

Committee Agenda



Epping Forest District Council

AREA PLANNING SUB-COMMITTEE SOUTH **Wednesday, 14th July, 2021**

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

Conference Suite - Civic Offices
on **Wednesday, 14th July, 2021**
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), K Williamson (Vice-Chairman), R Baldwin, D Barlow, P Bhanot, R Brookes, S Heap, R Jennings, J Jennings, J Jogia, H Kauffman, A Lion, L Mead, S Murray, S Neville, C Nweke, M Owen, A Patel, C P Pond, C C Pond, S Rackham, K Rizvi, C Roberts, D Sunger and D Wixley

WEBCASTING/FILMING NOTICE

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. The meeting may also be otherwise filmed by third parties with the Chairman's permission.

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 entering the Conference Suite and using the seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for web casting and/or training purposes. If members of the public do not wish to have their image captured they should speak to the webcasting officer or otherwise indicate to the Chairman before the start of the meeting.

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

1. WEBCASTING INTRODUCTION

“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).

Therefore, by entering the Conference Suite and using the seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes.

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.”

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 16 June 2021.

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/2868/20 177 HIGH ROAD, CHIGWELL IG7 6NX (Pages 15 - 30)

To consider the attached report for the proposed mixed-use development to provide 35 residential dwellings (Use Class C3) and 512 sqm of commercial floorspace (Use Class E) together with cycle and car parking, landscaping, provision of new pavement and loading bay on Brook Mews and associated infrastructure.

10. PLANNING APPLICATION - EPF/3043/20 2 PRINCES ROAD, BUCKHURST HILL IG9 5EG (Pages 31 - 42)

To consider the attached report for the proposed replacement of a single dwelling with a new building consisting of 2 commercial units and 7 fully accessible apartments. (Amended application to EPF/2378/19).

11. PLANNING APPLICATION - EPF/0418/21 13-17 HIGH BEECH ROAD, LOUGHTON IG10 4BN (Pages 43 - 54)

To consider the attached report for the erection of a third floor to provide two flats involving the raising of the existing parapet of the building.

12. PLANNING APPLICATION - EPF/0550/21 - 8 STANMORE WAY, LOUGHTON IG10 2SA (Pages 55 - 64)

To consider the attached report for the demolition of an existing bungalow and replacement with two chalet bungalows.

13. EXCLUSION OF PUBLIC AND PRESS

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

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

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

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

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

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

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 2021-22
Members of the Committee and Wards Represented:

				
Chairman	Vice Chairman			
Cllr Share-Bernia Buckhurst Hill West	Cllr Williamson Buckhurst Hill West	Cllr Heap Buckhurst East	Cllr Neville Buckhurst Hill East	Cllr Patel Buckhurst Hill West
				
Cllr Bhanot Chigwell Row	Cllr Rizvi Chigwell Village	Cllr Sunger Chigwell Village	Cllr Barlow Grange Hill	Cllr Lion Grange Hill
				
Cllr Rackham Grange Hill	Cllr Nweke Loughton Alderton	Cllr Roberts Loughton Alderton	Cllr Owen Loughton Broadway	Cllr C C Pond Loughton Broadway
				
Cllr Mead Loughton Fairmead	Cllr Wixley Loughton Fairmead	Cllr Baldwin Loughton Forest	Cllr Jogia Loughton Forest	Cllr Brookes Loughton Roding
				
Cllr Murray Loughton Roding	Cllr B Jennings Loughton St John's	Cllr C P Pond Loughton St John's	Cllr J Jennings Loughton St Mary's	Cllr Kauffman Loughton St Mary's

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EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Sub-Committee **Date:** 16 June 2021
South

Place: Conference Suite - Civic Offices **Time:** 7.00 - 8.11 pm

Members Present: J Share-Bernia (Chairman), R Baldwin, P Bhanot, R Jennings, J Jennings, H Kauffman, L Mead, S Neville, C Nweke, M Owen, A Patel, C P Pond, C C Pond, K Rizvi, D Sunger and D Wixley

Other Councillors: None

Apologies: K Williamson, R Brookes, S Heap, J Jogia, A Lion, S Murray and C Roberts

Officers Present: G Courtney (Planning Applications and Appeals Manager (Development Management)), A Marx (Development Manager Service Manager (Planning)), J Leither (Democratic Services Officer), L Kirman (Democratic Services Officer), T Carne (Corporate Communications Team Manager), S Mitchell (PR Website Editor), P Seager (Chairman's Officer), A Hendry (Democratic Services Officer) and V Messenger (Democratic Services Officer)

1. WEBCASTING INTRODUCTION

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

2. MINUTES

Councillor S Neville advised that he gave a declaration as below and not on the application that was recorded in the minutes for EPF/0339/21 46 Russell Road, Buckhurst Hill IG9 5QE. His declaration was given late after the application had been heard.

Pursuant to the Council's Members' Code of Conduct, Councillor S Neville declared a non-pecuniary interest in the following item. The Councillor had determined that he would remain in the meeting for the consideration of the application:

- EPF/2442/20 179 Queens Road, Buckhurst Hill IG9 5AZ.

Councillor A Patel advised that he had made a declaration of interest as below that was omitted from the minutes of the last meeting.

Pursuant to the Council's Members' Code of Conduct, Councillor A Patel declared a non-pecuniary interest in the following item as the ward councillor and also that the tenant of the property fronting Queens Road was known to him as he was a Buckhurst Hill Parish Councillor:

- EPF/2442/20 179 Queens Road, Buckhurst Hill IG9 5AZ.

Councillor C C Pond advised that there was also an error on page 12 of the minutes, condition 1 as the beginning of the paragraph does not make sense.

‘The building operations hereby permitted shall be demolished’

Councillor Pond believed there to be some wording missing and referred this back to the Planning Officer to be corrected.

RESOLVED:

That the minutes of the last meeting of the Sub-Committee held on 21 April 2021 be taken as read and signed as a correct record subject to the amendments as detailed above.

3. DECLARATIONS OF INTEREST

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

4. ANY OTHER BUSINESS

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

5. 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

6. SITE VISITS

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

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

7. PLANNING APPLICATION - EFP/0166/21 40 WESTBURY LANE, BUCKHURST HILL IG9 5PL

APPLICATION No:	EPF/0166/21
SITE ADDRESS:	40 Westbury Lane Buckhurst Hill IG9 5PL
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West

DESCRIPTION OF PROPOSAL:	Two storey side and rear extensions with extended pitched roof including a roof room. Alterations to front drive and enlarged crossover. External alterations. Removal of existing conservatory and utility room. (Revised application to EPF/2773/20).
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=647278

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 shall be carried out and retained strictly in accordance with the following approved plans: MDP.WL/01-A, MDP.WL/02-C, MDP.WL/03-B
- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those in the existing building, or those shown on plan numbers: MDP.WL/01-A, MDP.WL/02-C, MDP.WL/03-B, unless otherwise agreed in writing by the Local Planning Authority.
- 4 No deliveries, external running of plant and equipment or demolition and construction works, other than internal works not audible outside the site boundary, shall take place on the site other than between the hours of 07:30 to 18:00 on Monday to Friday and 08:00 to 13:00 on Saturday and not at all on Sundays, Public or Bank Holidays without the prior written permission of the Local Planning Authority.
- 5 The extension hereby permitted shall not be occupied until the rooflight in the east facing flank elevation has been fitted with obscure glass with a minimum privacy level 3 obscurity, and no part of that/those window[s] that is less than 1.7 metres above the internal floor level of the room in which it is installed shall be capable of being opened. Once installed the obscure glass shall be retained thereafter.
- 6 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.
- 7 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.

- 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 and Tree protection shall be installed as shown on Andrew Day Arboricultural Consultancy Ltd dated 8th April 2021 unless the Local Planning Authority gives its prior written approval to any alterations.
- 9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any other order revoking and re-enacting that order) no development permitted by virtue of Class A of Part 1 to schedule 2 shall be undertaken.
- 10 Prior to the commencement of development, the utility room on the east facing flank elevation must be demolished unless otherwise agreed in writing by the Local Planning Authority.

8. PLANNING APPLICATION - EPF/0320/21 20 ALGERS CLOSE, LOUGHTON IG10 4NH

APPLICATION No:	EPF/0320/21
SITE ADDRESS:	20 Algiers Close Loughton IG10 4NH
PARISH:	Loughton
WARD:	Loughton Forest
DESCRIPTION OF PROPOSAL:	Ground floor rear 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=648033

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 shall be carried out and retained strictly in accordance with the following approved plans: Existing Ground Floor Plan, Existing and Proposed Elevations, Proposed Ground Floor Plan, Location Plan and Site Plan & Section Plan
- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those in the existing building, unless otherwise agreed in writing by the Local Planning Authority.

