

Committee Agenda



Epping Forest District Council

AREA PLANNING SUB-COMMITTEE SOUTH **Wednesday, 18th November, 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, 18th November, 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 - 14)

To confirm the minutes of the last meeting of the Sub-Committee held on 21 October 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/1160/20 156B QUEENS ROAD, BUCKHURST HILL IG9 5BJ (Pages 15 - 20)

To consider the attached report for a proposed single storey rear and side extension.

10. PLANNING APPLICATION - EFP/1376/20 37 FOREST VIEW ROAD, LOUGHTON IG10 4DX (Pages 21 - 30)

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

11. PLANNING APPLICATION - EFP/2021/20 GARAGE BLOCK, PENTLOW WAY, BUCKHURST HILL IG9 6BZ (Pages 31 - 44)

To consider the attached report for the demolition of existing garages, erection of a residential building with proposed flats with associated parking and landscaping, seven units in total.

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 45 - 46)

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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EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Sub-Committee **Date:** 21 October 2020
South

Place: Virtual Meeting on Zoom **Time:** 7.00 - 8.35 pm

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

Other Councillors: None.

Apologies: R Baldwin, A Beales, G Mohindra, S Murray and B Sandler

Officers Present: G Courtney (Planning Applications and Appeals Manager (Development Management)), A Marx (Development Manager Service Manager (Planning)), M Rahman (Planning Officer), V Messenger (Democratic Services Officer), A Hendry (Democratic Services Officer) and N Cole (Corporate Communications Officer)

56. WEBCASTING INTRODUCTION

The Chairman made a short address to remind all present that this virtual meeting would be broadcast 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 Webcasting of Council and other Meetings.

57. 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. The Chairman advised that she would be a voting chairman.

58. MINUTES

RESOLVED:

That the minutes of the meeting of the Sub-Committee held on 23 September 2020 be taken as read and signed by the Chairman as a correct record.

59. DECLARATIONS OF INTEREST

There were no declarations of interest made pursuant to the Council's Members' Code of Conduct.

60. ANY OTHER BUSINESS

It was noted that there was no other urgent business for consideration by the Sub-Committee.

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

It was 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

62. SITE VISITS

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

The Sub-Committee noted that, for the duration of the Covid-19 pandemic, any planning applications referred for a site visit at an Area Plans Sub-Committee (or the District Development Management Committee) would be automatically referred to the District Development Management Committee (or Council) for determination.

63. PLANNING APPLICATION - EFP/1563/20 44 RUSSELL ROAD, BUCKHURST HILL

APPLICATION No:	EFP/1563/20
SITE ADDRESS:	44 Russell Road Buckhurst Hill IG9 5QE
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
DESCRIPTION OF PROPOSAL:	Two storey rear extension with balcony and single storey side extension
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 no less than 1.7 metres high shall be installed at both edges of the balcony and shall be permanently retained in that condition.
- 5 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.
- 6 Prior to any above ground works, details of the proposed landscaping of the site, including retention of trees and other natural features and the proposed times of planting (linked to the development schedule), shall be submitted to and approved in writing by the Local Planning Authority. The approved landscaping shall be carried out in accordance with the approved details and at the agreed times.
- 7 Access to the flat roof over the ground floor extension hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a seating area, roof garden, terrace, patio or similar amenity area.

64. PLANNING APPLICATION - EPF/1776/20 178 BUCKHURST WAY, BUCKHURST HILL

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

65 **PLANNING APPLICATION - EPF/1824/20 LAND AND GARAGES TO REAR OF 2 -12 HORNBEAM ROAD (HORNBEAM CLOSE SITE B), BUCKHURST HILL**

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
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
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.

CHAIRMAN



Epping Forest District Council



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Application Number:	EPF/1160/20
Site Name:	156 B Queens Road Buckhurst Hill IG9 5BJ
Scale of Plot:	1:500

Report Item No: 9

APPLICATION No:	EPF/1160/20
SITE ADDRESS:	156 B Queens Road Buckhurst Hill IG9 5BJ
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
APPLICANT:	Mr Jack Blair
DESCRIPTION OF PROPOSAL:	Proposed single storey rear and 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=637536

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: Location plan, block plan, QR-01C
- 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.

This application is before this committee since it has been 'called in' by Councillor Gavin Chambers by reason of the proposals size (Pursuant to The Constitution, part 3: Scheme of Delegation to Officers from Full Council).

This application is also 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 is comprised of a three-storey Victorian style building comprising of two self-contained flats, one on the ground floor and the other occupying the two floors above. The ground floor flat includes a single storey element to the rear. It is located within the built-up area of Buckhurst Hill on the South side of Queens Road and has previously been used over the years as a dental surgery, an office and additional accommodation for a nursing home however it has been in residential use since 2012. It is not within a conservation area nor is it a listed building. To the rear of the property to the south lies a boxing gym and to the West sits a shared access road to the gym. The East boundary abuts a two-storey flank wall of Ivydene Court flats.

Proposal

The proposal is a single storey rear and side extension. The proposal seeks to incorporate the existing rear ground floor element of the property and infill to the side by an additional 0.9m flush with the boundary and to extend to the rear by 3m. Overall the extended single storey rear element would be 6.6m in depth and 5.2m in width. The proposal will use a lean to roof with an eaves height of 2.4m and an overall height of 3.5m. Three rooflights are proposed and the door reconfigured to the rear where bi-fold doors are proposed. Materials used are to match the existing.

