission and the Council's Urban Design Officer aided discussion, through pre-application, in bringing the current proposal forward in its current form.

The proposal is considered to result in a contemporary addition to this fourth corner of the junction whilst maintaining the historic proportions and detailing evident at No. 17 Queens Road (corner with junction with Victoria Road) and No. 12 Queens Road (opposite corner with the junction with Princes Road) which it is noted is Locally Listed.

The proposal is considered to result in an acceptable addition to this part of the streetscene of Queens Road (particularly apparent on the submitted Artist Impression (349-PL-09)). The angular detail which addresses the corner positioning, is visible on all three existing corners of this junction, with the 'Queens Buildings sign at No. 17, curved façade and dormers at No. 12 and the gable and clock detailing at the Waitrose building.

This scheme addresses this corner detailing by not mimicking, but with the addition of the central projection bay with raised pediment above creating a focal point to the building in a similar form to the others on this junction.

The scale and proportion of the proposal respect the scale and form of this part of the streetscene and additionally detailing for the shop fronts has been well thought out using the traditional fanlight detailing as evident on the locally listed buildings at the lower end of Queens Road and detail such as this can be conditioned to ensure they are carried through to the end development.

Material choices have been put forward as part of the application and include multi yellow London stock brick and aluminium windows, which respect the surrounding buildings whilst appearing contemporary. Again, this can be conditioned to ensure that the materials proposed are those used in the built development.

Although the proposal is considered in proportion to and respectful to this part of the streetscene at the junction, the proposed scheme is adjacent to a bungalow (No. 4 Princes Road). Clearly there is an obvious visual difference between the bungalow at 4.8m in height to the proposal with a maximum height of 9.2m. However, this large difference is considered to have been effectively addressed by a set in from the shared boundary by 1m, with a single storey element with a eaves height of 2.7m and max height of 4.5m) with the main three storey element set in some 4.6m from the shared boundary. In addition, the site is at a lower level than No. 4 Princes Road by 0.6m (this could be ensured by a site levels condition). The proposal results in a substantial step up from bungalow to three storey property, but the above (coupled with the fact it is a flat roof (so no additional roof height) is considered to provide sufficient mitigation to prevent this proposal disrupting the appearance of the streetscene. It is also noted that the connectivity to the other three corners of this junction will help to reinforce this visual gap between the bungalow at No. 4 and the application site.

To the rear the proposal will face square onto the access to the car park. This elevation has balconies and windows with attractive detailing and provides interest to this car park area whilst providing an active frontage to this, otherwise poorly overlooked area.

Impact on Amenity

The nearest neighbouring property is No. 4 Princes Road, the adjacent bungalow. The proposal will clearly have some impact on this property given its overall size. However, the existing situation is less than ideal with the existing dwelling at two storey in height 0.8m away from the shared boundary. In addition, to the rear is a large existing first floor terrace which extends to the rear boundary. Perversely, the proposal although taller than the existing by 4m is set 4.6m from the shared boundary which is considered to improve outlook to the rear of No. 4 Princes Road. Given this distance (and the angle of the site) the 45 degree rule is met and it is considered that outlook is improved.

No. 4 has a side entrance to the bungalow but this will remain unaffected by the proposal given there is no impingement onto No. 4's land and the 0.8m set in from the shared boundary will ensure there is no excessive sense of enclosure.

There may be a loss of light to No. 4, but given it is to the south of the proposal this is not considered significant. In terms of overlooking all side windows will be obscure glazed in full or to a height of 1.7m and this will prevent any loss of privacy to No. 4 and further along Princes Road. Although not shown on the submitted plans screens could be positioned at the southern edge of the balconies that serve Flat 2 (first floor) and Flat 5 (second floor) to avoid any potential overlooking to the rear of properties on Princes Road.

With regards to loss of light to flats on the opposite side of the road – with regards to the flats above No. 12 Queens Road, given that these are on much higher ground level, an 18m separation distance and the orientation of the application site it is not considered a significant issue. With regards to the flats above No. 17-13 again there is a separation distance of some 13m and this

coupled with the lower roof form is considered to not result in an excessive loss of light to these flats.

Balconies will face the flats and commercial units and 13-17 Queens Road, but as above the separation distance is such coupled with this location within the busy local district centre is considered acceptable.

Conditions can be added with regards to opening times so that noise is controlled – the application form has suggested the following:

Use	Monday to Friday	Saturday	Sunday and Bank Holidays
A1 - Shops	Start Time: 08:00 End Time: 18:30	Start Time: 08:00 End Time: 18:30	Start Time: 10:00 End Time: 16:00
A3 - Restaurants and cafes	Start Time: 07:30 End Time: 22:30	Start Time: 08:00 End Time: 22:30	Start Time: 10:00 End Time: 20:00

Following discussion with the Agent and with the knowledge that the two nearby Costa Coffees (Queens Road and Victoria Road) open at 8am Mon-Fri, the Agent has agreed to an 8am start time for the A3 use. Given this busy town centre location it is not considered that these opening times (with the adjustment to 8am) are unreasonable and the more modest Sunday and Bank Holiday times are considered particularly neighbourly.

Details of any air conditioning/extraction units etc. which may cause any noise or nuisance can also be conditioned so that the Council has control over what may be installed in the future.

With regards to the amenity of future occupiers, all the flats have direct access to a balcony and in addition there is a small amenity area to the rear of the block which will provide extra space. The amount provided is acceptable for this town centre location and in addition there is nearby access to forest land etc. for additional recreational purposes.

Highways and Parking

The application was accompanied by a Transport Statement and Transport Assessment. The proposal complies with the ethos of SVLP T1 which states reduced car parking, including car free, development in sustainable locations will be supported. This is a sustainable location, within minutes walk to the underground station and the shops and services provided by Queens Road and surroundings.

The Highways Officer has no objection to the proposal and has noted that:

The applicant has undertaken a parking beat survey which demonstrates to the satisfaction of the Highway Authority that any off-street parking that results from the development will not have a detrimental impact upon highway safety within the vicinity. The Parking Standards Sept 2009 also state that parking provision can be reduced in urban areas well served by other sustainable modes of transport. Consequently, there are no highway grounds for objecting to the proposal.

SAC and Air Quality

The site is within the 3.2km buffer around the Epping Forest Special Area of Conservation (SAC) with Knighton Woods/Lords Bushes just some 160m from the site. Due the proximity to the SAC, a contribution towards recreational mitigation is required for any new dwelling (set at £352) and the applicant is in agreement to enter into a legal agreement for this contribution.