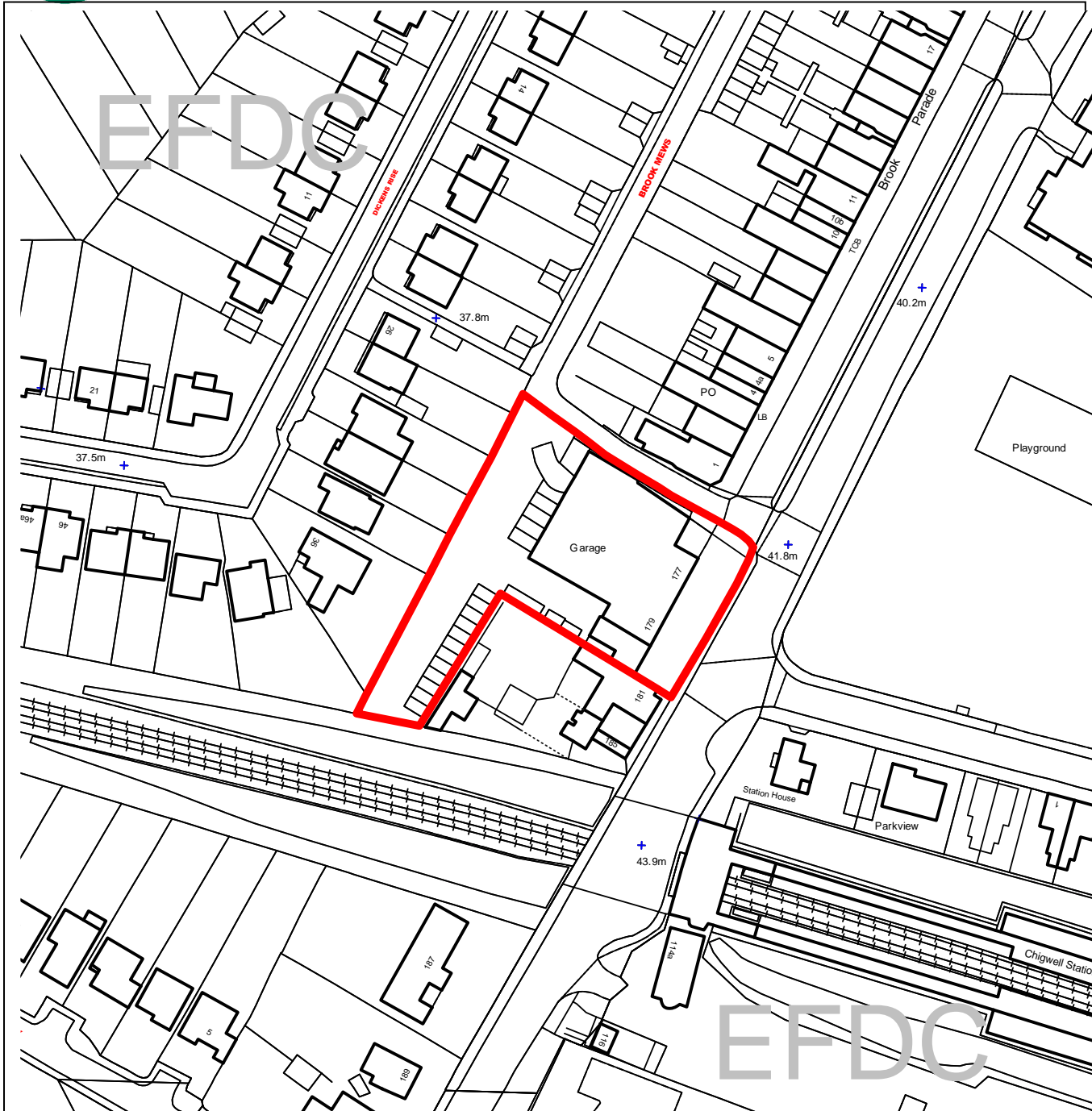
- 4 Access to the flat roof over the extension hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a seating area, roof garden, terrace, patio or similar amenity area.

CHAIRMAN

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Epping Forest District Council



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Application Number:	EPF/2868/20
Site Name:	177 High Road Chigwell IG7 6NX
Scale of Plot:	1:1250

Report Item No: 9

APPLICATION No:	EPF/2868/20
SITE ADDRESS:	177 High Road Chigwell IG7 6NX
PARISH:	Chigwell
WARD:	Chigwell Village
APPLICANT:	White Square Investments
DESCRIPTION OF PROPOSAL:	Proposed mixed-use development to provide 35 residential dwellings (Use Class C3) and 512 sqm of commercial floorspace (Use Class E) together with cycle and car parking, landscaping, provision of new pavement and loading bay on Brook Mews and associated infrastructure.
RECOMMENDED DECISION:	Grant Permission (Subject to Legal Agreement)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=645633

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:
- 3 No development shall commence above slab level until details and a schedule of materials and products of all external facing materials to be used in the construction of the building hereby approved, have been submitted to and approved in writing by the Local Planning Authority and approved in writing by the Local Planning Authority. The development shall not be occupied/used until it has been carried out in accordance with the approved details. The development shall thereafter be retained as such.
Detailed drawings including drawings of:
 - " Principal features on the facades e.g. bay studies (1:50 @ appropriate paper size)
 - " Details of each envelope / roof type (1:20 @A3)
 - " Detailed brick elements including mortar joint profile and brick texture panels (1:20 @A3)
 - " Details of glazing systems including any manifestation (1:20 @A3)
 - " Key junctions/bonds between materials/finishes (1:20 @A3)
 - " Parapets, roof edges, rooftop plant screening, lift over runs etc (1:20 @A3)
 - " Elevational location of all joints e.g. structural, movement, panels (1:100 @ appropriate paper size)
 - " Elevational location of all openings in envelope e.g. ventilation grilles, bird & bat boxes (1:100 @ appropriate paper size)

" Elevational location of all items which are fixed to the façade eg fins/louvres, signage, rainwater pipes, lighting, CCTV, alarms including any provision for cable runs boxes (1:100 @ appropriate paper size)

" Head, jamb and sill details, including profiles, for typical openings and all ground floor entrances and doors to balconies / terraces (1:20 @A3)

" Details of balconies and terraces including floor finishes (1:20 @A3)

" Balustrade details (1:20 @A3)

" Details of soffits and canopies (1:20 @A3)

Details of materials and products, including finishes, of:

" Façade and roof cladding materials

" Brick and mortar type including mortar joint profile

" Window / door types (including finishes, glass types and any manifestation)

" Facing metalwork (e.g. balustrades, service doors, screens, gates)

" All items which are fixed / integrated to the façade (eg fins/louvres, vent grilles, rainwater pipes, signage, bird/bat boxes)

" Soffit and canopy materials

" Balcony and terrace floor finishes

A list of façade types and junctions shall be agreed with the Local Planning Authority in advance.

4 The ground floor units shall only be used as Class E and for no other purpose (including any other purpose of the Schedule to the Town & Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order.

5 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.

6 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.

7 Prior to first occupation of the development, measures shall be incorporated within the development to ensure a water efficiency standard of 110 litres (or less) per person per day.

8 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

1. The parking of vehicles of site operatives and visitors
 2. Loading and unloading of plant and materials
 3. Storage of plant and materials used in constructing the development
 4. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 5. Measures to control the emission of dust and dirt during construction, including wheel washing.
 6. A scheme for recycling/disposing of waste resulting from demolition and construction works.
 7. Tree protection measures.
 8. Measures to control noise to nearby sensitive receptors.
- 9 No ground works shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 10 Details of privacy screens (with a minimum height of 1.7m) between all connected balconies, the podium and between flats 1.02 and 1.03, 1.06 and 1.07, 2.02 and 2.03 and 2.05 and 2.06 shall be submitted and agreed in writing by the Local Planning Authority prior to first occupation. The agreed screens shall be installed prior to first occupation and shall be permanently retained in that agreed position and form.
- 11 The E use hereby permitted shall not be open to customers / members outside the hours of 7am to 10pm on Monday to Saturday and 8am to 10pm on Sundays and Bank Holidays.
- 12 Prior to first occupation of the development, a scheme to enhance the ecological value of the site shall be submitted to and agreed in writing by the Local Planning Authority. The ecological value shall be quantified using the Biodiversity Impact Assessment Calculator (BIAC) where appropriate. The scheme shall be implemented in full prior to the occupation of the development hereby approved.
- 13 The cycle store hereby approved shall be retained so that it is capable of allowing the storage of bikes and shall at no time be converted into a room or used for any other purpose.
- 14 No air conditioning units or extraction systems shall be installed without the prior written approval of the Local Planning Authority.
- 15 The development hereby approved shall be carried out in accordance with the submitted Arboricultural Impact Assessment by TMA dated November 2020. The development shall be carried out only in accordance with the approved AIA unless the Local Planning Authority gives its written consent to any variation.
- 16 Details and location of all parking spaces equipped with active EVCP must be submitted prior to above ground works commencing on site, including details which shall demonstrate that the development will deliver active EVCPs from occupation. The details shall include:
1. Location of active and passive charging infrastructure;
 2. Specification of charging equipment; and
 3. Operation/management strategy.

The council will expect that a management plan for the charging points is set out clearly. This will address:

1. Which parking bays will have active and/or passive charging provision, including disabled parking bays;
2. How charging point usage will be charged amongst users;
3. The process and the triggers for identifying when additional passive charging points will become activated; and
4. Electricity supply availability.

The electricity supply should be already confirmed by the Network Provider so that the supply does not need to be upgraded at a later date.

The installation of EVCP shall be completed in accordance with the approved details and made operational prior to first occupation.

- 17 Prior to the works above slab level, a strategy to facilitate super-fast broadband for future occupants of the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall seek to ensure that upon occupation of a dwelling, either a landline or ducting to facilitate the provision of a broadband service to that dwelling from a site-wide network, is in place and provided as part of the initial highway works and in the construction of frontage thresholds to dwellings that abut the highway, unless evidence is put forward and agreed in writing by the Local Planning Authority that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure. The development of the site shall be carried out in accordance with the approved strategy unless otherwise agreed in writing by the Local Planning Authority.
- 18 Prior to installation, details of the boilers shall be forwarded to the Local Planning Authority for approval. The boilers shall have dry NOx emissions not exceeding 40 mg/kWh (0%).
- 19 No development (other than demolition, site clearance and enabling works) shall commence until a Phase II Geoenvironmental Ground Investigation is undertaken in accordance with the submitted Phase I Geoenvironmental Desk Study dated 2 December 2020. If any contamination is found, a report specifying the measures to be taken, including the timescale, to remediate the site to render it suitable for the approved development shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures and timescale and a verification report shall be submitted to and approved in writing by the local planning authority. If, during the course of development, any contamination is found which has not been previously identified, work shall be suspended and additional measures for its remediation shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures and a verification report for all the remediation works shall be submitted to the local planning authority within 21 days of the report being completed and approved in writing by the local planning authority.
- 20 Prior to the first occupation of the development the access arrangements, including the footway and service bay, 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.

