

Committee Agenda



Epping Forest District Council

AREA PLANNING SUB-COMMITTEE SOUTH **Wednesday, 21st October, 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, 21st October, 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, R 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 - 12)

To confirm the minutes of the last meeting of the Sub-Committee held on 23 September 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/1563/20 44 RUSSELL ROAD, BUCKHURST HILL (Pages 13 - 18)

To consider the attached report for a two storey rear extension with balcony and single storey side extension.

10. PLANNING APPLICATION - EPF/1776/20 178 BUCKHURST WAY, BUCKHURST HILL (Pages 19 - 24)

To consider the attached report for a proposed raised wood decking area with an open-sided canopy and an overhead retractable awning. (Revised scheme to EPF/1632/19).

11. PLANNING APPLICATION - EPF/1824/20 LAND AND GARAGES TO REAR OF 2 - 12 HORNBEAM ROAD (HORNBEAM CLOSE SITE B), BUCKHURST HILL (Pages 25 - 32)

To consider the attached report for a variation to condition 2 'Plan Numbers' on EPF/0215/16 (Demolition of garages and replacement with 3 x 3 bed two storey affordable homes with 7 parking spaces and associated landscaping) to allow alternative parking area and turning.

12. 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.

13. REFER SIGN (Pages 33 - 34)

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.

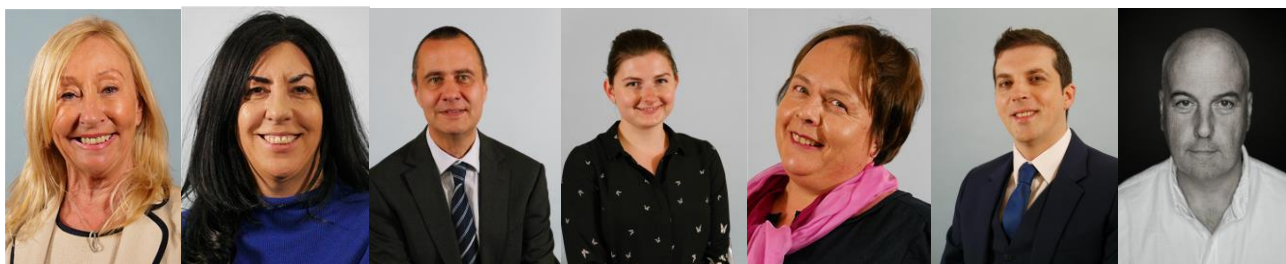
An Area Plans Sub-Committee is required to refer applications to the District Development Management Committee where:

- (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 Sungen
 Chigwell Village

Cllr Wixley
 Loughton Fairmead

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EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Sub-Committee **Date:** 23 September 2020
South

Place: Virtual Meeting on Zoom **Time:** 7.00 - 9.25 pm

Members Present: J Share-Bernia (Chairman), S Rackham (Vice-Chairman), G Chambers, R Baldwin, A Beales, R Brookes, S Heap, R Jennings, J Jennings, H Kauffman, L Mead, S Murray, S Neville, M Owen, A Patel, C P Pond, C C Pond and D Wixley

Apologies: A Lion, G Mohindra, B Sandler and D Sunger

Officers Present: A Marx (Development Manager Service Manager (Planning)), J Godden (Heritage, Enforcement & Landscaping Team Manager), J Leither (Democratic Services Officer), G Woodhall (Democratic & Electoral Services Manager) and S Mitchell (PR Website Editor)

45. WEBCASTING INTRODUCTION

The Chairman made a short address to remind all present that the meeting would be broadcast on the Internet, and that the Council had adopted a protocol for the webcasting of its meetings.

46. 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.

47. MINUTES

Resolved:

That the minutes of the meeting of the Sub-Committee held on 26 August 2020 be taken as read and signed by the Chairman as a correct record.

48. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor A Patel declared a non-pecuniary interest in the following item of the agenda by virtue of being the Commercial and Regulatory Portfolio Holder. The Councillor had determined that he would remain in the meeting for the consideration of the application and voting thereon:

EPF/2668/19 – 1 Landmark House, 3 The Broadway, Loughton IG10 2FA

49. ANY OTHER BUSINESS

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

50. 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

51. SITE VISITS

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

52. PLANNING APPLICATION - EFP/2378/19 2 PRINCES ROAD, BUCKHURST HILL

APPLICATION No:	EFP/2378/19
SITE ADDRESS:	2 Princes Road Buckhurst Hill IG9 5EG
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
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 EFP/0632/19).
DECISION:	Referred to DDMC

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

Referred on a minority reference, with a recommendation to approve

Extra conditions – retention of brickwork – no render, Windows and doors to be of wood not aluminium, hours of delivery to retail units in line with shop opening hours (request re hours of construction will be in the CMS condition).

53. PLANNING APPLICATION - EFP/2668/19 1 LANDMARK HOUSE, 3 THE BROADWAY, LOUGHTON

APPLICATION No:	EFP/2668/19
SITE ADDRESS:	1 Landmark House 3 The Broadway Loughton Essex

	IG10 2FA
PARISH:	Loughton
WARD:	Loughton Broadway
DESCRIPTION OF PROPOSAL:	New front facade to existing shell for public house with new front elevation signage & new air conditioning/ventilation system.
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=630153

REFUSED

1. The noise and odour ventilation and extraction systems cause intolerable nuisance to the residents of Landmark House and public, contrary to policy RP5A of the Local Plan and alterations and Policy DM21 of the SVLP.
2. The signage of the front is excessive and garish, causing significant harm the character and appearance of the street scene in this location contrary to policy DBE 13 of the Local Plan and alterations and policy DM13 of the SVLP.

Way Forward – extended the ventilation flues above roof level and switch off the systems when the premises is closed.

54. PLANNING APPLICATION - EPF/1289/20 37 FAIRLANDS AVENUE, BUCKHURST HILL

APPLICATION No:	EPF/1289/20
SITE ADDRESS:	37 Fairlands Avenue Buckhurst Hill IG9 5TF
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
DESCRIPTION OF PROPOSAL:	Proposed two storey side extension and loft conversion with remodelling of the garage.
DECISION:	Referred to DDMC

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

Referred to DDMC on a minority reference, with a recommendation to approve.

55. PLANNING APPLICATION - EPF/1376/20 37 FOREST VIEW ROAD, LOUGHTON

APPLICATION No:	EPF/1376/20
SITE ADDRESS:	37 Forest View Road Loughton IG10 4DX
PARISH:	Loughton
WARD:	Loughton Forest
DESCRIPTION OF PROPOSAL:	Part single storey part two storey rear extension and loft conversion.
DECISION:	Deferred