Relevant Planning History

EPF/1354/12 - Change of use of ground floor from office to residential flat; addition of rear dormer to existing second floor roof, plus window to rear wall at first floor level to existing residential flat at upper floor levels – 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: 21 neighbours consulted, two representations received
Site notice posted: Not required

Buckhurst Hill Parish Council – OBJECTION – Overdevelopment of site, loss of garden amenity space

KO Gym, rear of 156 Queens Road – OBJECTION, summarised as; concerns about an increase in noise complaints from the applicants due to the closer proximity of the living areas to the gym, overdevelopment of the site, inaccurate plans.

213 High road, Loughton – OBJECTION, summarised as; Inaccurate plans, insufficient amenity for a two-bedroom flat, concerns about an increase in noise complaints from the applicants due to the closer proximity of the living areas to the gym.

[Officer comment – The plans have been amended and are now of a satisfactory quality for the Council to reasonably determine the application, the application form has also been amended to correct the error stating there would be an increase of one car parking space.

This application is for a single storey rear and side extension and will be assessed on its design and impact on neighbour amenity only. Issues surrounding a potential increase in noise complaints emanating from the application site are not material considerations when assessing this application.]

Land drainage – No objection

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 proposal seeks to extend 3m into the rear garden leaving a garden area of 3.4m in depth and 4m in width, given this will serve a ground floor flat this is sufficient garden amenity space and it is not considered that the proposal constitutes over development of this site.

The proposal will not be viewable from the streetscene and to the west will run alongside the access road to the gym where the eaves height of the extension will be slightly higher than the existing fence. A much larger building containing the boxing gym lies immediately to the rear, and to the east is the two-storey flank wall of Ivydene. Within this context the size of the proposal will not have a detrimental impact on the character and appearance of the wider area.

Given the immediate surroundings, the proposed side and rear extension is of a size, scale and design that is acceptable and subservient to the host building. Overall, the proposal complements and enhances the existing building as well as the character and appearance of the wider area.

Therefore, this 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

The proposal does not give rise to any neighbour amenity concerns relating to loss of light, overbearingness, overlooking or loss of privacy.

Therefore, this 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 considerations

Having regard to the matters raised regarding the potential increase in noise complaints from the host house against the neighbouring gym, this is not a material planning consideration in this instance and it has not impacted on the conclusion reached.

Conclusion

For the reasons set out above, it is recommended that planning permission be GRANTED.

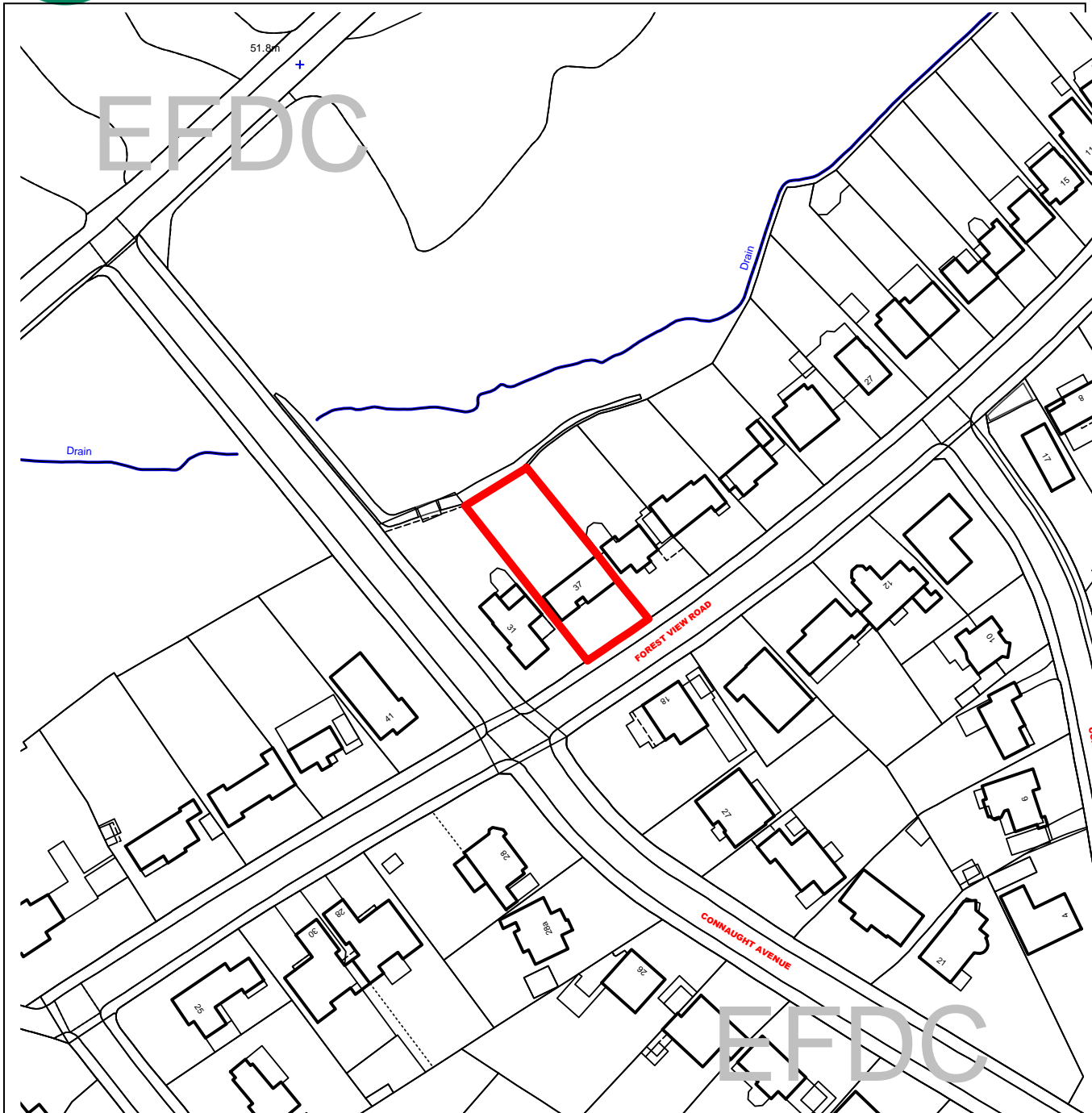
Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