- 21 Prior to the first occupation of the development the redundant dropped kerb along the frontage and side of the site shall be fully reinstated, including full footway construction and with full height kerbing.
- 22 Prior to first occupation of the development, the Developer shall be responsible for the provision, implementation and distribution of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers, and/or Oyster Cards, for use with the relevant local public transport operator. These packs (including tickets) are to be provided by the Developer to each dwelling free of charge.
- 23 The acoustic performance of the design and construction of the development shall be carried out strictly in accordance with those set out in the submitted Noise and Vibration Assessment by Ardent dated December 2020.
- 24 All rooms within the development hereby approved shall be provided with sufficient double glazing and acoustically treated trickle ventilators, or other means of ventilation that will provide adequate ventilation with the windows closed, to ensure that the occupiers are provided with reasonable resting/sleeping conditions with reference to British Standard BS8233:2014 - Guidance on Sound Insulation and Noise Reduction for buildings - Code of practice (or such other standard which may supersede it from time to time) in accordance with the submitted Noise and Vibration Assessment by Ardent dated December 2020.
- 25 Details of the double glazing and acoustically treated trickle ventilators, or other means of ventilation, referred to within the above condition shall be submitted to and agreed in writing by the Local Planning Authority and installed in accordance with the agreed details before any of the proposed residential development is occupied.
- 26 The cumulative rating level of any mechanical plant installed on the site (as defined by BS4142:2014) shall not exceed the prevailing background noise level. If the background noise level is exceeded, the use of the mechanical plant shall cease until it is brought below this level. The measurement position and assessment shall be made according to BS4142:2014.
- 27 Prior to the occupation of the Class E commercial units a management plan outlining the frequency and timing of deliveries, refuse collection and servicing shall be submitted to and agreed in writing by the Local Planning Authority.
- 28 All mechanical plant (save for fridges/freezers/chillers) used within the E commercial units shall be turned off 30 minutes after food preparation and cooking ceases.
- 29 The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground) for works on top of the cutting for all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the local planning authority which:
- " provide foundation and groundwork details for all structures close to the top of London Underground cutting
 - " provide details on the use of tall plant/scaffolding
 - " demonstrate access to elevations of the building adjacent to the property boundary with London Underground can be undertaken without recourse to entering our land

- " demonstrate that there will at no time be any potential security risk to our railway, property or structures
- " accommodate ground movement arising from the construction thereof

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

This application is before this Committee since it is an application for residential development consisting of 10 dwellings or more (other than an application for approval of reserved matters) and it is for a type of development that cannot be determined by Officers if more than five objections are received (or in cases where less than 5 were consulted, a majority of those consulted object) on grounds material to the planning merits of the proposal (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council).

Description of Site:

The application site is a corner site located at the junction of the High Road and the access to Brook Mews currently operating as a car dealership and maintenance garage. The existing buildings are one and two storey and span the width of the site. The site is directly adjacent to the new development known as 'The Cube'. The site is 'L' shaped extending behind the adjacent development so that it is bounded in part by the underground line and backs onto the residential properties located on Dickens Rise. The site slopes up to the south. The site is not located within the Green Belt or a Conservation Area.

Description of Proposal:

The application seeks consent for the demolition of the existing buildings and replacement with a mixed use development to provide 35 residential dwellings and 512m² of commercial floor space (Use Class E) together with cycle and car parking and associated landscaping. The proposal also includes a new pavement along Brook Mews. The proposal was revised following first submission altering the design and reducing the number of units from 40.

This proposal is for a 'L' shaped main building fronting onto the High Road and Brook Mews. This building will be 2 and a half stories to the rear (Dickens Rise) raising to 4 stories towards the front (High Road). To the rear, backing onto the railway line will be a separate two storey block (Block B) with 2 additional flats.

The proposal will have a central raised amenity space with parking under, and surface level parking with vehicle access through a gated access with flats over. 29 car parking spaces are proposed with cycle parking for all flats.

4 commercial units are proposed at ground floor fronting onto the High Road.

The proposal also includes a pavement and loading bay along Brook Mews.

Relevant History:

None relevant

Policies Applied:

Local Plan (1998) and Alterations (2006)

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

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

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

NPPF:

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

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

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

Epping Forest District Local Plan (Submission Version) 2017

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

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

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

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

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

Policy		Weight
SP2	Spatial Development Strategy	Significant
DM2	Epping Forest SAC and the Lee Valley SPA	Significant
DM9	High Quality Design	Significant
DM10	Housing Design and quality	Significant
DM11	Waste recycling facilities on new development	Significant
DM10	Housing Design and Quality	Significant
DM22	Air Quality	Significant
E2	Centre Hierarchy/Retail Policy	Significant
T1	Sustainable Transport Choices	Significant
H1	Housing Mix and Accommodation	Significant
H2	Affordable Housing	Significant
P7	Chigwell	Significant
D1	Delivery of Infrastructure	Significant

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 76
 36 objections received from the following addresses:
 13, 15, 22, 24, 28, 38, 66 DICKENS RISE
 CHIGWELL RESIDENTS ASSOCIATION
 22 DACRE GARDENS
 1 OAK LODGE AVENUE
 28 MEADOW WAY
 31 CHIGWELL PARK DRIVE
 219 HIGH ROAD
 5 EMMAUS WAY
 12 REGENCY CLOSE
 15 LEE GROVE
 6 COOLGARDIE AVENUE
 40B HAINAULT ROAD
 15 CHESTER ROAD

17 OBJECTIONS WHERE NO ADDRESS WAS SUPPLIED

The Objections can be summarised as follows

Too high, too high a density, not in character, increased in traffic, proximity to Dickens Rise – loss of light and privacy, Brook Mews is too narrow, overdevelopment, increased noise and disturbance, insufficient parking when parking issues exist, construction issues, impact on utilities, loss of employment, no affordable housing, covenants on land.

2 supports received from the following addresses:

24 BROOK WAY, CHIGWELL

14 BRIDGE HILL, EPPING

No longer suitable for a garage and good design

CHIGWELL PARISH COUNCIL: No objection to this application, on the condition that the accordant viability assessments for affordable housing are conducted by the appointed housing officers.

Main Issues and Considerations:

The main issues are considered to be the principle of the development, design and amenity, highways and parking, affordable housing and impact on the EFSAC.

Principle of Development

The application site is located on previously developed land within the village of Chigwell, this location is in compliance with the ethos of SVLP policy SP2 which encourages this form of development outside of the Green Belt. The site is located adjacent to a small parade of shops and opposite Chigwell Underground Station. Due to its location it is considered a fairly sustainable site, (albeit the regularity of this part of the 'loop' are acknowledged).

The existing use of the site as a car showroom and workshop has 17 full-time employees. The applicants have provided evidence that the proposed development (given the amount of commercial floorspace) has the capacity for 23-30 full-time employees. This would provide an increase in employment opportunities of between 6-13 full time employees.

In addition to increasing the employment capacity of the application site, the proposal is considered to have a positive impact on the vitality and viability of Brook Parade. The addition of the proposed four commercial units will complement the existing local services provided by Brook Parade.

With regards to the existing use, it is understood that the lease is expiring and the size and layout of the site is not suitable for a modern car dealership due to the compromised vehicle access arrangements and the small forecourt area.

Design

The proposal was presented to the Council as a pre-application scheme and has been altered through the course of the pre/actual application following comments from Officers, including the Council's Urban Design Officer.

The application site is occupied by the former Volvo garage and car showroom that are situated on the High Road and corner of Brook Mews. The car showroom is a modest one to one and a half storey building that is set back from the highways and pavement edge. The area at the front of the site was formerly used as parking related to the car showroom.

To the south of the site is the 'Cube' residential development that is three storeys in height with an inset fourth storey. The northern boundary of the site is bounded by Brook Mews which leads to

the rear of and Brook Parade. Brook Parade is a restrained 1930s three storey terrace of retail/commercial units with residential at first and second floor. Brooks Mews provides service access to Brook Parade and the rear of adjacent Dickens Rise, a residential development of two storey, predominately semi-detached dwellings. Across the road from the site is Chigwell London Underground Station.

The High Road, where the site is situated, faces onto Station Green which is a triangular area of open space bound by Station Road and Hainault Road. The streets bordering Station Green are occupied by predominately low-rise residential development, with the exception of development to the north of Brook Parade which extends to four storeys but like other development in the vicinity have generous set-backs from the main High Road.

The Urban Design Officer has provided comments on the scheme including:

The completion of the block adjoining the Cube developments is positive and through considered and high-quality elevations will contribute positively to the public realm. There is also a significant benefit in the provision of 35 new homes with private and communal amenity in a highly sustainable location

Although the Officer has raised some concerns with aspects of the scheme including the outlook to LG01 and Building B, the access route to Building B, the absence of a lift, the forward projection of the top floor compared to that at 'The Cube' and the use of glass screens for the balconies (lack of privacy); positive comments have been received also.

Layout and access:

- It is noted that the principle of a commercial use fronting onto the High Road is supported and the residential typology on Brook Mews is also acceptable. Whilst there are extents of inactive frontage on Brook Mews, the applicant has introduced a further core entrance (following Officer advice) and proposed green walls to activate and soften this frontage.
- The residential core entrances appear legible and well resolved.
- There is a concern regarding the accessibility of the communal courtyard for those dwellings served by the second residential core. It is noted, however that there is an access point via the under-croft car park so that residents would not need to enter the main residential core to gain access unless they needed to use a lift.
- The orientation of the dwellings is supported, with almost all dwellings either dual-aspect or with an east-west aspect. The exceptions are flat 1.12 and corresponding flats above, however, given the orientation of the site and the need to provide robust frontage to the two street-facing perimeters, this is acceptable.

Bulk, massing, scale:

- The completion of the block, started by 'The Cube' development is positive and the massing is generally acceptable, with positive features to respond to the surrounding context, including the chamfer to the corner of Brook Mews/ High Road and the stepping down of the ground floor plinth on the High Road to respond to the topography of the site, the scale of Brook Parade and the proportions relative to the full height of the building.
- Whilst the proposal will be prominent from long views along the High road and from the Green opposite, particularly in the context of the open character and generous set-backs of the surroundings, the chamfer and articulation of the main massing make this acceptable.