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

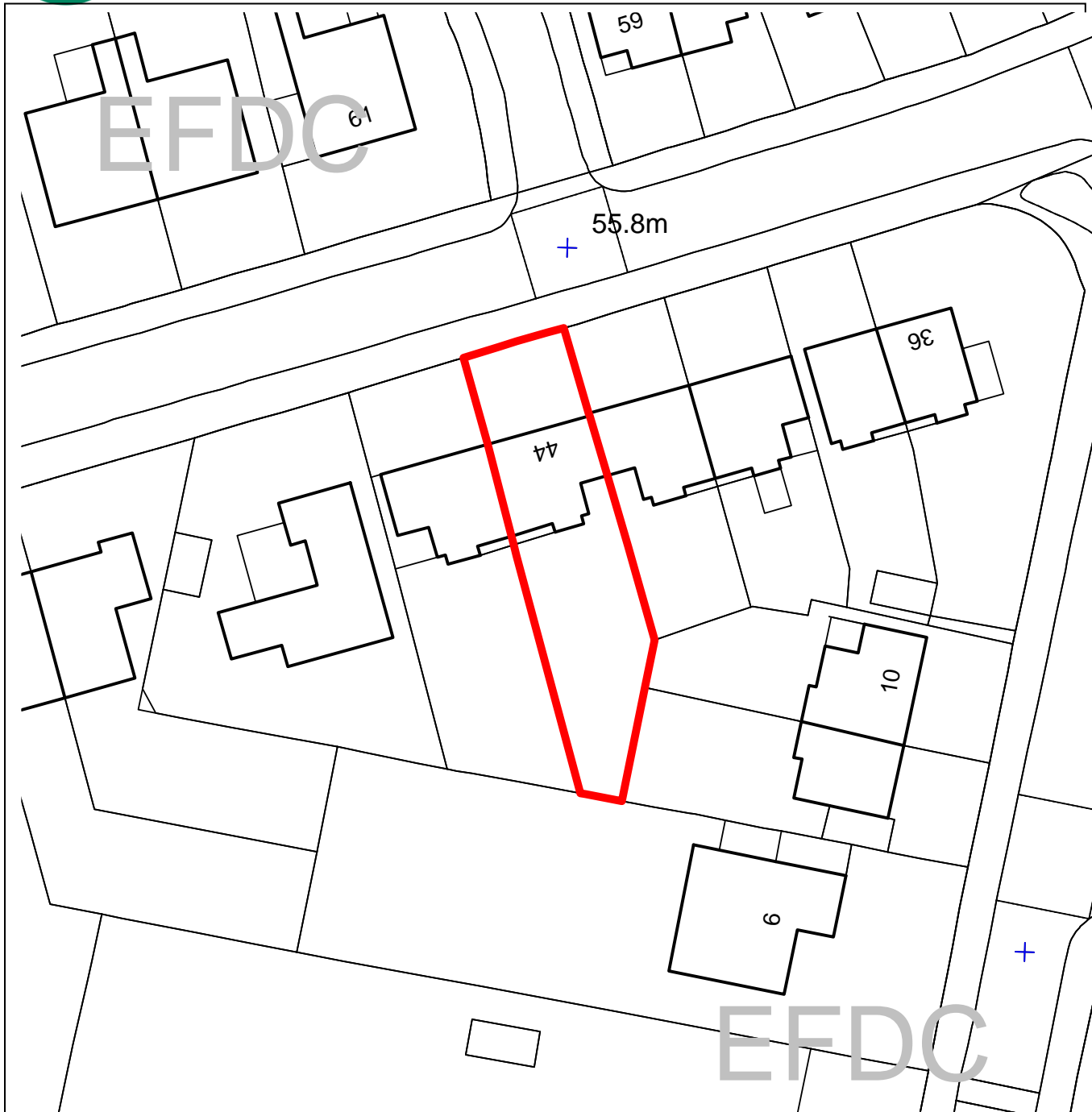
http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=638655

Deferred for more information on whether a 2003 permission is still “live” and for better quality plans.

CHAIRMAN



Epping Forest District Council



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Application Number:	EPF/1563/20
Site Name:	44 Russell Road Buckhurst Hill IG9 5QE
Scale of Plot:	1:500

Report Item No: 9

APPLICATION No:	EPF/1563/20
SITE ADDRESS:	44 Russell Road Buckhurst Hill IG9 5QE
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
APPLICANT:	Mr David Kershook
DESCRIPTION OF PROPOSAL:	Two storey rear extension with balcony and single storey side extension
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=639678

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: GA/0071/01, GA/0071/02, GA/0071/03, GA/0071/04, GA/0071/05, GA/0071/06, GA/0071/07, GA/0071/08 and GA/0071/09.
- 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 Privacy screens of approx. 1.7 metres high shall be installed at both edges of the balcony 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).

Site and Surroundings

The site comprises of semi-detached house, located within a built-up area of Loughton. It is not listed nor in a conservation area. Land levels drop to the North-east and South-west of the site.

Proposal

The proposal is for a two-storey rear extension with balcony and single storey side extension.

Relevant Planning History

EPF/1265/20 - Certificate of lawful development for a proposed hip to gable loft conversion including rear dormer with Juliet balcony - Lawful

Development Plan Context

Local Plan and Alterations 1998 & 2006 (LP)

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 2019 (Framework)

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 2017 (LPSV)

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: 8.

6, 8, 10, 15 WESTBURY ROAD, 42 RUSSELL ROAD, 2a, 43 SCOTLAND ROAD, BUCKHURST HILL RESIDENTS SOCIETY – Objections – Summarised as;

- Bulky addition;
- Loss of privacy;
- Overbearing and visual impact;
- Overdevelopment;
- Out of character;
- Loss of light/overshadowing; and
- Surface flooding.

BUCKHURST HILL PARISH COUNCIL – Objection – Overdevelopment of site and balcony will have substantial impact on neighbouring properties and loss of privacy.

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 properties.

Character and Appearance

The proposed works are considered to be of a size, scale and design that is acceptable and complements the appearance of the existing building. The proposal would not be readily visible from the street, so there is no impact to the street scene. There is sufficient space to the rear of the garden so the proposed extension would not be an overdevelopment of the site.