In addition to the requirement for a contribution towards mitigating against recreational pressures, all new developments within the District that result in additional car movements require mitigation to alleviate the air quality issues within the SAC. At present negotiations as to what this mitigation may be are ongoing with Natural England. However, in this case the proposal does not include any car parking and this in itself will discourage car ownership. A Transport Statement and Transport Assessment accompanied the application and the findings can be summarised as follows:

- The site is located less than 200m from Buckhurst Hill Station and as clear from above on the edge of the shops and services provided by Queens Road.
- The submitted reports have used the Merton Methodology which uses 200m as the maximum distance that people are normally willing to park their car to walk to their house.
- Surrounding parking within 200m is all restricted in some way (permit/chargeable).
- The nearest unrestricted parking is 350m away.
- The reports have indicated that undue parking stress would not be generated by the proposal in any event.
- The commercial units are not destinations in their own right but 'add on' so unlikely to generate significant numbers of separate car trips.

After a thorough assessment of the reports submitted, along with the specific merits of this proposal it is considered that the proposed scheme complies with SVLP policy DM22 and mitigation (beyond the circumstances of the application) is not required. This is considered acceptable on the proviso that a condition is added ensuring that future residents are made aware of the restriction (i.e. no entitlement to parking permits) and following discussion with the Applicant they are willing to implement this.

Conclusion:

Given the above discussion, approval subject to a legal agreement is recommended.

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

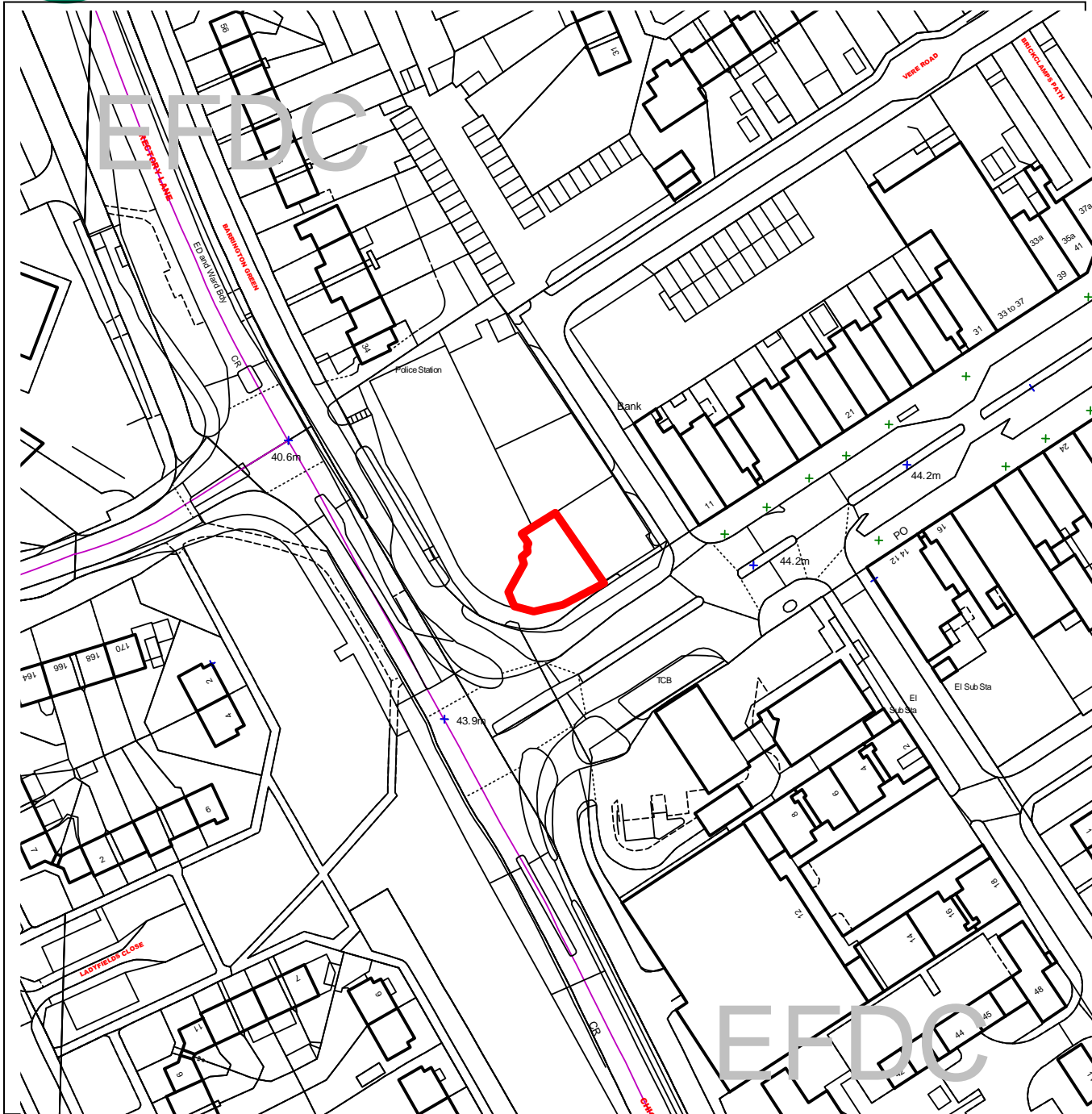
***Planning Application Case Officer: Marie-Claire Tovey
Direct Line Telephone Number: 01992 564414***

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

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Epping Forest District Council



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Application Number:	EPF/2668/19
Site Name:	1 Landmark House 3 The Broadway Loughton Essex IG10 2FA
Scale of Plot:	1:1250

Report Item No: 10

APPLICATION No:	EPF/2668/19
SITE ADDRESS:	1 Landmark House 3 The Broadway Loughton Essex IG10 2FA
PARISH:	
WARD:	Loughton Broadway
APPLICANT:	The Hub Loughton Limited
DESCRIPTION OF PROPOSAL:	New front facade to existing shell for public house with new front elevation signage & new air conditioning/ ventilation system.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=630153

CONDITIONS

- 1 The development hereby permitted will be completed and retained strictly in accordance with the approved drawings numbers and submitted documents:

Location and Site Plan, Proposed Ground Floor - 19.01-1201-P1, Awning Specification, Design Details of Equipment, Method Statement, Higgins Construction Noise Impact Assessment, Shopfront Elevation 04A, Shopfront Elevation and signage Details, Shopfront Elevation and Awning Details, KP Acoustics Report, Front elevation photo montage and Response to Section 6.1, 6.2 and 6.3 of the KP Acoustics Report.
- 2 The maximum luminance of the signs granted consent by this Notice shall not exceed 300 candelas per square metre.
- 3 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 4 Equipment shall be installed to suppress and disperse cooking/food preparation fumes and smell to a minimum. The equipment shall be effectively operated and maintained for so long as the use continues. Details of the equipment shall be submitted to, and approved by, the Local Planning Authority and the equipment shall be installed and be in full working order to the satisfaction of the Local Planning Authority prior to the commencement of use.
- 5 The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site. Should any discoloured or odorous soils be encountered during development works or should any hazardous materials or significant quantities of non-soil forming materials be found, then all development works should be stopped, the local planning authority contacted and a scheme to

investigate the risks and/or the adoption of any required remedial measures be submitted to, agreed and approved in writing by the local planning authority prior to the recommencement of development works. In such instances, following the completion of development works and prior to the first occupation of the site, sufficient information must be submitted to demonstrate that any required remedial measures were satisfactorily implemented or confirmation provided that no unexpected contamination was encountered.

6 The use hereby permitted must cease during any period that the rating level of noise (as defined by BS4142:2014) emitted from the mechanical plant installed at the premises exceeds the prevailing background noise level. The measurement position and assessment shall be made according to BS4142:2014.

7 Mitigation methods to reduce the noise from the mechanical plant hereby permitted shall be agreed in writing with the Local Planning Authority before they are first used. The mitigation methods should provide (as a minimum) those values detailed in the noise report by KP Acoustics (report #19236.PCR.01 Rev A) submitted with the planning application EPF/2668/19.

The noise mitigation equipment should be installed by a competent engineer, with appropriate public liability insurance, and tested before the equipment is used regularly to ensure it complies with the above condition relating to BS4142:2014.

A report detailing the testing of the mitigation equipment should be submitted to, and agreed by, the Local Planning Authority before the hereby permitted use commences.

This application is before this Committee since the recommendation is for approval contrary to more than five objections which are material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(g))

Description of Site:

The application site is a ground floor retail area within the recently built Landmark House with residential units above, the unit fronts onto Chigwell Lane. The site is located at the junction of Chigwell Lane and The Broadway within the built up area of Debden and the site forms part of the Small District Centre of Loughton Broadway. Part of the building (fronting The Broadway) is defined as Primary Retail Frontage. The application site is not within a Conservation Area and it is not a Listed Building.

Description of Proposal:

This is a retrospective planning application and seeks permission for a new front facade & awnings to existing public house with new front elevation signage & new air conditioning/ ventilation system.

The façade is a change in the design as previously approved and has resulted in the installation of 2 more signs than before and the installation of awnings.

Relevant History:

EPF/1969/19 - New front signage. Grant Permission (With Conditions)

EPF/1963/19 - New front facade to existing shell for public house. Grant Permission (With Conditions)

EPF/2163/14 - Demolition of Public House and garages and replacement with construction of a mixed use development, comprising retail and food and drink units (within classes A1, A3 and A4) at ground floor level and 64 residential units at upper floor levels (first to sixth floors), together with 64 car parking spaces, service yard, access and car parking. Approved and implemented.

Policies Applied:

Local Plan (1998) and Alterations (2006)

Section 38(6) Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan currently comprises the Epping Forest District Council Adopted Local Plan (1998) and Alterations (2006).

The following policies within the current Development Plan are considered to be of relevance to this application:

CP2	Quality of Rural and Built Environment
DBE9	Loss of Amenity
DBE10	Residential Extensions
DBE12	Shopfronts
DBE13	Advertisements

National Planning Policy Framework (NPPF) (February 2019)

The revised NPPF is a material consideration in determining planning applications. As with its predecessor, the presumption in favour of sustainable development remains at the heart of the NPPF. Paragraph 11 of the NPPF provides that for determining planning applications this means either;

- a) approving development proposals that accord with an up-to-date development plan without delay; or
- b) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole

The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making, but policies within the development plan need to be considered and applied in terms of their degree of consistency with the Framework.

In addition to paragraph 11, the following sections of the NPPF are considered to be of relevance to this application:

Section 12.

Epping Forest District Local Plan Submission Version (LPSV) (2017)

Although the LPSV does not currently form part of the statutory development plan for the district, on 14th December 2017 the Council resolved that the LPSV be endorsed as a material consideration to be used in the determination of planning applications.

Paragraph 48 of the NPPF provides that decision-takers may give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

The LPSV has been submitted for Independent Examination and hearing sessions were held on various dates from February 2019 to June 2019. On the 2nd August, the appointed inspector provided her interim advice to the Council covering the substantive matters raised at the hearing and the necessary actions required of the Council to enable her to address issues of soundness with the plan without prejudice to her final conclusions.

The following policies in the LPSV are considered to be of relevance to the determination of this application, with the weight afforded by your officers in this particular case indicated:

Policy	Weight afforded
SP1 - Presumption in Favour of Sustainable Development	Significant
DM 9 – High Quality Design	Significant
DM 14 - Shopfronts and On Street Dining Shopfronts	Significant
DM 13 – Advertisements	Significant

Consultations Carried Out and Summary of Representations Received:

Number of neighbours consulted: 70

Responses received: The following local residents have objected to the proposal and their objections are summarised below:

1, 7, 10, 12, 16, 17, 19, 21, 25, 37, 38, 41, 46, 61 (16 Redbridge Lane Wanstead, owner of 61), 64 Landmark House, and comment from 1 resident with no indication of flat number at Landmark House.

- Summary of objections - Smells from the ventilation system will impact on use balconies, should be higher to discharge odours above residential units, pub users cause disturbance and noise, the signs are garish and out of place, this is a retrospective application.

Loughton Residents Association Plans Group object to the proposal for the following reasons which have been summarised:

- This application should not have been validated as there were no details on the plant until an acoustic report was added later but still no planning drawings.
- The extracts will be below residential windows. Smells and warmer air will impact on the occupiers above especially in the summer when their windows are open. Whilst there are filters, if not maintained they will cause a problem for residents. A site inspection confirmed that the fumes could be smelt from the car parking area.
- The extracts should discharge at roof level where smells and heat will not affect the residents in the building. Overall this is a badly planned scheme where extract infrastructure should have been planned into the development right from the start.
- The signage has also already been installed - it should be at fascia level and not be on the pillars between the windows which are harmful to the building and streetscape. The signage is inappropriate.