Residential Design Quality:

- The layouts appear generally well considered, with private amenity to each and meeting overall Nationally Described Space Standard minimum areas.

Appearance and Materials:

- The elevational approach, high quality material palette and detailing is generally supported and detailed elements such as brick specification and patterns for brick detailing/ sample panels should be secured through Conditions. These should be in line with the quality of detailing in the precedent images provided on p26 of the DAS. Similarly, the Conditions should require the approval of details such as window frame materials, door materials, rainwater goods materials, positions of any vents or services on the elevations as these will have a significant impact on the quality of the building.

Landscape:

- The courtyard amenity is well considered with high-quality landscape proposals. Conditions should require detail regarding the maturity of trees being proposed, in line with illustrations/ sections within the Landscape Design Statement.

It is noted that the following response was received from the Crime Prevention Tactical Advisor and Designing Out Crime Officer:

Essex Police is content the ethos of Crime Prevention Through Environmental Design (CPTED) is being addressed adequately. Essex Police are confident the development will meet POLICY ST2 – ACCESSIBILITY OF DEVELOPMENT (v), design and layout which will reduce the potential for crime and fear of crime.

Although the Urban Design Officer has not fully supported the scheme, it is considered that the proposal is a positive addition to the streetscene and the majority of design comments provided during pre-application and during the application process have been incorporated into the design.

Impact on Amenity

Existing Neighbours

The proposal will back onto properties on Dickens Rise and at the closest point will be 1m from the rear boundary closest to No.26 and 28 Dickens Rise. This will be the flank wall to the 2 and a half storey block, but despite the application site being located on higher ground given the 20m+ rear gardens this is considered sufficient to avoid this element appearing overbearing to the occupants of these properties. There are no side facing windows on this element and therefore loss of privacy is not considered an issue. In addition, due to the sloped roof, the roof pitches away from the rear boundary of the site minimising the overall impact.

With regards to the main block fronting the High Road, this is a minimum of 35m from the rear boundary of properties in Dickens Rise. Given this distance it is not considered to give rise to any excessive loss of amenity in terms of loss of light, privacy or outlook. Although the proposal will be visible to the properties, (particularly due to the higher ground) it is not considered to be overbearing given the distance.

The first floor podium garden/amenity space will be within 19m of the shared boundary to the properties on Dickens Rise. Given the distance and the slope down to Dickens Rise views will be limited.

To the south of the application site is the two storey Block B which is located 1.5m with the shared boundary with No.36 Dickens Rise. Again, given the 12m + to the boundary and this case that the building will have a flat roof it is again not considered so overbearing to justify a refusal. There are no flank windows proposed so privacy will be retained. This building may actually, by default, screen 'The Cube' development from this side of Dickens Rise.

It is noted that 'The Cube' building extends closer to the Dickens Rise properties than this proposal in terms of direct overlooking.

Future occupiers of The Cube

There are no side windows proposed on the flank of 'The Cube' that is adjacent to the development and therefore there is no overlooking issues out of the adjacent development. The application proposal retains light/access to the light well mid way down the flank of 'The Cube' and the nearest window on the proposed development is angled to avoid any loss of privacy into or from 'The Cube'.

Again no side windows are proposed on Block B which will avoid any loss of privacy to 'The Cube'. Block B is set at a much lower level than 'The Cube' and there will be a distance of 4.2m to the outer railing of the first floor rear facing balcony at 'The Cube'. Although a relatively short distance given the otherwise open aspect to these balconies coupled with the low height of Block B the impact on these new flats are not considered excessive.

Amenity of Future Occupiers

All of the flats meet the Nationally Described Space Standards. Through the course of the pre and application process the number of single aspect units have been decreased, and as above this is now acceptable.

In addition to the amenity space provided, both individually and communal space, the proposal is across the road from a large green area and play area provided by Station Green.

Environmental Health have raised the proximity of the Underground line with regards to noise impacts on future residents and have recommended double glazing and trickle vents as a solution and this can be conditioned to ensure ventilation without excessive noise is possible.

Conditions can be added with regards to opening times of the commercial units so that early/late noise is controlled for all new and existing residents.

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

Affordable Housing and Infrastructure Delivery

Policy H2 in the LPSV requires that on development sites which provide for 11 or more homes, or residential floor space of more than 1000m² (combined gross internal area), the Council will require 40% of those homes to be for affordable housing provided on site. The type, design and mix of housing should also reflect that classified as market housing. This proposal should therefore provide 14 units as affordable.

Policy D1 of the LPSV provides that new development must be served and supported by appropriate on and off-site infrastructure and the contributions are as below and requests from ECC Education have been received requesting the following contributions:

Early Years and Childcare: £20,204

Primary Education: £67,345

Libraries: £2567.40

Both policies H 2 and D 1 of the LPSV require that proposals that do not accord with these policies must be accompanied by a financial and viability appraisal (with supporting evidence), which is transparent and complies with relevant national or local guidance applicable at the time.

This proposal offers no affordable housing and the application was accompanied by a viability appraisal that has been assessed by the Council's Consultants. The Consultants have confirmed that the viability of the scheme does not allow for on site affordable housing.

However, following negotiations with the Applicant and Agent it was agreed that a surplus of £85,000 could be contributed towards offsite affordable housing (in addition to the Education and SAC payments which were accounted for within the viability). This was agreed on the proviso that a viability review took place following completion of the development in case additional contributions were made available. Following further negotiations in liaison with the Council's Housing Team, the requirement for the late stage viability review has been dropped in exchange for a payment of £600,000 (as opposed to the initial £85,000) for off site affordable housing. This has been agreed by the Applicant and as above the S106 has been drafted on this basis.

Highways and Parking

The proposal provides 29 car parking spaces for 35 dwellings resulting in 0.8 spaces per a dwelling. This is an under provision if the Essex Parking Standards are strictly applied. However, policy T1 of the SVLP actively promotes sustainable travel and T1 F (iv) is clear in that *'Reduced car parking, including car free, development in sustainable locations will be supported'*. In addition the supporting text for T1 states: *'Where practicable and within 400m of a railway station, the Council will seek reduced car parking, including car free, development.'*

This development is within 50m of the underground station and given the ethos of policy T1, in this case perhaps too much parking is provided. However, given the neighbour comments regarding parking stress and although within a close distance to the station there is no supermarket/doctor/other necessary services within walking distance it is considered an acceptable compromise that parking is reduced but not to a 'car free' level.

Suitably located and appropriate provision of cycle storage is provided to encourage alternative sustainable transport.

The Highway Authority has assessed the application and submitted information, visited the site, and has concluded that in highway terms it is not contrary to national and local highway and transportation policy and current safety criteria. The applicant has submitted a robust Transport Statement (TS) which demonstrates to the satisfaction of the Highway Authority that there will be a reduction in vehicle movements associated with the site. Therefore, no further junction or capacity assessment is required. Furthermore, the development is removing all vehicular access from the High Rd which will be beneficial to general highway safety.

The parking provision would be considered acceptable in highway safety terms, although given the proximity and easy access to other modes of sustainable transport in the vicinity, it could be reduced further to help facilitate a push towards more sustainable travel.

It is noted that the proposed service/loading bay would be sited behind the highway boundary and would therefore have to be managed directly by the developer, to prohibit ad-hoc parking in it, as the existing Traffic Regulation Order would not extend beyond the highway boundary.

Consequently, the Highway Authority is satisfied that the development will not be detrimental to highway safety, capacity and efficiency at this location or on the wider highway network.

SAC and Air Quality

The site is within the 3.2km buffer around the Epping Forest Special Area of Conservation (SAC). Due to the proximity to the SAC, a contribution towards recreational mitigation is required for any

new dwelling (set at £352) and the applicant is in agreement to enter into a legal agreement for this contribution.

In addition to the requirement for a contribution towards mitigating against recreational pressures, all new developments within the District that result in additional car movements require mitigation to alleviate the air quality issues within the SAC. However, in this case sufficient information has been provided to prove that the proposed scheme will have fewer car movements than the existing use. A Transport Statement and EFSAC Technical Note accompanied the application and has been assessed by the Council's Transport Planner and has suggested the following measures need to be secured:

- The per-dwelling financial contribution of £335 towards air pollution must be paid
- New car parking spaces must have access to an EV charging point. Because of the change of use, I would suggest this applies to all new residential parking spaces.
- Initiatives to support walking, cycling and public transport use - cycle parking is proposed

Given the above, it is considered that the proposed scheme complies with SVLP policy DM22.

The applicant is in agreement with the contribution and for both aspects the S106 is being worked on to have at least a draft by the Committee meeting.