The attached neighbour (No. 46) was given permission in 2015 (EPF/2016/15) for a similar size and scale to the two-storey rear extension currently proposed for No. 44, although of a different design. While unauthorised works were carried out at No. 46 beyond the 2015 approved plans, a recent Enforcement notice was served on No. 46 and it requires that the unauthorised works be removed and reverted back to the approved plans. This notice was also upheld by the Planning Inspectorate. So once remedial works have been carried out at the attached neighbour, both properties would have a similar extension.

Accordingly, the proposal is considered to comply with policies CP2 and DBE10 of the LP, policy DM9 (D) and DM10 of the LPSV, and paragraphs 124 and 127 of the Framework.

Living conditions of neighbours

No. 46 is on a higher ground level than the host house and given the extensive works carried out to the property (including the 2015 permission) there would be a limited impact to their amenities. A privacy screen at the edge of the balcony would mitigate any harmful overlooking impact.

No 42 is on a lower ground level than the host house and whilst there may some loss of afternoon light, it does not justify a reason for refusal. Also, the two-storey rear extension is set in approx. 2. Metres from the common boundary with No. 42, so there would be no significant impacts in terms of overshadowing, overbearing and visual impact that warrants a reason for refusal. A privacy screen at the edge of the balcony would also mitigate any harmful overlooking impact.

There is no impact to No's 6, 8 & 10 Westbury Lane to their rear as they are sited a significant distance (more than 8 metres to the edge of the rear garden, the buildings are much further) away from the proposed works and any views from the balcony would be no different from views through a rear window. There are also trees and shrubs which would further limit any views. Therefore, the proposed development safeguards the living conditions of neighbouring amenities, in compliance with policy DBE9 of the LP, policy DM9 (H) of the LPSV and paragraph 127 (f) of the Framework.

Other Considerations

With regards to the Flood Risk, the Council Drainage team have raised no objection to the scheme and as the proposal involves a lower ground floor they have recommended the following informative be attached as part of the consent;

The site does not lie within an Epping Forest District Council Critical Drainage Area.

There is a public sewer within the site; any works within three metres of a public sewer requires build over consent from Thames Water Developer Services.

“In certain soil conditions, particularly in areas with known springs, subterranean development can impact on groundwater flows and levels. This form of development has been known to block or redirect natural groundwater flows, causing subsidence, instability, saturation and/or flooding where this was not previously occurring. If your proposed development leads to these effects on neighbouring property and structures, you could be

liable for civil litigation. You are advised to thoroughly investigate the hydrological and flooding implications of your proposed development.”

Conclusion

For the reasons set out above having regard to all matters raised, it is recommended that conditional planning permission be granted.

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

**Planning Application Case Officer: Muhammad Rahman
Direct Line Telephone Number: 01992 564415**

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



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Application Number:	EPF/1776/20
Site Name:	178 Buckhurst Way Buckhurst Hill IG9 6HZ
Scale of Plot:	1:500

Report Item No: 10

APPLICATION No:	EPF/1776/20
SITE ADDRESS:	178 Buckhurst Way Buckhurst Hill IG9 6HZ
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill East
APPLICANT:	Claudio De Oliveira
DESCRIPTION OF PROPOSAL:	Proposed raised wood decking area with an open-sided canopy and an overhead retractable awning (Revised scheme to EPF/1632/19)
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=640699

CONDITIONS

- 1 Within 2 months beginning with the date of this notice, all unauthorised works including any resultant debris shall be removed from the site.
- 2 The development hereby permitted will be completed and retained strictly in accordance with the approved drawings numbers: 93/10/C/1, 01/4 Rev C, 02/4 Rev C, 03/4 Rev C and 04/4 Rev C.

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. It has also been 'called in' by Councillor Steven Neville (Pursuant to The Constitution Part 3: Part Three: Scheme of Delegation to Officers from Full Council).

Site and Surroundings

The site is central to a terrace of dwellings, which are predominantly three storeys at the rear, with a proportion having single storey extensions projecting rearwards. The ground falls away to the east across modestly sized private gardens. A small number of properties within the terrace have raised platforms within their gardens, with stepped access down into the lawn areas.