If the Council is minded to approve the application, we ask for conditions as follows:

- The plant should be painted and maintained in black to limit its visual impact.
- The plant should be turned off between the hours of 11pm and 7am to protect the amenity of residents above. Even the clicking on and off of plant in the middle of the evening, when ambient noise levels are lower, is very disturbing for residents trying to sleep.

LOUGHTON TOWN COUNCIL: NO OBJECTION

Issues and Considerations:

Façade and Awning

The proposed front façade will be finished in render and will comprise of brick plinth and grey framed glazed curtain walling with integrated glazed doors. The proposed design of the façade is simple and in keeping with the character of the building and the street scene. The proposed awnings are of simple design and have no writing on them. They project forward by 2.0 metres.

Policy DBE12 provides that:

- (i) new shopfronts are in keeping with the character and appearance of the upper elevations of the buildings on which they will be situated;
- (ii) new shopfronts should not result in the removal or concealment of features which contribute to the character of the building;
- (iii) new shop fascia's are appropriate to the building (in terms of length, depth and materials);
- (iv) new shop fascia's should not extend uninterrupted across more than one shop unit; and

The new fascia and awnings respect the above criteria.

Adopted Local Plan and 2017 Submission Version requires that new facades (shopfronts) are in keeping with the character and appearance of the host building, and should not result in the loss of traditional shopfronts. There is no such loss in this case.

Therefore it is considered that the proposal complies with Policy DBE12 of Epping Forest District Local Plan (1998) and Alterations (2006) and Policy DM14 of Epping Forest District Local Plan Submission Version 2017.

Signage

The 5 signs have a height of 2.5 metres, a width of 0.8 metre and a depth of 0.05 metre each. The signs are 0.6 metres from the ground to the base of the advert and are constructed in steel sheet. The maximum height of the individual letters is 35 centimetres and the letters are orange and blue colour on a white background. The signage is illuminated by swan necked individual lamps. 3 of the signs were previously approved under the 2019 permission. 2 additional signs have been added with the changes to the façade as above.

Regulation 3 of the Advertisement Regulations 2007 makes it clear that the only issues to be addressed when assessing the merits of a display are amenity and public safety.

The displays would respect the modern appearance and function of the public house and cause no harm to the interests of public safety in terms of the siting, size and positioning of the advertisements. They would appear appropriate in the context of the locality and would not cause harm to the living conditions of neighbouring residential properties. The proposal complies with Policy DBE13 of Epping Forest District Local Plan (1998) and Alterations (2006) and Policy DM13 of Epping Forest District Local Plan Submission Version 2017.

Objections have been received from the local residents and LRA with regards to the design of the shopfront and the signage. It must be noted that further plans and information were received with in relation to this element of the proposal and it was re-consulted with the new information. In addition, originally the signage and the façade were given permission on the above approved applications ref: EPF/1969/19 and EPF/1963/19. The changes in this application are the awning, minor changes to the facade and 2 additional signs and illumination.

Taking into account the above shopfront and signage policies it is considered that the additions will have minimal impact on the original design, comply with policy and will not have material negative impact on the local residents.

Air Condition and Ventilation System

The main issue with the ventilation system is the impact on the amenities of neighbouring properties, especially those above the system in terms of noise and smells.

Noise

With regards to the noise level produced by the system, two individual reports have been provided by KP Acoustics and Higgins Construction. The Higgins Construction report was provided prior to the installation of the equipment.

KP Acoustics carried out a survey and concluded the following:

The results of the survey have enabled a representative background noise level to be set. Manufacturer's noise data of proposed plant units has been used to obtain Specific and Rated Noise Level at the nearest noise sensitive receiver in accordance with British Standard BS4142:2014 for compliance with Epping Forest District Council requirements.

The rating level was compared with the representative background noise level to assess the likelihood of impact considering the environmental noise context of the area as per the requirements of BS4142:2014.

It has been concluded that noise emissions from the proposed plant units would not have an adverse impact on the nearest residential receivers provided that the noise control strategy presented in Section 6 is followed.

The application has provided evidence to demonstrate that Section 6 of the report for Noise Control Measures have been met and acoustic silencer details (section 6.1) and plant enclosure details (section 6.2) and anti-vibration details (section 6.3) were provided to satisfy this requirement. This information was used on the second round of the consultation process.

The other report in relation to noise impact was provided by Higgins Construction and they concluded that:

An environmental noise survey was carried out on site in order to determine prevailing background noise levels that are representative of the nearest noise sensitive properties. The operation of the kitchen extraction and ventilation systems, in accordance with BS 4142:2014 guidance, indicates to creating a low impact. All worst-case scenarios have been applied to the assessment. The predicted maximum operating noise level of the kitchen extract and ventilation system expected to comply with Epping Forest District Councils policy.

It is noted that Environmental Enforcement Officer has been consulted has recommended a condition which requires noise mitigation equipment to be installed and tested before the equipment is used regularly to ensure it complies with the above to BS4142:2014 guidance.

Odours

With regards to the odours, the applicant has provided relevant specification of the extraction systems in accordance with KP Acoustics report which states:

Ozone is drawn into the airstream where it mixes with and oxidises odorous organic compounds present, breaking them into Carbon Dioxide and water, along with some residual ozone, thus rendering them odourless. The oxidisation process will also act upon grease present in the air stream leading to a reduction in duct cleaning costs.

In addition, a condition will be attached to the decision notice to ensure that the correct equipment will be installed to mitigate the adverse impact on the creation of unpleasant odours.

Response to neighbouring properties and other third parties

As outlined above a number of objections from the local residents and LRA have been received to the proposed development with regards to the noise and smell caused by the air condition and the ventilations systems. Whilst the above comments are acknowledged, it is noted that the required surveys have been carried out by two individual organisations, The Higgins Construction and KP Acoustics. According to their surveys they have concluded that the level of noise and odour created by the above equipment is at an acceptable level and will not cause harm to the local residents. In addition, the ventilation system mechanical installation as outlined above is in a way that renders the smells odourless. Furthermore, the applicant has provided evidence to indicate that the equipment has been installed as per the above reports. Furthermore conditions are attached to the decision notice which will enforce the continuation of the installation of equipment which will suppress and disperse cooking/food preparation fumes and smell to a minimum and will control and mitigate the level of noise to an acceptable level in a way that will not cause harm to the local residents.

Other matters raised by the neighbours and the LRA around noise and disturbance from the sue of the site are not relevant to the merits of this application.

Conclusion

For the reasons outlined above, it is recommended that planning permission is granted for this proposal subject to conditions attached within the decision notice.