***Planning Application Case Officer: Brendan Meade
Direct Line Telephone Number: 01992 56 4078***

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



Epping Forest District Council



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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: 10

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 Access to the flat roof over the extension hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a seating area, roof garden, terrace, patio or similar amenity area.
- 5 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.
- 6 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.

- 7 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.
- 8 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).

Additional Information

This application was deferred from Area Planning Sub-Committee South on 23 September 2020 *“for more information on whether a 2003 permission is still “live” and for better quality plans”*.

The below report has been updated and amended in light of the previous discussion (highlighted in bold). It also includes a summary of the objection received from the Loughton Residents Association Plans Group.

Status of EPF/0579/20

Whilst detailed below within the body of the report, it is confirmed that the first-floor side extension approved as part of EPF/0579/20 were carried out within the five year time frame conditioned in this decision, however the works to the rear have not been undertaken to date. A legal opinion was sought and confirmed that the development implemented on the site constitutes a commencement of works and therefore the 2003 application remains live and works could continue on the remainder of the proposal, which includes a double storey rear extension.

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 sloping road downwards from West to East, as such it sits on slightly lower ground than 31 Connaught Avenue and slightly higher than no.35 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

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

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 of the above objectors 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 Residents Association Plans Group – Objection, summarised as;

- **Increased sense of the enclosure to the conservatory of no.35 Forest View Road**
- **Flat roof of single storey rear extension could be used as a terrace. A condition has been added to prevent this**
- **The proposal breaches the rear building line along this part of Forest View Road and relies on no. 31 Connaught Road to justify this which would set a dangerous precedent for change the character of Forest View Road**
- **Significant loss of light for the ground floor flank windows and some partial loss of light for the lower conservatory and bedroom windows of no.31**
- **Loss of privacy by reason of the application bringing the windows forward and therefore giving views into the garden area of no.31.**
- **Overdevelopment**

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.

Status of EPF/0579/20

The site was subject of an approved application under EPF/0579/03 for a part two storey, part single storey rear extension and two storey side extension. The two-storey rear extension was proposed to be 5.7m in depth along the boundary of 31 Connaught Avenue with a width of 7m, this is deeper than what is proposed under this application. A 4m deep, 3m wide single storey rear extension is proposed on the eastern side of the rear of the property. Unlike this application, no works were proposed in the area behind the garage, along the boundary of no.35 Forest View Road nor was there any proposed raising of the ridge height of the roof.

Works to the first-floor side extension were carried out, however the works to the rear have not been to date. A legal opinion was sought regarding this matter and it was confirmed that part of the proposal (the side extension) was implemented within the five year time frame and therefore this permission was commenced in accordance with the relevant conditions. Planning Officers are therefore satisfied that the 2003 application remains live and works could continue to implement the remainder of the proposal, which includes the 5.7m depth double storey rear extension.

Character and appearance

The raising of the ridge height by 0.5m to facilitate a loft conversion is considered acceptable given the variation in styles and degrees of separation between the properties in this area. The adjacent property No.31 Connaught Road sits on higher ground than the application site, the raising of the roof will bring it largely in line with this property. Although no.31 sits on a different street to the application site it occupies a corner plot and retains a prominent elevation on Forest View Road and as such it forms part of the Forest View Road streetscene.

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.

Forest View Road has a consistent rear building line with some rear extensions at ground floor level. No.35 has a conservatory which goes beyond the rear building line of that of the application site. No. 31 Connaught Road occupies a corner plot and backs on to the application site. Although this property sits on a different street it appears as to extend beyond the rear building line of the host site. The proposal will not extend beyond the north facing side elevation of No.31 nor will it extend beyond the rear conservatory of no.35.

It is not considered that granting this application will set an unwanted precedent for similar applications further along Forest View Road given the relationship the host site has with the adjacent property on Connaught Avenue it is not unreasonable to use this as justification for allowing such a development on this site. Regardless, there is a live application which includes a deeper double storey rear extension than what is proposed here and as such it is considered this application is an improvement in terms of its design and relationship with no.31.

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 bringing the rear windows forwards it will not extend beyond the north flank elevation of no.31. Whilst there will be some increase in overlooking the situation will not be unlike what can be expected between adjacent properties where the conservatory and rear garden areas of no.31 will only be viewable at oblique views. The live 2003 application is proposed to have a deeper double storey rear extension along the boundary of no.31, as such this proposal is more palatable in terms of the privacy of the occupants of this property.

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.

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 north facing window of no.31. The light obtained by the flank ground floor windows facing the application site is already compromised given they are facing the side wall of the host site. It is not considered that the proposal will cause any more significant loss of light for these windows.