Conclusion:

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

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

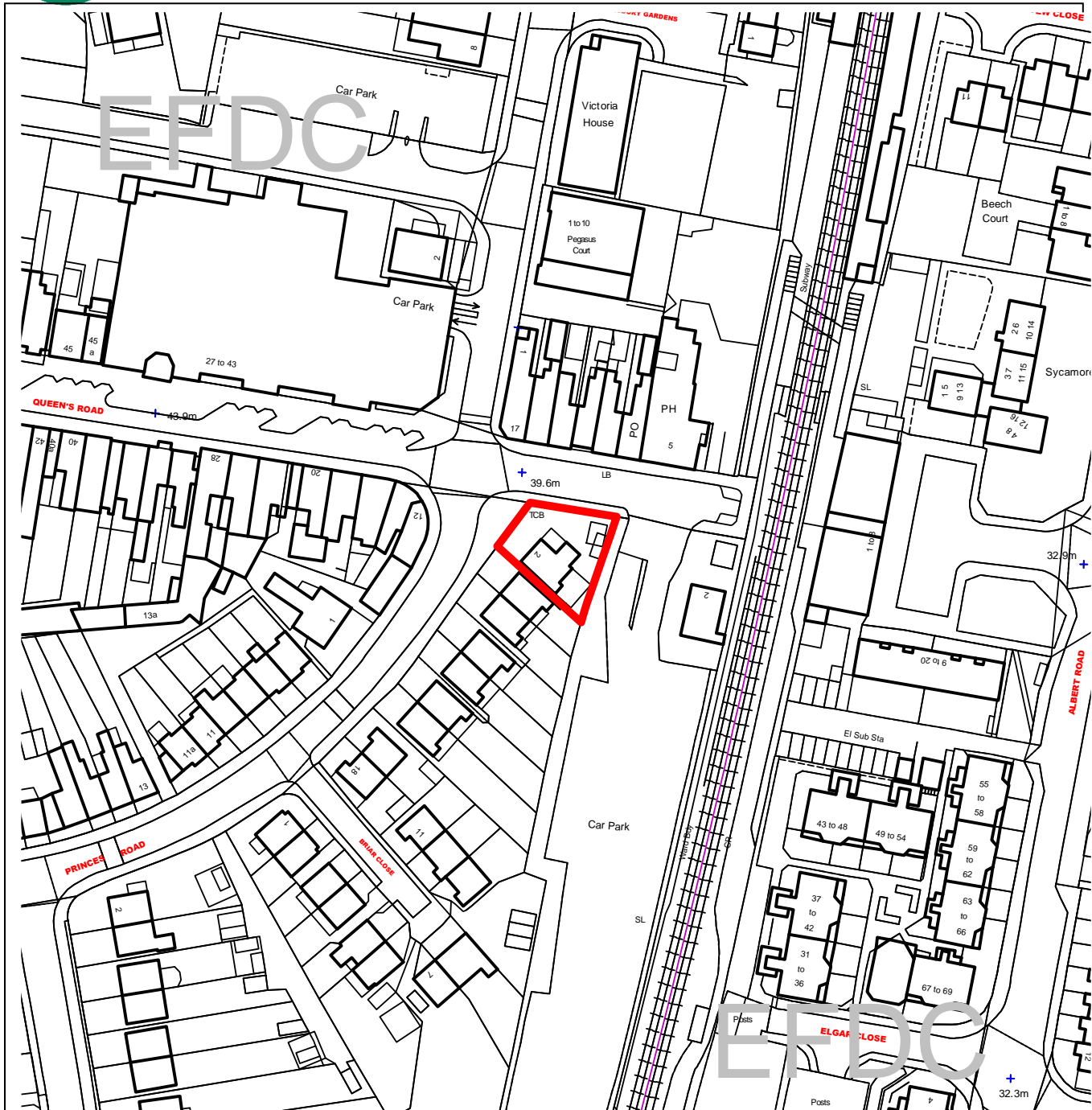
***Planning Application Case Officer: Marie-Claire Tovey
Direct Line Telephone Number: 01992 564414***

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

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Epping Forest District Council



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Application Number:	EPF/3043/20
Site Name:	2 Princes Road Buckhurst Hill IG9 5EG
Scale of Plot:	1:1250

Report Item No: 10

APPLICATION No:	EPF/3043/20
SITE ADDRESS:	2 Princes Road Buckhurst Hill IG9 5EG
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
APPLICANT:	Mr J Davis
DESCRIPTION OF PROPOSAL:	Proposed replacement of a single dwelling with a new building consisting of 2 commercial units and 7 fully accessible apartments. (Amended application to EPF/2378/19).
RECOMMENDED DECISION:	Grant Permission (Subject to Legal Agreement)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=646414

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development hereby permitted will be completed and retained strictly in accordance with the approved drawings numbers:
349-EX-01-A Existing Ground Floor Plan
349-EX-02 Existing First Floor Plan
349-EX-03 Existing Roof Plan
349-EX-04 Existing Elevations
349-PL-01-C Proposed Location Block Plan
349-PL-02-C Proposed Ground Floor Plan
349-PL-03-C Proposed First Floor Plan
349-PL-04-C Proposed Second Floor Plan
349-PL-05-C Proposed Roof Plan
349-PL-07-C Proposed Elevations
349-PL-08-C Proposed Street Scenes
- 3 No construction works above ground level shall have taken place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing, prior to the commencement of the development. For the avoidance of any doubt render shall not be used as a material option. The development shall be implemented in accordance with such approved details.
- 4 Notwithstanding the approved plans, timber shall be used for the proposed windows and doors, unless otherwise agreed in writing by the Local Planning Authority.

- 5 The window opening(s) in the south west elevation (marked as elevation D on plan number 349-PL-07 Rev C) shall be fitted with obscured glass with a minimum Level 3 obscurity to the extent as outlined on the same plan and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 6 The ground floor units shall only be used as Class A1/A2 and A3 (known as Class E from 1st September 2020) as shown on the approved ground floor plan 349-PL-02 and for no other purpose (including any other purpose of the Schedule to the Town & Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order.
- 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 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.
- 9 Prior to first occupation of the development, measures shall be incorporated within the development to ensure a water efficiency standard of 110 litres (or less) per person per day.
- 10 No development shall commence until an assessment of the risks posed by any contamination, carried out in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), shall have been submitted to and approved in writing by the local planning authority. If any contamination is found, a report specifying the measures to be taken, including the timescale, to remediate the site to render it suitable for the approved development shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures and timescale and a verification report shall be submitted to and approved in writing by the local planning authority. If, during the course of development, any contamination is found which has not been previously identified, work shall be suspended and additional measures for its remediation shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures and a verification report for all the remediation works shall be submitted to the local planning authority within 21 days of the report being completed and approved in writing by the local planning authority.

- 11 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.
- 12 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.
- 13 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
1. The parking of vehicles of site operatives and visitors
 2. Loading and unloading of plant and materials
 3. Storage of plant and materials used in constructing the development
 4. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 5. Measures to control the emission of dust and dirt during construction, including wheel washing.
 6. A scheme for recycling/disposing of waste resulting from demolition and construction works.
 7. Tree protection measures.
- 14 No ground works shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 15 Additional drawings that show details of proposed new windows, doors, eaves, verges, fascias, cills and shopfronts by section and elevation at scales between 1:20 and 1:1 as appropriate, shall be submitted to and approved by the LPA in writing prior to the commencement of any works.
- 16 Details of privacy screens (with a minimum height of 1.7m) to the south side of the balconies serving flats 2 and 5 shall be submitted and agreed in writing by the Local Planning Authority prior to first occupation. The agreed screens shall be installed prior to first occupation and shall be permanently retained in that agreed position and form.
- 17 The E c use hereby permitted shall not be open to customers / members or for deliveries outside the hours of 8am to 6.30pm on Monday to Saturday and 10am to 4pm on Sundays and Bank Holidays.

- 18 The E b use hereby permitted shall not be open to customers / members or for deliveries outside the hours of 8am to 10.30pm on Monday to Saturday and 10am to 8pm on Sundays and Bank Holidays.
- 19 Prior to first occupation of the development, a scheme to enhance the ecological value of the site shall be submitted to and agreed in writing by the Local Planning Authority. The ecological value shall be quantified using the Biodiversity Impact Assessment Calculator (BIAC) where appropriate. The scheme shall be implemented in full prior to the occupation of the development hereby approved.
- 20 The cycle store hereby approved shall be retained so that it is capable of allowing the storage of bikes, and shall at no time be converted into a room or used for any other purpose.
- 21 No air conditioning units or extraction systems shall be installed without the prior written approval of the Local Planning Authority.
- 22 Prior to any above ground works a scheme shall be submitted to the Local Planning Authority for approval to provide that the residents of the development, other than those residents with disabilities who are Blue Badge Holders, have no entitlement to a resident's parking permit. This shall include an agreed timescale for implementation and the approved scheme shall be implemented in accordance with the approved timescale.
- 23 Prior to the commencement of development, a strategy to facilitate super-fast broadband for future occupants of the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall seek to ensure that upon occupation of a dwelling, either a landline or ducting to facilitate the provision of a broadband service to that dwelling from a site-wide network, is in place and provided as part of the initial highway works and in the construction of frontage thresholds to dwellings that abut the highway, unless evidence is put forward and agreed in writing by the Local Planning Authority that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure. The development of the site shall be carried out in accordance with the approved strategy unless otherwise agreed in writing by the Local Planning Authority.

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

Description of Site:

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

Description of Proposal:

The application seeks consent for the demolition of the existing dwelling and replacement with a new building consisting of x 2 no. commercial units at ground floor and x 7 no. 1 bedroom flats at first, second and third floor. The proposal will have a pitched roof. The proposal includes a refuse area, bike storage and private amenity area. No car parking is proposed.

This is a revised proposal following approval last year for a similar scheme with 6 flats and a flat roof design.

Relevant History:

Various extensions to the bungalow and most recently:

EPF/0980/21 - Proposed additional use of A5 (Class) to the A3 (Class) unit approved under EPF/2378/19 – Concurrent application

EPF/2378/19 - Proposed replacement of a single dwelling with a new building consisting of x 2 no. commercial units and x 6 no. fully accessible apartments. (Revised application to EPF/0632/19) - Approved

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

Policies Applied:

Local Plan (1998) and Alterations (2006)

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

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

CP2 – Protecting the quality of the Rural and Built Environment

DBE1 – Design of new buildings

DBE2 - Effect on neighbouring properties

DBE5 – Design and Layout of new development

DBE8 – Private amenity space

DBE9 – Loss of amenity

ST01 – Location of Development

ST06 – Vehicle Parking

LL10 – Adequacy of provision for landscape retention

TC6 – Local Centres

NPPF:

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

(a) approving development proposals that accord with an up-to-date development plan without delay; or

(b) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole

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

Epping Forest District Local Plan (Submission Version) 2017

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

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

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

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

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

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

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 42

2 objections received:

FLAT 2, IG9 5BY (exact location unknown) – Objection – Construction issues, loss of view, loss of privacy, car parking issues

6 Princes Road – Objection overlooking from addition windows, pressure on amenities, noise, reducing natural light

BUCKHURST HILL PARISH COUNCIL: Objection – The Committee notes this is an amended application to EPF/2378/19. However, the amendments are strongly opposed leading to a vehement objection. Severely out of keeping and detrimental to the neighbouring properties being overbearing to the bungalows. The Committee feels strongly that this is overdevelopment of the site due to the bulk and mass of an already bulky development. The Committee notes that this application is even more bulky than the previous application to which it objected.