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:

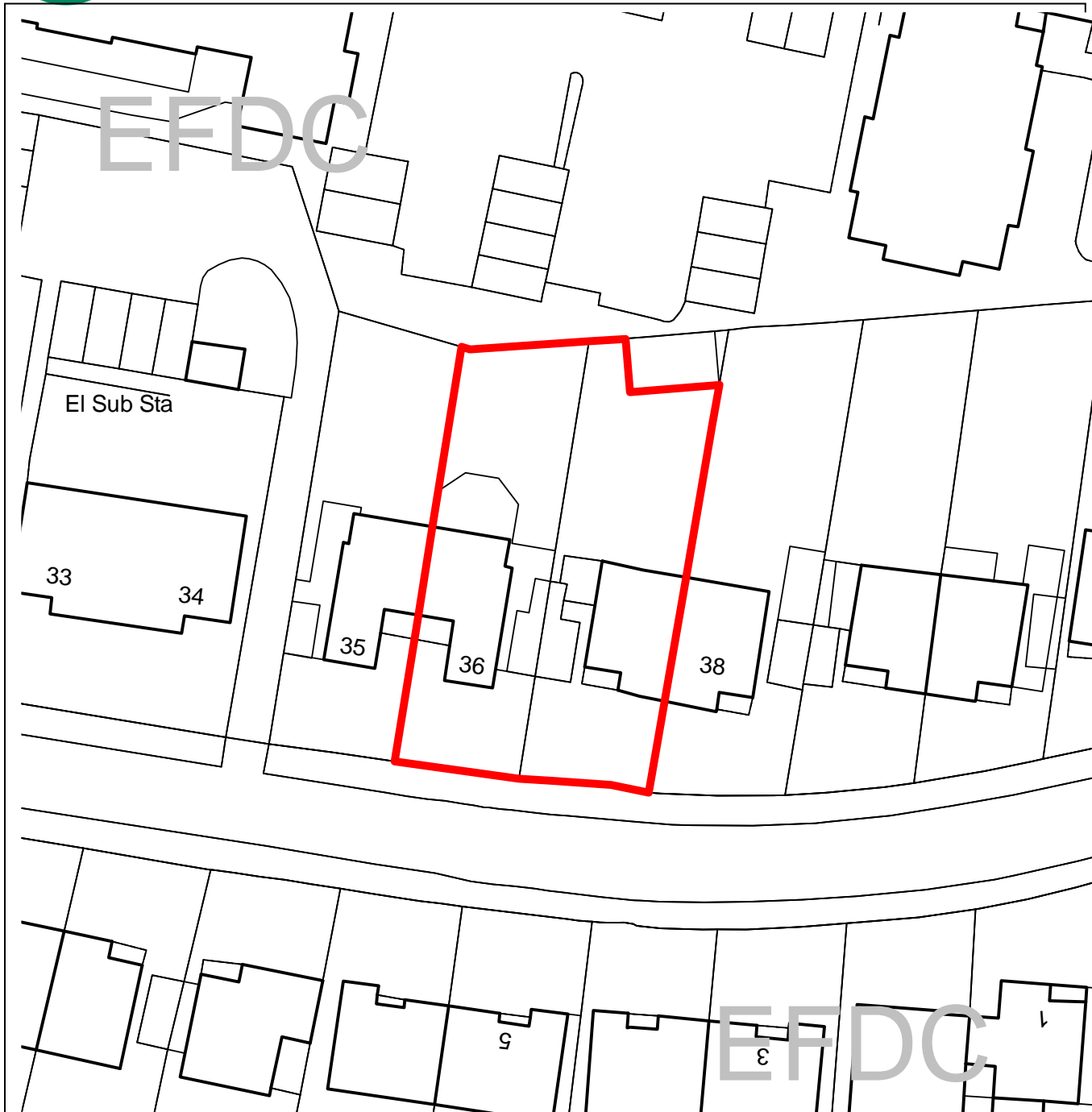
***Planning Application Case Officer: Honey Kojouri
Direct Line Telephone Number: 01992 56 4124***

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

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Epping Forest District Council



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Application Number:	EPF/1289/20
Site Name:	37 Fairlands Avenue Buckhurst Hill IG9 5TF
Scale of Plot:	1:500

Report Item No: 11

APPLICATION No:	EPF/1289/20
SITE ADDRESS:	37 Fairlands Avenue Buckhurst Hill IG9 5TF
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
APPLICANT:	Mr Richard Fish
DESCRIPTION OF PROPOSAL:	Proposed two storey side extension and loft conversion with remodelling of the garage.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=638218

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 and retained strictly in accordance with the approved drawings numbers: Site Location Plan, FLS-002, FLS-003, FLS-004, FLS-005, FLS-006, FLS-007 Rev B, FLS-008, FLS-009 Rev B, FLS-070, FLS-072, FLS-073 Rev B, FLS-074 Rev B, FLS-075 Rev B AND FLS - 077.
- 3 Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 4 The window openings in the flank elevation of the dormer shall be entirely fitted with obscured glass with a minimum Level 3 obscurity and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.

This application is before this Committee since the recommendation is for approval contrary to an objection from a Local Council and at least one non-councillor resident, on planning grounds material to the application (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council)).

Description of Site:

The application site is a detached two storey property with detached shared double garage (shared with No. 36 Fairlands), located on the north side of Fairlands within the built up area of Buckhurst Hill. The site slopes down to the west. There is an existing small dormer to the rear. The site is not within the Green Belt or a Conservation Area.

Description of Proposal:

Proposed two storey side extension and a loft conversion with remodelling of garage, including neighbour's garage roof remodelling. This is a revised application to address concerns with regards to the remodelling of the neighbour's garage as half the garage which is to be partly demolished is in the ownership of No. 36 Fairland Avenue. This application keeps the neighbour's roof as existing but extending it towards 37.

Relevant History:

EPF/0272/20 - Proposed two storey side extension & a loft conversion and garage remodelling - Approved

EPF/2958/19 - Proposed two storey side extension & a loft conversion including Juliet balcony, garage remodelling - Withdrawn

Policies Applied:

Local Plan (1998) and Alterations (2006)

Section 38(6) Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan currently comprises the Epping Forest District Council Adopted Local Plan (1998) and Alterations (2006).

The following policies within the current Development Plan are considered to be of relevance to this application:

CP2	Protecting the quality of the rural and built environment
DBE1	Design
DBE9	Design
DBE10	Amenity

*NPPF:*The revised NPPF is a material consideration in determining planning applications. As with its predecessor, the presumption in favour of sustainable development remains at the heart of the NPPF. Paragraph 11 of the NPPF provides that for determining planning applications this means either;

- (a) approving development proposals that accord with an up-to-date development plan without delay; or
- (b) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole

The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making, but policies within the development plan need to be considered and applied in terms of their degree of consistency with the Framework.