Unlike the 2003 application this proposal does propose the raising of the ridge height by 0.5m which will have some implications on the light received by the flank first floor window facing 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 not warrant a refusal on these grounds

As previously stated, the live application from 2003 allows for the implementation of a deeper double storey rear extension along the boundary of no.31 and as such would have a greater impact on the amenity of the occupants of this property and as such this proposal

cannot reasonably be refused on its impact on the living condition of no.31 Connaught Avenue.

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:

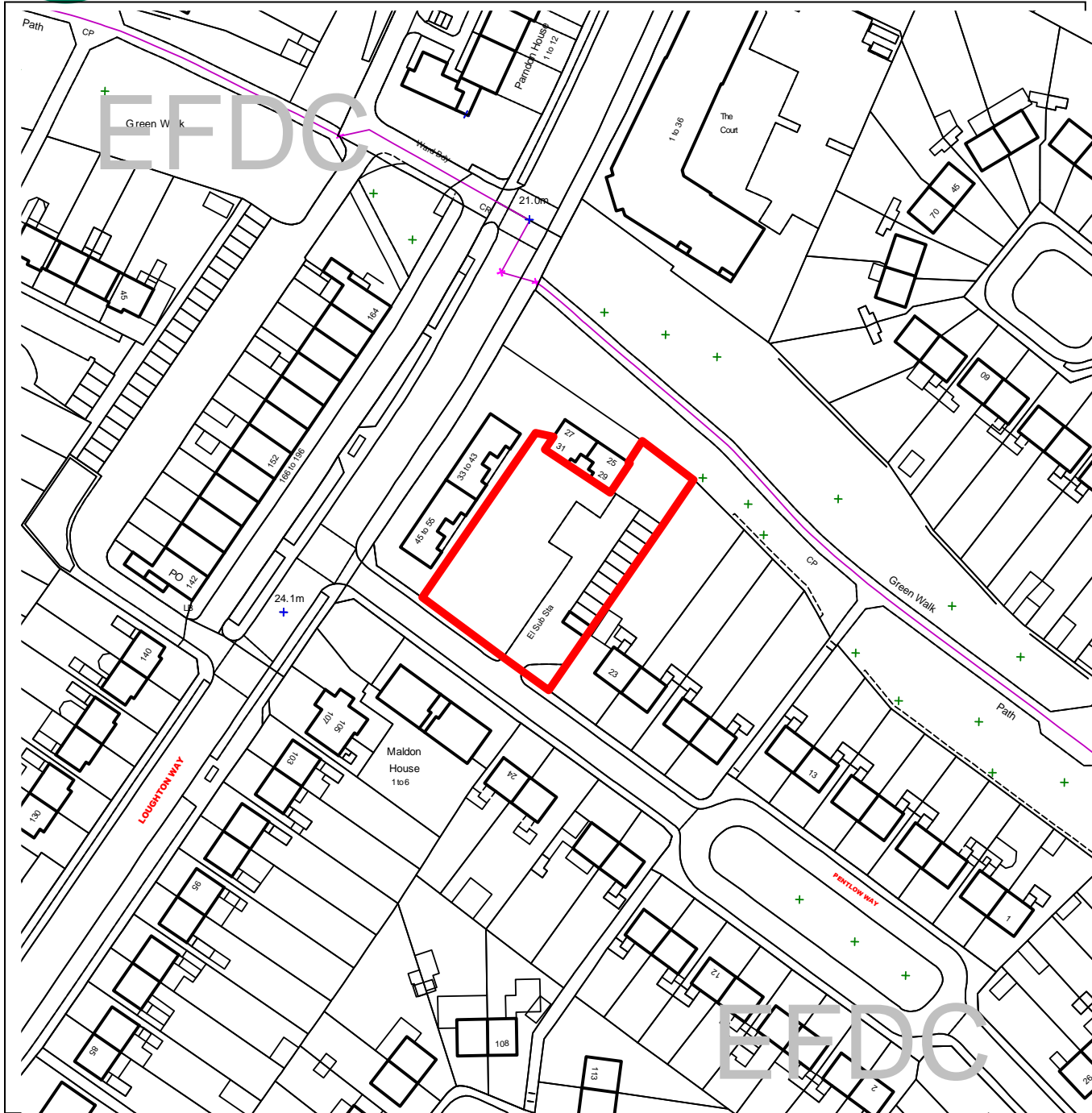
***Planning Application Case Officer: Brendan Meade
Direct Line Telephone Number: 01992 564078***

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

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	Site Name:	Garage Block Pentlow Way Buckhurst Hill Essex IG9 6BZ
	Scale of Plot:	1:1250

Report Item No: 11

APPLICATION No:	EPF/2021/20
SITE ADDRESS:	Garage Block Pentlow Way Buckhurst Hill Essex IG9 6BZ
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill East
APPLICANT:	Epping Forest District Council - Mr John Hayes
DESCRIPTION OF PROPOSAL:	Demolition of existing garages, erection of a residential building with proposed flats with associated parking and landscaping, 7 units in total.
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=641836

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:

200272 ECD ZZ XX DR A 1000 S3 P1, 200272 ECD ZZ 00 DR A 1001 S3 P1, 00272 ECD ZZ XX DR A 1100 S3 P3. 200272 ECD ZZ XX DR A 1101 S3 P1, 200272 ECD ZZ GF DR A 1201 S3 P5, 200272 ECD ZZ 01 DR A 1202 S3 P4, 200272 ECD ZZ 02 DR A 1203 S3 P4, 200272 ECD ZZ RP DR A 1204 S3 P3, 200272 ECD ZZ XX DR A 1255 S3 P3, 200272 ECD ZZ XX DR A 1256 S3 P5, 200272 ECD ZZ XX DR A 1260 S3 P2, 200272 ECD ZZ XX DR A 1261 S3 P2, 2118-T-1231 P3, Phase 1 Contaminated Land Assessment - Revision A by Create Consulting Ltd, Phase 2 Geo-Environmental Assessment - Revision B by Create Consulting Ltd, Remediation Method Statement - Revision A by Create Consulting Ltd, PRELIMINARY DRAINAGE STRATEGY dated 6/12/19, PRIVATE DRAINAGE STANDARD DETAILS (1 OF 3) dated 1/4/20, PRIVATE DRAINAGE STANDARD DETAILS (2 OF 3) dated 1/4/20, PRIVATE DRAINAGE STANDARD DETAILS (3 OF 3) dated 3/1/20 Drawing Base: 2118-T-1201 Preliminary Landscape GA dated 12/6/20, Arboricultural Site Assessment ref EV190925-389Rev02 18/5/2020 by MWA, MWA TCP 001 Tree Constraints Plan, MWA TLP 002 Tree Location Plan, 2118-T-1201 REVISION P4
MWA TSS 002 - Tree Survey Schedule EV190925-389, Flood Risk Assessment and Drainage Strategy reference EW/CC/P18-1635/05 June 2020 by Create Consulting Ltd, Building External Finishes Schedule AB0272 Revision P1, Landscape finishes schedule - Pentlow Way 2118-T-1241 Revision P1.

- 3 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.
- 4 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.
- 5 The development shall be carried out in accordance with the flood risk assessment (Flood Risk Assessment and Drainage Strategy, Ref EW/CC/P18-1635/05, June 2020) and drainage strategy (drainage plan, 2118-T-1201) submitted with the application unless otherwise agreed in writing with the Local Planning Authority.
- 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 first occupation of the development hereby approved, the proposed window openings in the eastern and western flank elevations shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 8 Prior to the first occupation of the development, the access arrangements, the vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The access, parking and turning areas shall be retained in perpetuity for their intended purpose.
- 9 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary, in accordance with the guidance contained within the National Planning Policy Framework and policy ST4 of the adopted Local Plan and Alterations.

- 10 Prior to the commencement of any works a bat survey of the buildings should be undertaken in accordance with guidelines from Natural England (or other relevant body). These should be submitted to the Local Planning Authority for approval. Should the surveys reveal the presence of bats or their breeding sites or resting places then a detailed mitigation and compensation strategy in accordance with guidelines available from Natural England (or other relevant body) and submitted to the Local Planning Authority for approval. All works shall then proceed in accordance with the approved strategy unless otherwise agreed in writing by the Local Planning Authority.
- 11 Prior to the commencement of above ground works a biodiversity plan shall be submitted to and approved in writing by the Local Planning Authority. This could include native wildlife friendly planting and bird and bat boxes.
- 12 Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation, per dwelling, of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator.
- 13 The development hereby approved shall not be commenced until details of the siting and design of the proposed relocated electricity sub-station shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details so approved unless otherwise agreed in writing by the Local Planning Authority.
- 14 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.
- 15 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.
- 16 Prior to first occupation of the development hereby approved, 1 Electric Vehicle Charging Point for each dwelling that has an allocated parking space and 1 Electric Vehicle Charging Point for every 10 properties that share unallocated parking shall be installed and retained thereafter for use by the occupants of the site.
- 17 Details of the layout, design and appearance (shown in context) of the bicycle storage area shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the dwellings hereby approved. The storage

shall be covered and secure and provide for no less than 7 cycle spaces.

The bicycle storage area shall be provided strictly in accordance with the details so approved, provided/erected prior to the first occupation of the development, and maintained as such thereafter.

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 comprises an access route and land containing 32 garages. It has an irregular shape and covers an area of 0.1472 hectares. Adjoining its eastern boundary is the residential two storey property and land associated with 23 Pentlow Way. The western boundary is shared by the eastern flank wall of flats within the two-storey building known as 25-31 Pentlow Way. Further west close to Loughton Way is another 3-storey block containing flat nos. 33 to 55.

The wider area is characterised by a mixture of flats, maisonettes and post-war semi-detached housing. The site is in an urban area which is not listed nor within a conservation area.

Description of Proposal:

Permission is sought for the demolition of existing garages, erection of a residential building with proposed flats with associated parking and landscaping, 7 affordable residential units are proposed in total.

10 car parking spaces are proposed, one of which is an accessible space along with 7 cycle spaces.