Proposal

The proposal is for a raised wood decking area with an open-sided canopy & an overhead retractable awning. This is a revised scheme to EPF/1632/19.

The application is retrospective in nature, however the proposed works are different to what has currently been constructed on site.

Relevant Planning History

EPF/1632/19 - Proposed raised decking area – Dismissed on appeal on loss of privacy

A pre-application discussion was also held following the recent appeal decision and a suitable scheme was agreed which is the subject of this application.

Development Plan Context

Local Plan and Alterations 1998 & 2006 (LP)

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 2019 (Framework)

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 2017 (LPSV)

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: 6.
2 response(s) received

180 & 182 BUCKHURST WAY – Objections – Summarised as;

- Loss of privacy;
- Loss of light; and
- Out of scale.

BUCKHURST HILL PARISH COUNCIL – Objection – The excessive height of the fence and the addition of the canopy would have an adverse effect on neighbours.

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 properties.

Character and Appearance

The proposed works are considered to be of a size, scale and design that is acceptable and complements the appearance of the existing building. The proposal would not be readily visible from the street, so there is no impact to the street scene. There is sufficient space to the rear of the garden so the proposed works would not be an overdevelopment of the site.

It should be noted that the unauthorised works (the patio, canopy with timber screens and fencing) were present during the Inspectors site visit relating to EPF/1632/19 and no comments were made on design grounds in the Inspector's decision.

Accordingly, the proposal is considered to comply with policies CP2 and DBE10 of the LP, policy DM9 (D) and DM10 of the LPSV, and paragraphs 124 and 127 of the Framework.

Living conditions of neighbours

The previous scheme proposed a patio that would have created a level surface at a continual height projecting towards the site boundaries and into the private garden of No 178 Buckhurst Way, which would allow unrestricted views into the gardens and rear facing rooms of the adjoining occupiers. However, the revised patio is significantly lower than that with a drop of approx. 600mm from the patio doors and a further drop to the garden area. The patio is also set in from the common boundary with No. 180 by approx. 740mm and with No. 182 by approx. 300mm. As a result, there would be no harmful overlooking or loss of privacy to adjoining occupiers. Thus, in this regard it is considered that the previous reason for refusal has been overcome, including those raised by the Planning Inspectorate.

With regards to the open sided canopy, this is more of a design feature and by reason of its size and scale along with it being set in from boundary to both adjoining neighbours; there would be no material impact to adjoining occupiers in terms of overbearing and visual impact. A trellis is proposed along the fencing, which will have no overbearing and visual impact to either neighbours. The fence will have a total height of 2.3 metres including the trellis. It should be noted that under permitted development a 2-metre fence can be constructed on site, so only the trellis of some 300mm requires planning permission.

Due to the above, it is considered that the proposed development safeguards the living conditions of neighbouring amenities, in compliance with policy DBE9 of the LP, policy DM9 (H) of the LPSV and paragraph 127 (f) of the Framework.

Conclusion

For the reasons set out above, having regard to all matters raised, it is considered that the character and appearance of the revised scheme is appropriate, as accepted by the Planning Inspectorate on the previous appeal regarding EPF/1632/19. Furthermore, and recommended that conditional planning permission be granted.