In addition to paragraph 11, the following paragraphs of the NPPF are considered to be of relevance to this application:

Paragraph 124
Paragraph 127
Paragraph 130
Paragraph 131

Epping Forest District Local Plan (Submission Version) 2017

Although the LPSV does not currently form part of the statutory development plan for the district, on 14 December 2017 the Council resolved that the LPSV be endorsed as a material consideration to be used in the determination of planning applications.

Paragraph 48 of the NPPF provides that decision-takers may give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

The LPSV has been submitted for Independent Examination and hearing sessions were held on various dates from February 2019 to June 2019. On the 2nd August, the appointed inspector provided her interim advice to the Council covering the substantive matters raised at the hearing and the necessary actions required of the Council to enable her to address issues of soundness with the plan without prejudice to her final conclusions.

The following policies in the LPSV are considered to be of relevance to the determination of this application, with the weight afforded by your officers in this particular case indicated:

Policy	Weight afforded
DM9 – High quality design	Significant
DM10 – Housing Design and Quality	Significant

Consultation Carried Out and Summary of Representations Received:

Number of neighbours consulted: 19
Site notice posted: Not required
Neighbour responses received:

36 FAIRLANDS AVENUE – Reject: The two storey structure will block the sunlight to my East facing window. The construction also looks very intrusive and totally change the structures from the front, with the narrow walkway. The proposed front looks that my garage is part of their property. Also, the height of the extension would overlook more into my garden space and invasion of privacy.

BUCKHURST HILL PARISH COUNCIL – Objection: Detrimental to the streetscene with the symmetry of the garages. Lack of sufficient elevation drawings makes it difficult to properly look at this application.

Main Issues and Considerations:

Design

With regards to the extensions to the property these remain the same design as approved under EPF/0272/20 and were previously found to be acceptable.

The difference with this application concerns only the design of the garage roof for the neighbouring properties garage roof. No. 36 and 37 currently share a double garage. As the garage for No. 37 is to be demolished, the roof for the remaining part (in the ownership of No. 36) requires addressing.

Under application EPF/0272/20 the remaining garage building had a simple gable pitched roof. It is understood due to issues outside of planning legislation this was not acceptable and agreement to a re-design of the roof is now sought. The proposal now extends the roof in a hip over the existing garage and will attach to the side wall of No. 37 (providing a covered access over the side entrance). This design (although unusual due to the ownership issues) is considered acceptable and does not disrupt the streetscene.

Neighbouring Amenity

The previous application found the extensions to the house (side extension and loft extension) acceptable in terms of amenity subject to conditions controlling the side facing windows.

The alterations to the neighbour's garage are not considered to result in any amenity concerns. It is noted that, as with the previous application, planning permission does not override ownership rights and works cannot commence on someone else property without permission. This will be made clear by way of an informative on any permission granted.

Conclusion:

The proposal results in alterations to the property which are considered an acceptable design, with limited impact to amenity. The changes to the garage roof are also considered acceptable. Given the above approval is therefore recommended.

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

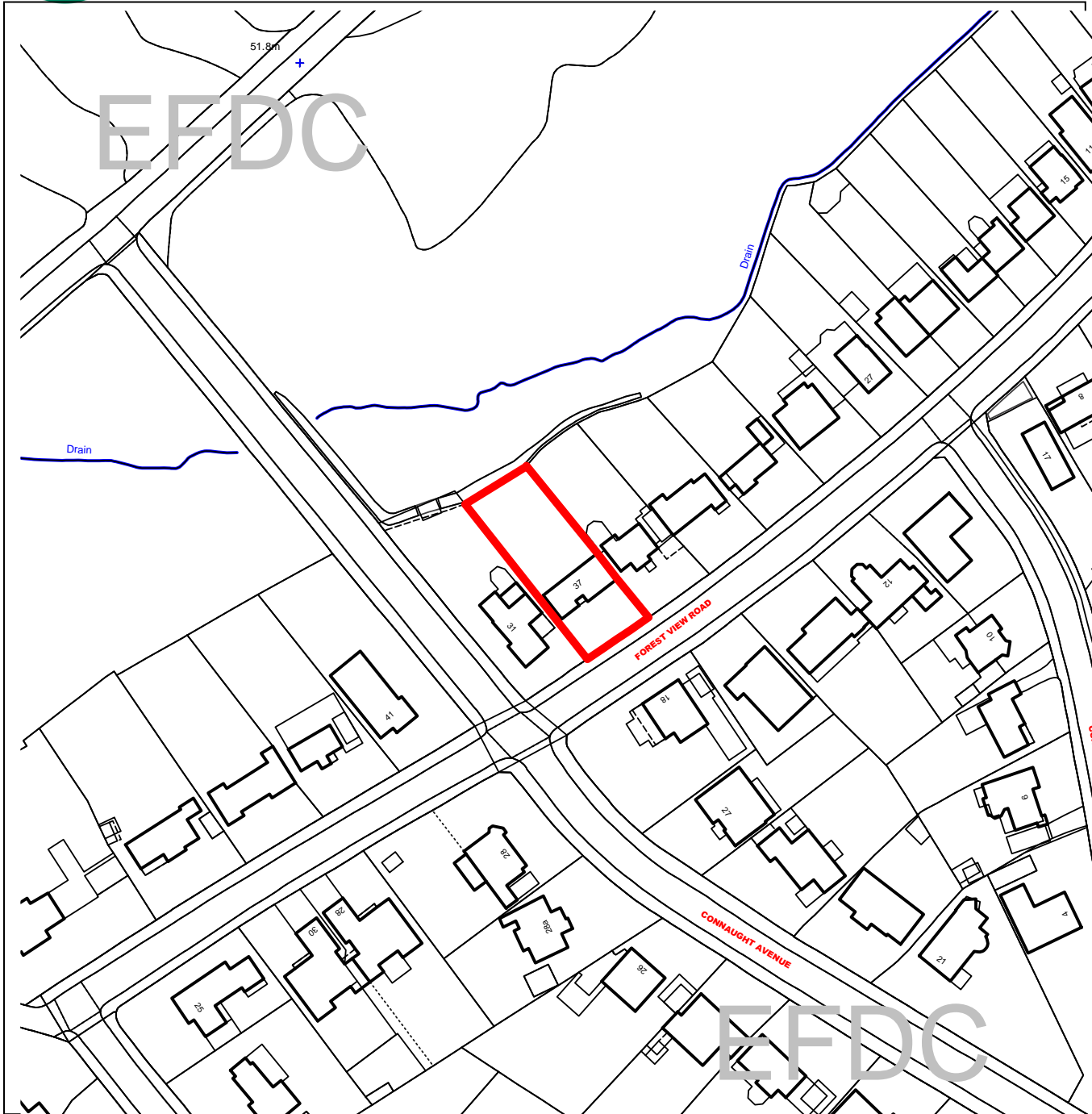
***Planning Application Case Officer: Marie-Claire Tovey
Direct Line Telephone Number: 01992 564414***