Main Issues and Considerations:

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

Principle of Development

The proposed amendments to include a pitched roof and additional floor are not considered to alter the previous view with regards to the principle of development which is outlined below:

Loss of Bungalow

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

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

Small District Centre

Within the Places chapter of the SVLP the vision for Buckhurst Hill is set out which includes:

'provide varied employment...as part of a successful and prosperous High Street. New opportunities for wider employment uses will be maximised.'

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

It is noted that the proposed allocated site BUCK.R2 (Queens Road Car Park) is directly to the rear of the site. The proposal is not considered to prejudice the future development of this site.

There is a reference within Appendix 6 of the SVLP for BUCK.R2 that states: '*Development proposals should consider incorporating retail uses at the ground floor level, where they would complement the offer of the adjacent Small District Centre*'. It is considered that this sentiment for the adjacent site is equally applicable to this application site.

Design

The previously approved design was the subject of design discussions with the Council's Urban Design Officer. This revised proposal alters the design with the addition of a pitched roof across the whole building. This is the only design change to the otherwise approved scheme.

This scheme, although resulting in a taller building (2.5m over that previously approved), effectively creates a link between the pitched roofs of the bungalows and the corner buildings on Queens Road and the pediment buildings opposite at the Queens Buildings and is considered an acceptable design addition.

There is still a pitched roof single storey element directly adjacent to the neighbouring bungalow which acts as a transition to this corner location. It is not considered the addition of the roof disrupts the appearance of this part of the streetscene.

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

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

Impact on Amenity

The nearest neighbouring property is No. 4 Princes Road, the adjacent bungalow. Previously it was considered that the proposal would clearly have some impact on this property given its overall size.

This current proposal raises the roof over that approved by 2.5m. However the roof pitches away from the bungalows on Princes Road and the main three storey element is set 4.6m from the shared boundary (with the roof hitting the maximum height some 3m further into the site). Given this distance, the angle of the site, and since the roof pitches away, it is considered that the outlook to No. 4 would not be further impacted.

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

Again due to the distance from the boundary, and the roof pitching away, although there may be a loss of light to No. 4 given it is to the south of the proposal, this is not considered significant. In terms of overlooking, all side windows will be obscure glazed in full or to a height of 1.7m (or be at a high level) and this will prevent any loss of privacy to No. 4 and further along Princes Road. As with the previous scheme, although not shown on the submitted plans, screens could be positioned at the southern edge of the balconies that serve Flat 2 (first floor) and Flat 5 (second floor) to avoid any potential overlooking to the rear of properties on Princes Road.

With regards to loss of light to the flats above No. 12 Queens Road, given that these are on much higher ground level, there is an 18m separation distance, and the orientation of the application site, there would not be any significant harm even with the addition of the pitched roof. With regards to the flats above No. 17-13, again there is a separation distance of some 13m and this is not considered to result in an excessive loss of light.

Other amenity issues which were considered acceptable with the previous scheme remain unchanged:

Balconies will face the flats and commercial units and 13-17 Queens Road but, as above, the separation distance is a mitigating factor. Coupled with this location within a busy local district centre, the impact on these units is considered acceptable.

Conditions can be added with regards to opening times of the commercial units so that noise is controlled – and the proposed opening times have not changed since the previous submission.

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

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

Highways and Parking

The addition of one flat on the approved scheme is not considered to alter the previous assessment of the scheme which was as follows:

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

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

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

SAC and Air Quality

The addition of one flat on the approved scheme is not considered to alter the previous assessment of the scheme which was as follows:

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

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

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

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

Conclusion:

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

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

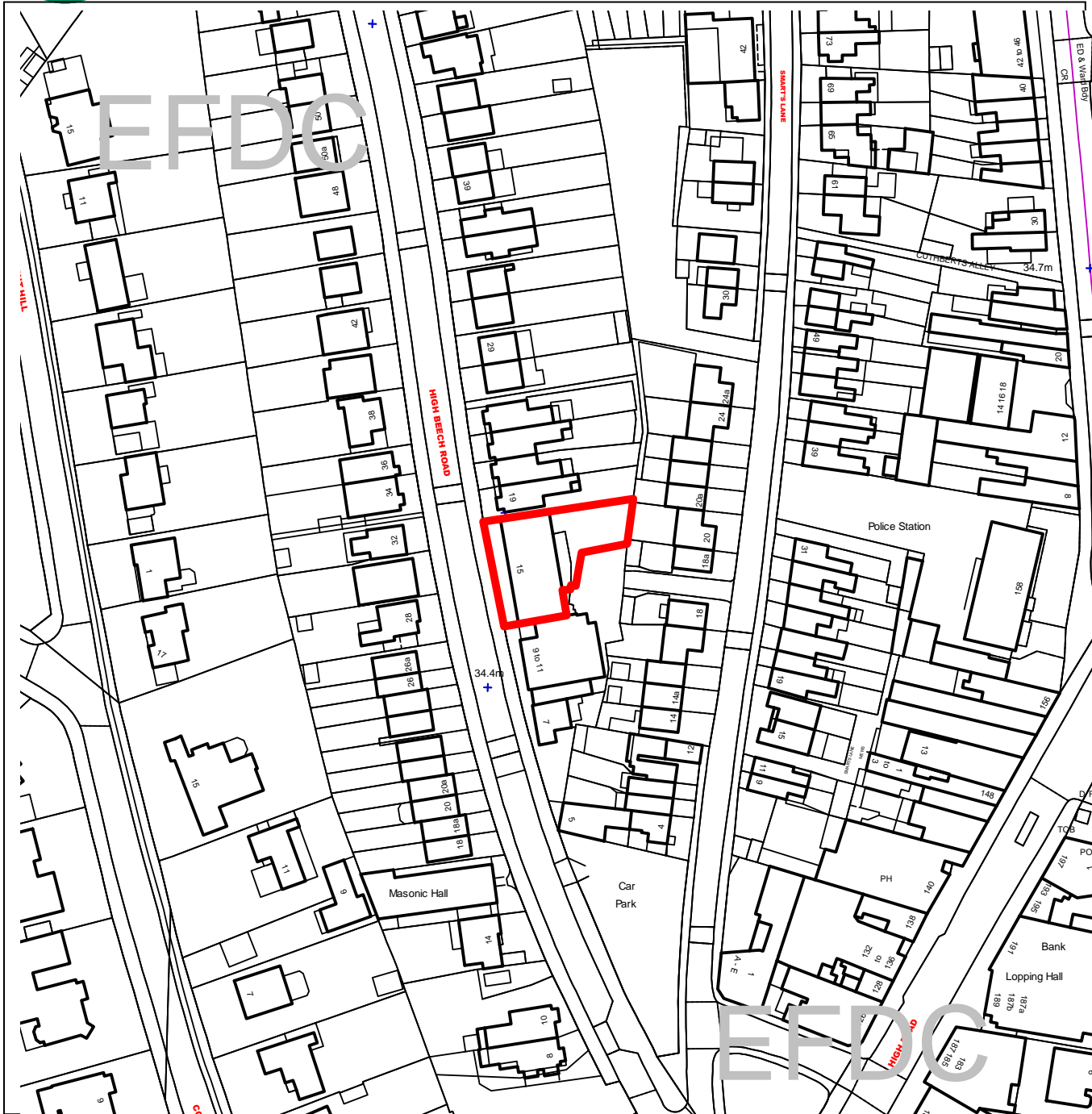
***Planning Application Case Officer: Marie-Claire Tovey
Direct Line Telephone Number: 01992 564414***

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

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Epping Forest District Council



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Application Number:	EPF/0418/21
Site Name:	13-17 High Beech Road Loughton IG10 4BN
Scale of Plot:	1:1250

Report Item No: 11

APPLICATION No:	EPF/0418/21
SITE ADDRESS:	13-17 High Beech Road Loughton IG10 4BN
PARISH:	Loughton
WARD:	Loughton Forest
APPLICANT:	Mr Richard Rains
DESCRIPTION OF PROPOSAL:	Erection of a third floor to provide two flats involving the raising of the existing parapet of the building
RECOMMENDED DECISION:	Grant Permission (With Conditions) Subject to Legal Agreement

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=648435

CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans: 572/21-D01; 572/21-01; 572/21 - 02; 572/21-03; 572/21-04; 572/21-05; 572/21-06
- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those shown on plan number: 572/21 06 unless otherwise agreed in writing by the Local Planning Authority.
- 4 The building hereby permitted shall not be occupied until the windows in the North, South and bathrooms and stairway windows to the East elevation have been fitted with obscure glass with a minimum privacy level 3 obscurity, and no part of those windows that is less than 1.7 metres above the internal floor level of the room in which it is installed shall be capable of being opened. Once installed the obscure glass shall be retained thereafter.
- 5 No deliveries, external running of plant and equipment or demolition and construction works, other than internal works not audible outside the site boundary, shall take place on the site other than between the hours of 07:30 to 18:00 on Monday to Friday and 08:00 to 13:00 on Saturday and not at all on Sundays, Public or Bank Holidays without the prior written permission of the Local Planning Authority.
- 6 Prior to first use of the front terrace, a privacy screen of no less than 1.7m in height shall be installed at the stated location as shown on drawing No. 572/21 06 and shall be permanently retained in that condition.