The proposed changes from the previously approved plans under reference EPF/2650/17 include:-

1. Dormer window: the only bedroom in one of the top floor flats has a dormer window as the only source of daylight and natural ventilation. The approved location of this dormer results in a window sill of 1800mm high. To improve the quality of the dwelling, it is proposed to extend the dormer window outwards in order to lower the window sill to 900mm high;
2. Internal terrace: the back elevation shows an internal terrace on the top floor. To ease the construction and avoid possible future maintenance issues, it is proposed to extend the terrace aligning the end of it with the façade;
3. Roof openings: the approved drawings show external roof openings above one of the terraces. To ease the construction and avoid possible future maintenance issues, it is proposed to omit these openings;
4. Opaque panels: the approved drawings show a few steps of the proposed staircase running in front of the proposed glazing. Opaque panels at the bottom of the proposed glazing it is proposed to hide these steps;
5. External steps guarding: to comply with the Approved Document K, 900mm high protection from falling has been proposed to the external steps that gives access to the communal space from the rear of the site;
6. Openable vent on the roof for fire service, required to satisfy the fire strategy;

7. Parking spaces reduction: the approved drawings show 12 parking bays. However, the road tracking did not provide sufficient turning for the approved parking bays. This has resulted in a reduction of 2 parking spaces. (total of 10 parking spaces);
8. Cycle Store: the relocation of the existing bin store has caused the need to provide a new location for the bin store;
9. Additional trees and pathway: to improve the quality of the amenity space between the proposed and existing buildings, it is proposed to replace the 3 existing trees with a total of 12 trees;
10. Metal cladding replaced by zinc;
11. Building shift 500mm westwards to allow access to the proposed manhole Boundary line extension;
12. Boundary line change to accommodate neighbour's bin store: The redline boundary previously shown on the existing approved plans as dissecting the neighbour's bin store. Changes to the redline of the site now fully accommodate the bin store;
13. Height increase of 500mm: to comply with minimum heights required in the Nationally Described Space Standards (NDSS), Depth increase of 75mm approx, Width increase of 65mm approx;

Materials include Ardleigh yellow brick and dark grey zinc sheet cladding for the walls, concrete plain tiles for the roof, dark grey powder double glazed UPVC fenestration Ground floor terraces: brick and glass boundary.

Relevant History:

Reference	Description	Decision
EPF/2650/17	the demolition of the existing garages and erection of an 'L' shaped block of 7 flats	Granted subject to conditions
EPF/2012/19	Application for Approval of Details Reserved by Conditions 10, 11 & 12 "Phase I, II & Remediation Contamination Reports" for EPF/2650/17 (x 7 no. affordable homes with 12 parking spaces).	Details approved

DEVELOPMENT PLAN

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
LL6	Partial Development of urban open spaces
LL10	Adequacy of provision for landscape retention
LL11	Landscaping schemes
NC1	SPAs, SACs and SSSIs
NC3	Replacement of Lost Habitat
NC4	Protection of established Habitat
NC5	Promotion of Nature Conservation Schemes

NATIONAL PLANNING POLICY FRAMEWORK (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.

EPHING 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 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
SP1 - Presumption in Favour of Sustainable Development	Significant
SP2 - Spatial Development Strategy 2011-2033	Some
SP3 - Place Shaping	Significant
H1 - Housing Mix and Accommodation Types	Some
H2 - Affordable Housing	Significant
T1 - Sustainable Transport Choices	Significant
DM1 - Habitat Protection and Improving Biodiversity	Significant
DM2 - Epping Forest SAC and the Lee Valley SPA	Significant
DM5 - Green and Blue Infrastructure	Significant
DM6 - Designated and Undesignated Open Spaces	Significant
DM9 - High Quality Design	Significant
DM10 - Housing Design and Quality	Significant
DM11 - Waste Recycling Facilities on New Development	Significant
DM15 - Managing and Reducing Flood Risk	Significant
DM16 - Sustainable Drainage Systems	Significant
DM18 - On Site Management of Waste Water and Water Supply	Significant
DM19 - Sustainable Water Use	Significant
DM20 - Low Carbon and Renewable Energy	Significant

DM21 - Local Environmental Impacts, Pollution and Land Contamination	Significant
DM22 - Air Quality	Significant

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 30
 Responses received as follows:-

23 PENTLOW WAY, 33 PENTLOW WAY, 35 PENTLOW WAY, 53 PENTLOW WAY, 55 PENTLOW WAY: OBJECT:

Currently insufficient parking for number of residents in the area. Currently 16 spaces. Proposal will seriously exacerbate problem. Lack of parking will exacerbate existing dangerous parking due to lack of adequate provision.

Cycle storage provision not secure.

Neighbour suffers from neutropenia, development of this proposal will cause stress, lower air quality will exacerbate the disease.

Overdevelopment of the site.

Loss in property value

Does the scheme comply with the requirements of the Equalities Act?

BUCKHURST TOWN COUNCIL: The previous lapsed application was for affordable housing and the new development is for market housing. Concerns over the lack of parking in the vicinity.

The Conservators of Epping Forest:- OBJECT:- EFDC have yet to complete their Habitats Regulations Assessment (HRA) associated with the Local Plan, In addition the application should be considered in combination with development for which there is not yet a complete mitigation strategy. Air pollution on the SAC also needs to be considered.

Main Issues and Considerations:

The key considerations for the determination of this application area:

- The principle of the development;
- Impact on the character and appearance of the site and surrounding area;
- Impact on the living conditions of surrounding residents;
- Quality of resulting residential accommodation; and
- Impact on parking provision and highway safety.

Background

Members of the South Area Planning Committee held on 20 December 2017 decided to grant permission for a scheme which provided 7 affordable homes with 12 parking spaces on the site under reference EPF/2650/17. Condition 1 of this permission requires that the implementation time for this currently extant permission will expire on 21/12/20.

The Business and Planning Act 2020 temporarily modifies the Town and Country Planning Act 1990 and the Planning (Listed Buildings and Conservation Areas) Act 1990 to enable the implementation of this permission to be extended until 1 May 2021. It is for this reason there is still sufficient time to discharge all the remaining pre-commencement conditions attached to that original permission therefore this permission remains extant.