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

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Application Number:	EPF/1376/20
Site Name:	37 Forest View Road Loughton IG10 4DX
Scale of Plot:	1:1250

Report Item No: 12

APPLICATION No:	EPF/1376/20
SITE ADDRESS:	37 Forest View Road Loughton IG10 4DX
PARISH:	Loughton
WARD:	Loughton Forest
APPLICANT:	KMDS Designs
DESCRIPTION OF PROPOSAL:	Part single storey part two storey rear extension and loft conversion.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=638655

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 and retained strictly in accordance with the approved drawings numbers: PL-5865_01A, PL-5865_02A, PL-5865_03, PL-5865_04, PL-5865_05B, PL-5865_06A, PL-5865_07C, PL-5865_08B, PL-5865_09, OS 2043-20.1
- 3 Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 4 Prior to preliminary ground works taking place, details of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 5 If any tree, shrub or hedge shown to be retained in the submitted Arboricultural reports is removed, uprooted or destroyed, 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.

- 6 Prior to any above ground works, full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) shall be submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 7 Tree protection shall be implemented prior to the commencement of development activities (including demolition), and the methodology for development (including supervision) shall be undertaken in accordance with the submitted Tree Survey/ Arboricultural Method Statement reports unless the Local Planning Authority gives its prior written approval to any alterations.

Tree protection shall be installed as shown on Open Spaces drawing number OS 2043-20.1 (Tree protection plan) dated 5th August 2020.

This application is before this Committee since it is for a type of development that cannot be determined by Officers as the majority of those consulted objected on planning grounds material to the application (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council).

Site and Surroundings

The site comprises of a part two-storey detached dwelling house, located on the North side of Forest View Road within the built-up area of Loughton. It is not within a conservation area nor is it a listed building.

The application site is located on a gently sloping road downwards from West to East, as such it sits on slightly lower ground than 31 Connaught Avenue and slightly higher than no.39 Forest View Road, the gardens on Forest View Road fall to the rear. The properties on this part of Forest View Road are large detached dwelling house recessed from the road, there is no uniform style, many have benefited from large alterations. To the rear of the property lies forest land.

Proposal

The proposal is a part single storey part two storey rear extension and loft conversion.

The proposal seeks to extend to the rear of the property to a depth of 5m at both ground and first floor level from the West flank to a width of 10.4m. A single storey extension with a depth of 4.1m is proposed to infill the gap between the two storey extensions flush with the East flank. The rear extension will facilitate a loft conversion, the ridge height of part of the roof will be raised by 0.5m. The roof will be completely replaced with a new crown roof and the larger front facing dormer windows will be removed to give the front elevation an appearance more akin to that of a two-storey dwelling house rather than a chalet bungalow. Six rooflights are also proposed. A stepped

elevated patio area is proposed for the rear of the property which will be 3.3m in depth at its deepest. This will be stepped in from the boundary.

Relevant Planning History

EPF/0579/03 - Demolition of existing garage, part two storey/part single storey rear extension and two storey side extension - GRANTED

Development Plan Context

Local Plan and Alterations (LP) (1998 & 2006)

Section 38(6) Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan currently comprises the Epping Forest District Council Adopted Local Plan (1998) and Alterations (2006).

The following policies within the current Development Plan are considered to be of relevance to this application:

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

National Planning Policy Framework (Framework) (2019)

The Framework is a material consideration in determining planning applications. As with its predecessor, the presumption in favour of sustainable development remains at the heart of the NPPF. Paragraph 11 of the NPPF provides that for determining planning applications this means either;

- a) approving development proposals that accord with an up-to-date development plan without delay; or
- b) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole

The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making, but policies within the development plan need to be considered and applied in terms of their degree of consistency with the Framework.

In addition to paragraph 11, the following paragraphs of the NPPF are considered to be of relevance to this application:

Paragraphs 124 & 127

Epping Forest District Local Plan Submission Version (LPSV) (2017)

Although the LPSV does not currently form part of the statutory development plan for the district, on 14th December 2017 the Council resolved that the LPSV be endorsed as a material consideration to be used in the determination of planning applications.

Paragraph 48 of the NPPF provides that decision-takers may give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

The LPSV has been submitted for Independent Examination and hearing sessions were held on various dates from February 2019 to June 2019. On the 2nd August, the appointed inspector provided her interim advice to the Council covering the substantive matters raised at the hearing and the necessary actions required of the Council to enable her to address issues of soundness with the plan without prejudice to her final conclusions.

As the preparation of the emerging Local Plan has reached a very advanced stage, subject to the Inspector's Advice regarding the need for additional MMs, significant weight should be accorded to LPSV policies in accordance with paragraph 48 of Framework. The following table lists the LPSV policies relevant to the determination of this application and officers' recommendation regarding the weight to be accorded to each policy.

Policy	Weight afforded
SP1 Presumption in Favour of Sustainable Development	Significant
DM9 High Quality Design	Significant
DM10 Housing Design and Quality	Significant

Summary of Representations

Number of neighbours consulted: Four neighbours consulted; three representations received
 Site notice posted: Not required

31 Connaught Avenue – Objection, summarised as:

- Loss of privacy and overlooking
- Overshadowing and loss of morning light/sunshine for the rear conservatory and garden areas
- Dominating and overbearing
- Cannot be built without trespassing and causing health and safety issues

35 Forest View Road – Objection, summarised as:

- Proposed depth of terrace area will have a detrimental impact on privacy due to the differing land levels.
- Single storey rear extension gross overdevelopment and out of character with wider area.
- Roof lights in East elevation causing loss of privacy as well as the raising of the roof
- Concerns regarding the building foundations and potential subsidence issues

16 Forest View Road – Objection, summarised as; fully supports the contents of no.35 Forest View Roads objection, as well as raising concerns in regard to the water course running through the bottom of the rear garden of the application site and the adjoining neighbours and its implications on the foundations of any development on the site.