- 7 Prior to the first occupation of the development the cycle parking as indicated on the approved plans shall be provided and shall be retained in perpetuity for their intended purpose.
- 8 Prior to first occupation of the development, the Developer shall be responsible for the provision, implementation and distribution 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. These packs (including tickets) are to be provided by the Developer to each dwelling free of charge. Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport.
- 9 Details and location of the parking spaces equipped with active and/or passive EVCP must be submitted prior to works commencing on site, including details which shall demonstrate that the development will deliver active EVCPs from occupation. The details shall include:
1. Location of active and passive charging infrastructure;
 2. Specification of charging equipment; and
 3. Operation/management strategy.
- The council will expect that a management plan for the charging points is set out clearly. This will address:
1. Which parking bays will have active and/or passive charging provision, including disabled parking bays;
 2. How charging point usage will be charged amongst users;
 3. The process and the triggers for identifying when additional passive charging points will become activated; and
 4. Electricity supply availability.
- The electricity supply should be already confirmed by the Network Provider so that the supply does not need to be upgraded at a later date.
- The installation of EVCP shall be completed in accordance with the approved details and made operational prior to first occupation.
- 10 Prior to the commencement of development, a strategy to facilitate super-fast broadband for future occupants of the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall seek to ensure that upon occupation of a dwelling, either a landline or ducting to facilitate the provision of a broadband service to that dwelling from a site-wide network, is in place and provided as part of the initial highway works and in the construction of frontage thresholds to dwellings that abut the highway, unless evidence is put forward and agreed in writing by the Local Planning Authority that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure. The development of the site shall be carried out in accordance with the approved strategy unless otherwise agreed in writing by the Local Planning Authority.

This application is before this Committee since the recommendation is for approval contrary to an objection from a Local Council 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) and since it is for a type of development that

cannot be determined by Officers if five objections are received (or in cases where less than 5 were consulted, a majority of those consulted object) on grounds material to the planning merits of the proposal (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council.

And subject to the applicant first entering into a legal agreement under Section 106 to provide appropriate contributions towards management and monitoring measures on any adverse impact on the Epping Forest Special Area of Conservation with regard to recreational use and air quality.

Description of Site:

No. 13-17 is a wide, 2 -storey building with a mansard roof located to the east of High Beech Road currently used for office purposes, with offices on part of the ground floor (the other part being car parking with a central access through to parking at the rear), first and second floor. High Beech Road is residential in character comprising a mixed variety of architectural styles, roofs and built form, predominantly 2 -storey in height with 3 -storey located to the southern aspect of the road. The site lies close to the High Road, a commercial and retail shopping area just outside the town centre boundary, a brownfield site, not in a conservation area and is not listed.

Description of Proposal:

The proposed development is for the erection of a third floor to provide two 2-bed flats, recessed from the perimeter of the main building at a height of 2.8m, projecting 1.6m above the existing front parapet wall.

The front and rear parapet to the existing building is to be raised by 300mm for safety and maintenance measures. The new floor would be set back 1.2m behind the existing parapet wall (approximately 2.0m behind the front façade of the building and would result in a building of 11.3m in height. The external appearance is of vertical cedar timber cladding with a grey finish to the roof.

A front roof terrace accessed from the front of the units with privacy screens at either end of the terraces.

Relevant History:

EPF/1396/20 Application for Prior Approval for a Proposed Change of Use from B1 (offices) to C3 (dwellinghouse), conversion of 1st floor office space to 4 no. self-contained 1-bedroom flats & 1 no. studio flat - approved 19/08/2020 - Not Implemented

EPF/2383/13 Conversion and change of use of existing second floor of office premises to residential use to form 5 no. 1 bedroom flats - approved 14/05/2013

EPF/0206/77 Erection of the three-storey office building - approved 28/03/1977

EPF/1238/75 Erection of a three-storey office building with car parking at ground level - refused 10/09/1975 - Allowed on Appeal 27/10/1976

EPF/0825/75 Erection of a storey building to comprise ground floor parking accommodation, offices on the ground and first floor and three flats on the second floor - approved 13/06/1975

Policies Applied:

DEVELOPMENT PLAN CONTEXT

Local Plan (1998) and Alterations (2006)

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

CP1: Achieving Sustainable Development Objectives
CP2: Protecting the Quality of the Rural and Built Environment
CP6: Achieving sustainable urban development patterns
DBE2: Effect on neighbouring properties
DBE3: Design in Urbans Areas
DBE8: Private amenity space
DBE9: Neighbouring residential amenity
H2A: Previously developed land
H4A: Dwelling Mix
ST1: Location of development
ST2: Accessibility of Development
ST4: Road safety
ST6: Parking provision

The revised NPPF is a material consideration in determining planning applications.

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

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

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

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

Paragraph 124 - 132
Paragraph 80 - 84

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

Policy	Weight afforded
SP1 Presumption in Favour of Sustainable Development	Significant
H1 Housing mix and accommodation types	Significant
H4a Dwelling Mix	Significant
T1 Sustainable transport choices	Significant
DM2 Epping Forest SAC and the Lee Valley SPA	Significant
DM5 Green and Blue Infrastructure	Significant
DM9 High Quality Design	Significant
DM10 Housing Design and Quality	Significant
DM 11 Waste recycling facilities on new developments	Significant
DM18 On site management of wastewater and water supply	Significant
DM21 Local environmental impacts, pollution and land Contamination	Significant
DM22 Air Quality	Significant

Consultation Carried Out and Summary of Representations Received

LOUGHTON TOWN COUNCIL - OBJECTION

- properties in this part of High Beech Road are consistent in height. The proposed additional storey would be incongruous and a detrimental to the visual townscape and the long views from the higher part of the road.
- Overdevelopment

- No amenity space
- No additional parking on an already congested road.
- Increased emissions on the EFSAC

39 neighbouring properties were notified. 11 objections have been received that raise the following concerns:-

- The additional floor will diminish my sunlight and light generally.
- Erection of a further floor on the existing building which already towers above the adjacent buildings will further change the landscape of the primarily residential road.
- The building is already too tall for the road.
- too overpowering and make the road less attractive
- feel threatened by our loss of privacy.
- overlooking of all the gardens on Smarts Lane.
- Parking on High Beech Road and Smarts Lane is already congested for existing residents and there is no plan to prevent further congestion from the residents of the new flats.
- The flats will have balconies which when used will make me feel more overlooked and cause loss of privacy.

Main Issues and Considerations:

- The principle of residential
- Design and Siting
- Impact on the amenity of surrounding residents
- Form of Accommodation
- Provision of parking and highway safety
- Special Area of Conservation

Residential

In terms of planning policy, the site is considered as previously developed land, and in line with Government policy redevelopment of this land is encouraged.

The National Planning Policy Framework (NPPF) encourages the provision of more housing and states that applications should be considered in the context of the presumption in favour of sustainable development. Local Planning Authorities should encourage the efficient and effective use of land close to town centres by re-using land that has been previously developed provided that it is not of high environmental value.

The application site is located within an existing residential area where accessibility is good and the infrastructure in the vicinity has been developed so there are services and facilities available within walking distance of the site.

The present shortfall in housing land supply within the District carries substantial weight in favour of the development from the Government to maximise the use of urban sustainable locations and which is consistent with the requirements of policies CP1 and H3A of the Local Plan and with the NPPF which seeks to boost significantly the supply of housing.

Design and Siting

Epping Forest Local Plan policies seeks to ensure a high quality of design and that development respects and relates to the character and context of the locality, maintaining and where possible enhancing the character of the existing area. These objectives are broadly consistent with the core principles of the NPPF that planning should seek to secure high quality design.

The proposed third floor is to be recessed on all elevations from the perimeter of the existing building. It would be set back 1.2m behind the existing parapet wall (approximately 2.0m behind the front façade of the building at a height of 2.8m, projecting 1.6m above the front parapet wall. The existing parapet is to be raised by 300mm for safety and maintenance purposes.

The proposed recessed aspect of the development when combined with the limited scale, form and projection above the parapet along with the use of cedar wood materials would reduce the visibility of the development from public viewpoints and the streetscape.

The comments of the Parish Council and neighbours properties are noted but it is not considered that, in terms of design and form, the additional increase in height would compromise the established spatial pattern of development or be intrusive or a harmful feature to the character and appearance of the properties in High Beech Road and the surrounding area and complies satisfactorily with policies DBE3 and DBE10 of the adopted Local Plan and policies of the Local Plan (1998) and Alterations (2006) and policy DM9 and DM10 of the Submission Version, 2017 and does not conflict with the design objectives of the National Planning Policy Framework., 2019 that seeks to ensure, amongst other things, that new development is of a high quality design that respects its setting and the character and environment of the locality.

Neighbouring Amenity & form of Accommodation.

The proposed additional third storey comprising of 2 units is to have rear windows giving light to bedrooms/bathrooms and stairway. The bathroom and stairway rear windows are to be obscured glazed and non-openable below a height of 1.7m from the internal height of the room located and would be conditioned as such to protect the privacy of adjoining properties.

The proposed 4 rear bedroom windows, 2 to each flat, is where the bay windows are to be recessed at a depth of 1.2m back from the rear main building line of the property which is sited behind a parapet (the second floor being a mansard roof) and the windows are designed with solid side panels, each having 0.5m deep recessed bay sill sited at a height of 1.1m from the internal floor height of the room resulting in constrained views which prohibits any lateral or direct overlooking.

The houses to the rear of the site in Smarts Lane lie close to the High Beech Road properties. The proposed detailed design of the bedroom windows, when combined with the recessed distance from the third floor rear façade and the rear parapet, would mean that the opportunity for direct overlooking, and even perceived overlooking is severely constrained so as not to result in any demonstrable harm to the living conditions of neighbouring properties and accords with the requirements of policy DBE9 of the adopted Local Plan and policy DM9 of the Local Plan submission Version, 2017.

Access to the two, 2 bed, 3-person self-contained flats would be via a continuation of the existing stairways at either end of the building, with the front door to the individual flats opening to a hallway. The gross internal area (GIA) would be 124sqm, with each flat complying with the nationally described space standards set out in the Government's Technical Housing Standards and in Policy DM10 of the Submission Version Local Plan, 2017. As with other flatted developments it is likely that future occupiers will place more importance on the site's proximity to vibrant communities in the town centre, its accessible services and public transport and, would bring forward the growing need for additional housing. In this context it would be unreasonable to insist that amenity space be provided.