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

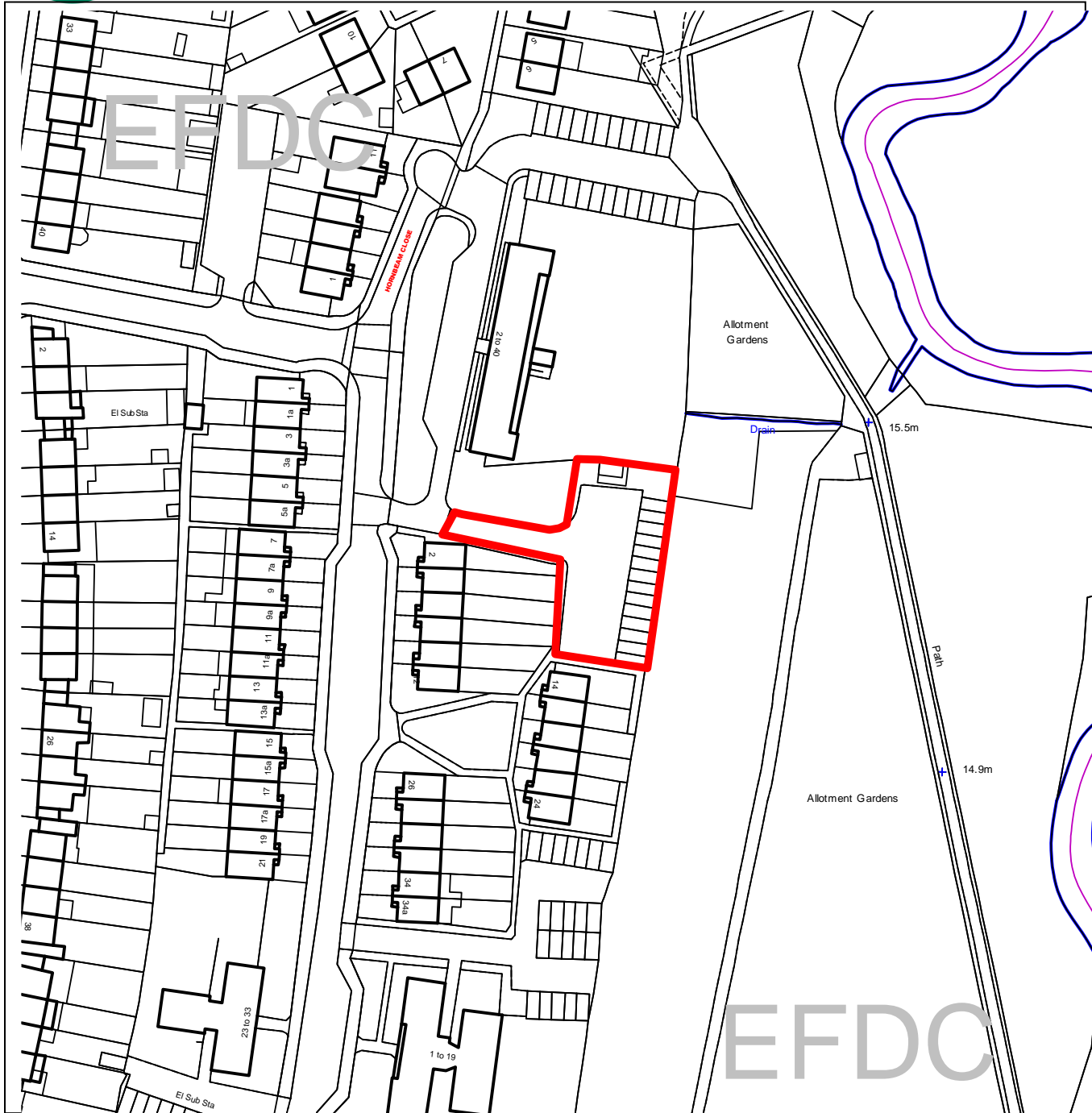
**Planning Application Case Officer: Muhammad Rahman
Direct Line Telephone Number: 01992 564415**

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/1824/20
Site Name:	Land and Garages to rear of 2 -12 Hornbeam Road (Hornbeam Close Site B) Buckhurst Hill Essex IG9 6JS
Scale of Plot:	1:1250

Report Item No: 11

APPLICATION No:	EPF/1824/20
SITE ADDRESS:	Land and Garages to rear of 2 -12 Hornbeam Road (Hornbeam Close Site B) Buckhurst Hill Essex IG9 6JS
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill East
APPLICANT:	Mr John Hayes - Epping Forest District Council
DESCRIPTION OF PROPOSAL:	Variation to condition 2 'Plan Numbers' on EPF/0215/16 (Demolition of garages and replacement with 3 x 3 bed two storey affordable homes with 7 parking spaces and associated landscaping) to allow alternative parking area and turning
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=640850

CONDITIONS

- 1 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: PL01, PL02, PL04 A, PL05, PL06 A, 15-044-074 and 2112-T-0101 Rev T4
- 2 The development shall be implemented in accordance with the material details approved under EPF/3070/19 unless otherwise agreed in writing.
- 3 The hard and soft landscaping shall be carried out in accordance with the agreed landscaping submission agreed under EPF/1964/20. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 4 The development shall be carried out in accordance with the agreed Phase 1 Contamination Report agreed under EPF/1380/19.
- 5 The development shall be carried out in accordance with the agreed Phase 2 Contamination Report agreed under EPF/1380/19.
- 6 The development shall be carried out in accordance with the agreed Remediation Contamination Report agreed under EPF/1380/19.