Principle

Since there is already an extant permission, the principle of the construction of a 7-unit scheme has already been established as acceptable. It is for this reason that this report will only look at the additional impact of the proposed changes. The type of application submitted is a full planning application because there are minor changes to the redline of the site i.e the western boundary has been extended further westwards by 0.5m. If permission is granted, the time permitted to carry out the works will also be extended by three years.

The agent initially made an error on the Planning Application form regarding the type of residential units under Section 17 to be market housing, however the application form has now been corrected to state that the type of housing proposed is to remain as affordable. This correction therefore overcomes the first reason for objection by the Town Council.

Epping forest Special Area of Conservation

Assessment under the Conservation of Habitats and Species Regulations 2017 (as amended).

A significant proportion of the Epping Forest Special Area of Conservation (the EFSAC) lies within the Epping Forest District Council administrative area. The Council has a duty under the Conservation of Habitats and Species Regulations 2017 (as amended) (the Habitats Regulations) to assess whether the development would have an adverse effect on the integrity of the EFSAC. In doing so the assessment is required to be undertaken having considered the development proposal both alone and in combination with other Plans and Projects, including with development proposed within the Epping Forest Local Plan Submission Version (LPSV).

The Council published a Habitats Regulations Assessment in January 2019 (the HRA 2019) to support the examination of the LPSV. The screening stage of the HRA 2019 concluded that there are two Impact Pathways whereby development within the Epping Forest District is likely to result in significant effects on the EFSAC. The Impact Pathways are effects of urbanisation with a particular focus on disturbance from recreational activities arising from new residents (residential development only) and atmospheric pollution as a result of increased traffic using roads through the EFSAC (all development). Whilst it is noted that the independent Inspector appointed to examine the LPSV, in her letter dated 2 August 2019, raised some concerns regarding the robustness of elements of the methodology underpinning the appropriate assessment of the LPSV, no issues were identified in relating to the screening of the LPSV or the Impact Pathways identified. Consequently, the Council, as Competent Authority under the Habitats Regulations, is satisfied that the Impact Pathways to be assessed in relation to this application pertinent to the likely significant effects of development on the EFSAC alone and in-combination with other plans and projects are:

- Recreation activities arising from new residents (recreational pressures); and
- Atmospheric pollution as a result of increased traffic using roads through the EFSAC (air quality).

This application has been screened in relation to both the recreational pressures and air quality Impact Pathways and concludes that the development would not result in a net increase in traffic using roads through the EFSAC. The proposal will result in a reduction of 2 car parking spaces in comparison with the existing extant permission for 7 residential units and 12 car parking space. An

appropriate assessment therefore does not need to be carried out as there will be a reduction in the number vehicle trips generated by the proposal in comparison with the extant permission. It is therefore considered that the development would **not** result in a likely significant effect on the integrity of the EFSAC as a result of recreational pressures or a net increase in traffic using roads through the EFSAC. Therefore, the proposal will not result in a likely significant effect on the integrity of the EFSAC.

On this basis the Council is satisfied that the application proposal would not result in a likely significant effect on the integrity of the EFSAC. Having undertaken this first stage screening assessment and reached this conclusion there is no requirement to undertake an 'Appropriate Assessment' of the application proposal.

Housing Provision

The land is Council owned and the proposed houses would be affordable units provided by a registered social landlord to help meet the Council's demonstrated need for affordable units in accordance with chapter 5 of the NPPF and H5A of the Local Plan along with SP 2, H 1 and H 2 of the SVLP.

Design and appearance

The amendments proposed do not materially alter the appearance of the proposal in comparison with the extant permission.

The application site is surrounded by flatted properties to its north, west and south. The height, size and position of the units are therefore compatible with the design and appearance of the surrounding built form. It is also separated from the lower two storey houses on Pentlow Way by a distance of over 7m. This retained spaciousness will ensure that the appearance of the block does not dominate the appearance of these houses. Furthermore, additional landscaping will further soften the buildings appearance. It is therefore considered that the proposal will have an overall neutral impact on the distinctive local character of this area. The proposal therefore complies with the requirements of policy DBE3 and DBE5 of the Local Plan along with policies SP 3 and DM 9 of the SVLP.

Trees

The preliminary arboricultural method statement proposes that the 3 existing trees are to be replaced with 12 new trees along with other additional soft landscaping. The Tree officer is satisfied that the existing trees are of poor quality and that the replacement landscaping will be of sufficient quality to compensate for this loss. It is therefore recommended that a condition be attached to any permission requiring that the proposed soft landscaping is of an acceptable standard. On this basis the proposal is considered to comply with the requirements policies LL10 and LL11 of the Local Plan along with DM 3 and DM 5 of the SVLP.

Impact on neighbouring residential amenity

Residents of the flats within 1 to 6 Maldon House are 20m from the proposal. This distance acceptable given that both opposing elevations are public area facing windows.

Residents of the flats within 27 -31 Pentlow Way located north west of the application site have front facing windows which are 23m away from the closest part of the proposal and over 18m from the north eastern section of the proposal and is perpendicular to it, therefore views would only be oblique.

Residents of flats within 33 to 55 Pentlow Way are 15m west of the building. The kitchen window proposed within the second floor facing this neighbour has been shown to be a high level one and therefore should not cause direct overlooking to this block. There are no other windows facing this neighbouring block of flats.