Please note that each objector also raised concerns regarding the quality of the plans and inaccuracies contained within them, revised plans have been submitted and they are now of satisfactory quality.

Loughton Town Council – No Objection

Landscape and Tree Officer – No objection subject to conditions

Land drainage – No objection subject to conditions

Planning Considerations

The main issues for consideration in this case are:

- a) The impact on the character and appearance of the locality; and
- b) The impact on the living conditions of neighbouring amenities.

Character and appearance

The raising of the ridge height by 0.5m to facilitate a loft conversion is considered acceptable within this area given the variation in styles and degrees of separation between the properties in this area. No.31 Connaught Road sits on slightly higher ground than the application site, the raising of the roof will bring it largely in line with that property. Whilst the application site sits on slightly higher ground than no.35 Forest View Road there is a step down in the existing roof ridge towards no.35. The roof on this part of the dwelling house is not set to be increased in height. As such, raising the roof ridge will not appear as unduly dominating or incongruous within the street scene. The front elevation is proposed to be amended and the removal of a large hipped roof dormer will give the property an appearance more akin to a two-storey dwelling house rather than a chalet bungalow. Overall the alterations viewable from the streetscene to the front elevation are considered to aesthetically enhance the property and will not appear as out of character for the wider area.

The 5m deep rear extension to the rear of the property will not breach the existing building line. Both adjacent properties currently have extensions that extend beyond the rear building line of that of the host site. The two-storey element of the proposal will not extend the entire width of the house, this does much to lessen the bulk and mass of the proposal. A 5.5m two storey rear extension was approved in 2003 under EPF/0579/03, although this only extended 7m in width from the West flank and wasn't built.

A single storey rear extension is proposed from the side wall of the proposed two storey extension to the east elevation, this will measure 2.4m in width and 4m in depth. This will not extend beyond the existing rear conservatory at no.35 and will have a flat roof. The single storey rear extension will not be viewable from the streetscene and is not considered to be out of character for the area. Regardless, there is a far more prominent flat roof side extension viewable from the streetscene at no. 33 Forest View Road.

The application site is not prominent within the streetscene and forest land is set to the rear, as such the crown roof would convincingly appear as a hipped roof within the streetscene and would not appear as detrimental to it. No.45 Forest View Road has undergone similar works to the roof. Given the above the alterations to the rear do not amount to overly dominant, excessively large or incongruous additions.

The application site does not compromise the Green Belt or the forest land to the rear. Overall, the proposal complements and enhances the existing building as well as the character and appearance of the wider area.

Therefore, this fully complies with policies CP2, DBE9 and DBE10 from the *Local Plan and Alterations (LP) (1998 & 2006)*, policies DM9 and DM10 from the *Epping Forest District Local Plan Submission Version (LPSV) (2017 and the NPPF)*.

Living conditions of neighbours

Impact on the living conditions of no.31 Connaught Road

The occupants of this property have raised a number of concerns in regard to loss of privacy and light. The front elevation of no.31 is orientated to the West on Connaught Road and the rear of the property backs on to the host site and sits on slightly higher land. Although the proposal extends 5m from the original dwelling house at two storeys it will not significantly worsen the present situation in regard to overlooking and loss of privacy between the two properties. The conservatory and rear garden area will only be viewable at oblique views, there are no windows located in the flank walls facing no.31. The boundary between the properties is lined with thick and high vegetation in the form of a hedge, the proposed elevated patio area will not cause overlooking. It is not considered that there will be significant overlooking derived from this development or any significant loss of privacy.

No.31 is orientated to the south of the proposal. Given the height and depth of the proposal and its proximity to the boundary of no.31 there will be some loss of light and morning sunlight derived from the proposal however no.31 sits on higher ground than the host site and the proposal does not breach the 45 degree rule when measured from the first floor rear window of no.31. The proposal will not compromise the rear building line shared between the two properties and will not appear as overbearing. A separation distance of 3.4m will be maintained between the rear of no.31 and the side elevation of the proposed two storey rear extension.

The raising of the roof will have some implications on the light received by the window facing the west flank of the host site however given the moderate increase in ridge height and that the window effected already has minimal light and does not serve a habitable room it is not considered that the loss of light is such that it would warrant a refusal on these grounds. It should be noted that a deeper two storey rear extension was approved in 2003 which would have had a greater impact on the amenity of the occupants of this property. Overall the proposal will not have a significant impact on the living conditions of no.31 in terms of loss of light, privacy or overbearingness.

Impact on the living conditions of no. 35 Forest View Road

The host site sits on slightly higher land than no. 35 Forest View Road with both rear gardens falling significantly to the rear. The rear extensions will not extend beyond the rear building line of the conservatory at no.35 that lies adjacent to the boundary of the host site. The single storey rear extension will abut the boundary however by reason of its, depth, height and siting it is not considered that this element will have a significant impact on the living conditions of no. 35. The 5m double storey rear extension will have some impact on the light received by the occupants of this property but given the separation distance of 3.2m from this element of the proposal and the boundary this is not considered to be excessive enough to warrant a refusal on grounds of loss of light. The setting in of the two-storey element of the rear extension does much to lessen the sense of the enclosure and overbearingness of the proposal. The area of the roof closest to no.35 is not set to be increased in height and therefore no loss of neighbour amenity will be derived from that element of the proposal.

The occupants of no.35 have raised concerns in regard to the depth and height of the proposed terrace area. Revised plans have been submitted and the terrace area will now be staggered inwards and away from the boundary of no.35 Forest View Road thus reducing potential overlooking. It should be noted that the more intimate gardens area of no.35 Forest View Road lie

the other side of the conservatory and therefore are now easily viewable from the host site. The rooflights do not give rise to any loss of privacy concerns. Given the staggered nature of the terrace area and the layout of both rear gardens it is considered that there not be a significant loss of privacy for the occupants of no.35 Forest View Road derived from this proposal. The proposal does not give rise to any other neighbour amenity concerns.

Therefore, this fully complies with policies DBE2, DBE9 and DBE10 from the *Local Plan and Alterations (LP) (1998 & 2006)*, policies DM9 and DM10 from the *Epping Forest District Local Plan Submission Version (LPSV) (2017)* and the NPPF.

Other matters

Both the drainage and trees and landscaping officers have no objection to the proposal subject to conditions.

Conclusion

For the reasons set out above, 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: Brendan Meade
Direct Line Telephone Number: 01992 564078***

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



REFER



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