- 7 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
- 8 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.
- 9 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 10 The development shall be carried out in accordance with the site level details agreed under application EPF/3070/19, unless otherwise agreed in writing.
- 11 Prior to the first occupation of the development the vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The parking and turning areas shall be retained in perpetuity for their intended purpose.
- 12 Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council.
- 13 There shall be no discharge of surface water onto the Highway.
- 14 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 15 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed at the site. The installed cleaning facilities shall be used to clean vehicles wheels immediately before leaving the site.
- 16 The development shall be carried out only in accordance with the approved arboricultural method statement agreed under application EPF/3070/19 unless the Local Planning Authority gives its written consent to any variation.
- 17 The development shall be implemented in accordance with the agreed surface water drainage details agreed under reference EPF/3070/19.

18 Prior to first occupation of the development hereby approved, the proposed first floor window openings on the flank and rear marked as obscured on plan no: PL04 A shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.

This application is before this Committee since it has been 'called in' by Councillor Chambers (Pursuant to The Constitution Part 3: Part Three: Scheme of Delegation to Officers from Full Council)).

Description of Site:

The application site is a broadly rectangular site to the rear of 2 -10 Hornbeam Road and accessed by a vehicle accessway between No. 2 and a block of flats to the north. The site slopes down to the east so is a lower level than the main road and to the south of the site are further properties which are set back from Hornbeam Road. The site sides onto allotment gardens to the east which is also land within the Metropolitan Green Belt, although this site is not. The site is a Council owned garage site with 14 garages located in one block (backing onto the allotments). The site is not within a Conservation Area.

Works have commenced on site under the original consent and the previous pre-commencement conditions have been approved.

Description of Proposal:

This application seeks to amend condition 2 of planning application EPF/0215/16 relating to plan numbers – substituting the approved parking layout for a new parking and turning area. The proposal results in the same number of parking spaces but a reduced area of carriageway within the turning area.

Relevant History:

EPF/0215/16 - Demolition of garages and replacement with 3 x 3 bed two storey affordable homes with 7 parking spaces and associated landscaping

This was one of several applications for similar housing on garage sites applications, three of which are in close proximity on Hornbeam Road.

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
- CP3 – New Development
- CP5 – Sustainable Building
- CP6 – Achieving sustainable urban development patterns
- CP7 – Urban Form and Quality

DBE1 – Design of New Buildings
DBE2 – Effect on Neighbouring Properties
DBE3 – Design in Urban Areas
DBE8 – Private Amenity Space
ST1 – Location of Development
ST4 – Road Safety
ST6 – Vehicle Parking
H2A – Previously Developed Land
H4A – Dwelling Mix
LL10 – Adequacy of provision for landscape retention
LL11 – Landscaping schemes

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.

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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
T1	Sustainable Transport Choices	Significant

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 190

12 HORNBEAM ROAD – Objection – More housing will add to existing parking issues

BUCKHURST HILL PARISH COUNCIL: Concerns that the turning circle is a potentially insufficient space and defer back to the planning officer to examine this application

Main Issues and Considerations:

This application is only to consider the alteration to the parking and turning area. The existing layout has been found to have the following issues by the Applicant:

- The turning area is likely to become de facto additional parking capacity and the turning benefit lost.
- Such a wide expanse of carriageway is likely to encourage higher vehicle speeds at a very residential site where the opposite should be encouraged.
- The wide expanse of carriageway reduces the opportunity for biodiversity enhancements by restricting the feasible extent of planting and trees.
- The retention of the 8x8m turning area would result in overbearingly hard landscape of limited quality for residents and pedestrians.

- The 8x8m free area shown in the planning-consented schemes does not make particular sense from a landscape-layout point of view when the indicative lines are absent – as of course they would be in reality.

The proposed scheme allows sufficient manoeuvrability for a car to exit the site in forward gear via a three point turn, which would be the same manoeuvre needed under the current scheme.

The Highways Officer has no objection to the scheme and it is considered that the reduction in carriageway results in a design improvement.

Conclusion:

Given the above, it is recommended that permission is granted for the variation to planning numbers approving the proposed parking and turning area.

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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