The proposed building shift 500mm westwards (to allow access to the proposed manhole) from the boundary line along with the side flank wall of the main building at Number 23 Pentlow Way is 7.9m away from the side flank of the proposed building, and is orientated east of the application site.

It is therefore considered that these neighbouring properties will not be excessively affected in terms of loss of light, outlook, dominance or privacy in accordance with policy DBE9 of the Local Plan.

Whilst Officers sympathise with concerns relating to the impact of the proposal on the health of the neighbouring occupier, this issue is personal to that occupier and therefore falls beyond the scope of planning control. Furthermore, the nuisance created as a result of the approving this application will not be significantly greater than that created by the extant permission. Refusal on this basis therefore cannot be justified.

Quality of resulting residential accommodation.

The 6 no. one-bedroom flats and a two-bedroom flat are considered suitable for small households, the proposal would therefore meet an existing housing need within the borough in line with the requirements of policy H4A of the Local Plan.

The revisions ensure that all flats have an acceptable internal size and layout and therefore comply with current standards contained within policy DM 10 of the SVLP. (The previous scheme accorded with the Essex Design Guide). There has been no material change to the quantum and quality of the amenity space provided in comparison with the extant permission.

Impact on Highway Safety

The site is 0.7km from Buckhurst Hill underground train station and is also in close proximity to a number of bus routes. The site is therefore considered to be in a sustainable location.

The extant permission provided 12 car parking spaces and the current scheme now proposes 10 car parking spaces.

The Highways Authority has not changed its view of the application in comparison with the extant permission. The Highways Engineer states that he *“is satisfied that any displaced parking will not be detrimental to highway safety or efficiency as a result of the development. The submitted Transport Statement has shown that the very worst-case scenario demonstrates that on street parking levels will not reach an unacceptable amount. Although the Highway Authority does not necessarily endorse on street parking, the reality is there will be fewer vehicles actually displaced from the garages than the worst-case scenario, as a reasonable proportion of them will not be used for parking in. Further to this the proposal will not increase vehicles movements above the level of the previous use, operating at full capacity, so the use of the existing access way will not be intensified by the development. There is also sufficient turning provided within the site.”*

The Authority is therefore satisfied, subject to suggested conditions, that the details submitted as part of this application are sufficient to ensure that there is adequate parking to meet current parking standards in compliance with policies ST6 and ST4 and that there will be no undue harm to highway safety. The proposal therefore also complies with the requirements of T 1 of the Submission Version Local Plan.

The cycle store will be constructed from lightweight materials and will not form extension to main brick structure. It is recommended that a condition be attached to any condition requiring further details to demonstrate that it is covered and secure.

Flood risk

The development is of a size where it is necessary to avoid generating additional runoff and therefore the Council's Land Drainage engineer has requested a Flood Risk Assessment condition to improve existing surface water runoff and a condition requesting details of surface water drainage in accordance with policy U2B of the Local Plan.

Contaminated Land

The Phase 1, Phase 2 and the Remediation Method Statement have been approved for the proposed development under EPF/2012/19. The applicant is required to provide a Validation report to demonstrate that the site has been successfully remediated for the proposed residential end use with soft landscaping and parking. The Contaminated Land team therefore recommend that this requirement is attached to any permission as conditions. It is on this basis that the proposal accords with RP4A of the Local Plan and DM 21 of the SVLP.

Ecology

The Countryside Manager when consulted on the previous application under reference EPF/2650/17 had recommended that two conditions be imposed to any grant of permission.

The first requires that a bat survey be undertaken before any permission is implemented and any harm found to their breeding or resting places is mitigated against.

The second requires that a biodiversity enhancement plan be submitted to and approved by the Council. Details should include the installation of bird and bat boxes. It is recommended that these conditions are also imposed on this application to ensure compliance with the requirements of policies NC3 and NC4 of the Local Plan and DM 1 of the SVLP.

Other matters

The Public Sector Equality Duty contained in section 149 of the Equality Act 2010, sets out the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it. Officers do not consider that approval of this proposal will discriminate against any groups with a protected characteristic or create discord between the two groups. Officers therefore consider that the requirements of this legislation have been complied with.

Noise and disturbance during the construction phase of the development would fall outside the scope of planning legislation as it is already covered by Environmental Health legislation.

Reduction in the value of neighbouring residential dwellings is not a material planning consideration.

Conclusion

There is currently an extant permission for 7 new affordable homes on the site. The type of housing proposed in this application is also affordable. Approval of this application will therefore still provide much needed good quality affordable housing for local people within an existing urban area of Epping Forest District Council.

This proposal seeks minor changes to an extant permission. The proposed changes in comparison with the approved scheme include the loss of two parking spaces (from 12 to 10) in a location which is close to public transport and amenities. Therefore, the level of provision still meets the requirements of the Essex Parking standards.

Other changes proposed are minor in nature and do not materially change the acceptability of the scheme. This conclusion has been reached on the grounds that the proposal will still maintain highway safety; the impact on the living conditions of neighbouring occupiers will not be excessively more harmful than the extant permission; and the design of the new housing will not be materially altered from the extant scheme.

It is therefore considered that the proposal meets the requirements of sustainable development in accordance with national and local policy. Approval is therefore recommended subject to conditions.

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

***Planning Application Case Officer: Sukhi Dhadwar
Direct Line Telephone Number: 01992 564597***

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



REFER



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