Highways & Transportation

The site currently utilises the existing vehicle access onto High Beech Road and has an allocated parking area for some 13 off street 'block park' car spaces for the offices.

The site is very well located for access to other modes of sustainable travel, and the surrounding roads are within a Controlled Parking Zone, so the Local Authority can control the issuing of permits for new dwellings. Consequently, this proposal will not be detriment to highway safety and Essex County Council Highways Authority have not raised any objection to the proposal subject to the following conditions:

Prior to the first occupation of the development the cycle parking as indicated on the approved plans shall be provided and shall be retained in perpetuity for their intended purpose. To ensure that appropriate cycle parking is provided.

Prior to first occupation of the development, the Developer shall be responsible for the provision, implementation and distribution 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. These packs (including tickets) are to be provided by the Developer to each dwelling free of charge. Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport.

The above measures are to ensure that the proposal is not contrary to the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, policies ST4 & ST6 of the Local Plan and policy T1 of the Local Plan Submission Version 2017.

Implications for the Epping Forest Special Area of Conservation:

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 Pathways of Impact whereby development within Epping Forest District is likely to result in significant effects on the EFSAC. The Pathways of Impact 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 Pathways of Impact identified. Consequently, the Council, as Competent Authority under the Habitats Regulations, is satisfied that the Pathways of Impact 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:

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

Stage 1: Screening Assessment

This application has been screened in relation to both the recreational pressures and atmospheric pollution Pathways of Impact and concludes as follows:

1) The site lies within the Zone of Influence as identified in the Interim Approach to Managing Recreational Pressure on the Epping Forest Special Area of Conservation' (the Interim Approach) adopted by the Council on 18 October 2018 as a material consideration in the determination of planning applications. Consequently, the development would result in a likely significant effect on the integrity of the EFSAC as a result of recreational pressures.

2) The development has the potential to result in a net increase in traffic using roads through the EFSAC.

Consequently, the application proposal would result in a likely significant effect on the integrity of the EFSAC in relation to both the recreational pressures and atmospheric pollution Pathways of Impact.

Having undertaken this first stage screening assessment and reached this conclusion there is a requirement to undertake an 'Appropriate Assessment' of the application proposal in relation to both the recreational pressures and atmospheric pollution Pathways of Impact.

Stage 2: 'Appropriate Assessment'

Recreational Pressures

The application proposal has the potential to increase recreational pressures on the EFSAC. However, the Council, through the development of the Interim Approach, has provided a strategic, district wide approach to mitigating recreational pressures on the EFSAC through the securing of financial contributions for access management schemes and monitoring proposals. Consequently, this application can be assessed within the context of the Interim Approach. In doing so the Council has sought to take a proportionate approach to the securing of such financial contributions, and currently only seeks these from proposals for new homes within 3km of the EFSAC, as is the case with this planning application. The applicant has agreed to make a financial contribution in accordance with the Interim Approach. Consequently, the Council is satisfied that the application proposal would not have an adverse impact on the integrity of the EFSAC subject to the satisfactory completion of a Section 106 planning obligation.

Atmospheric Pollution

The application proposal has the potential to result in a net increase in traffic using roads through the EFSAC. However, the Council, through the development of an Interim Air Pollution Mitigation Strategy (IAPMS), has provided a strategic, district wide approach to mitigating air quality impacts on the EFSAC through the imposition of planning conditions and securing of financial contributions for the implementation of strategic mitigation measures and monitoring activities. Consequently, this application can be assessed within the context of the IAPMS. The applicant has agreed to make a financial contribution in accordance with the IAPMS. In addition, the application will be subject to planning conditions to secure measures as identified in the IAPMS. Consequently, the Council is satisfied that the application proposal would not have an adverse impact on the integrity

of the EFSAC subject to the satisfactory completion of a Section 106 planning obligation and the imposition of relevant planning conditions.

Conclusion:

The development is considered an efficient use of the land making beneficial use of an existing building in a very sustainable location close to facilities whilst sufficiently maintaining the spatial pattern of development of the surrounding area and would not result in any amenity implications to neighbouring properties; other aspects in relation to parking/highway are considered satisfactory which are supported by the policies of the adopted Local Plan and Alterations (1998-2006) and the Local Plan, Submission Version, 2017 and the relevant parts of the National Planning Policy Framework, 2019. In the light of the above considerations, it is recommended that planning permission is approved subject to conditions and the S106 to secure appropriate financial contributions and management monitoring measures for recreational use and air quality management to the Epping Forest Area of Conservation.

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:

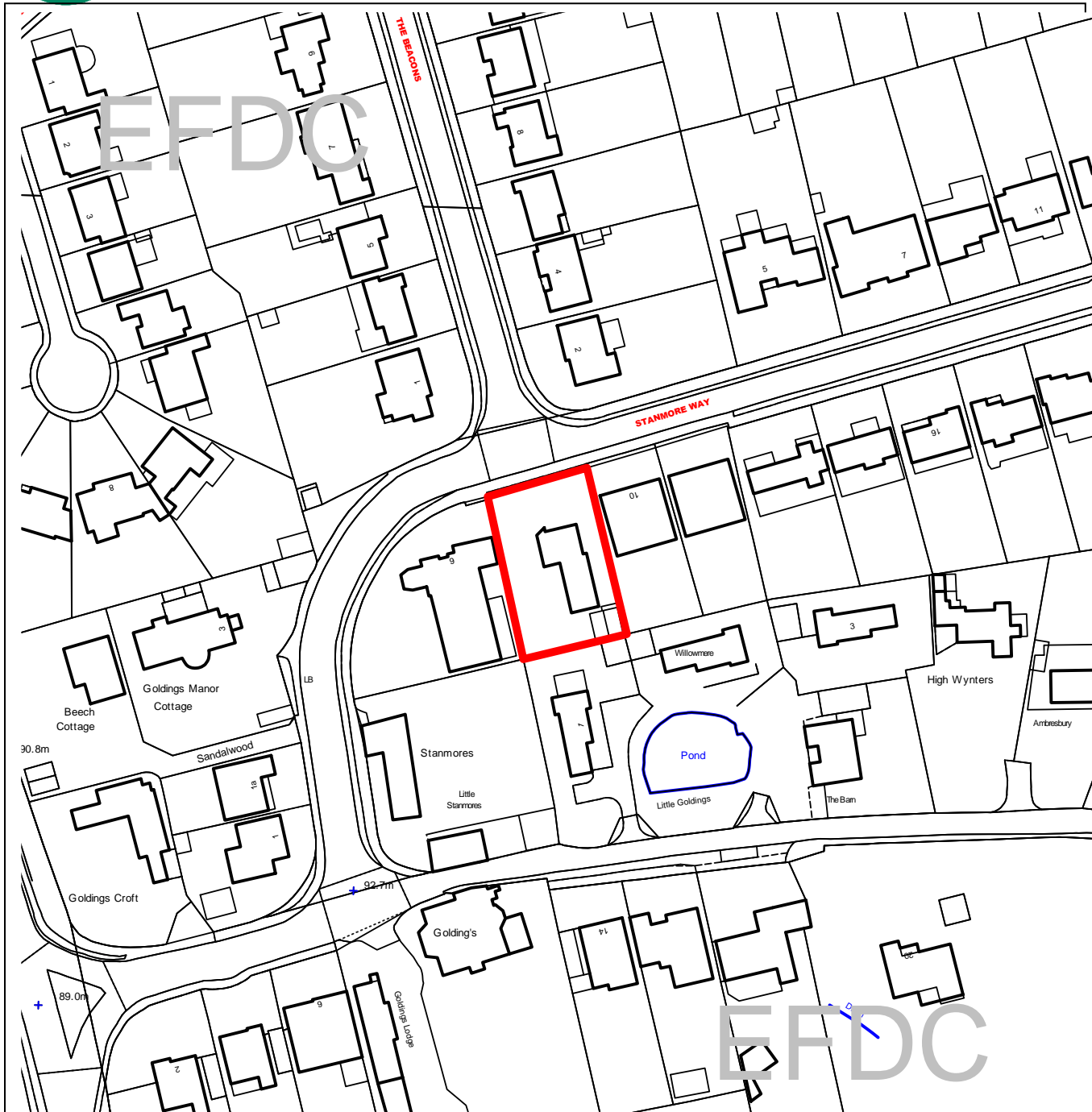
***Planning Application Case Officer: Caroline Brown
Direct Line Telephone Number: 01992 564182***

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

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Epping Forest District Council



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Application Number:	EPF/0550/21
Site Name:	8 Stanmore Way Loughton IG10 2SA
Scale of Plot:	1:1250

Report Item No: 12

APPLICATION No:	EPF/0550/21
SITE ADDRESS:	8 Stanmore Way Loughton IG10 2SA
PARISH:	Loughton
WARD:	Loughton St Johns
APPLICANT:	Ms T Brough
DESCRIPTION OF PROPOSAL:	Demolition of an existing bungalow and replacement with two chalet bungalows.
RECOMMENDED DECISION:	Grant Permission (Subject to Legal Agreement)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=648919

CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans: 378-EX-01 Rev A, 378-EX-02 Rev A, 378-EX-03 Rev A, 378-PL-16, 378-PL-17, 378-PL-18, 378-PL-19, 378-PL-20, and 378-PL-21.
- 3 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 and Tree protection shall be installed as shown on Moore Partners Ltd drawing number CA/STAN/01 rev A dated 25/02/2021. unless the Local Planning Authority gives its prior written approval to any alterations.
- 4 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those specified in the submitted application form & approved plans, unless otherwise agreed in writing by the Local Planning Authority.
- 5 Prior to preliminary ground works taking place, details of foul & surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details, and shall be provided on site prior to the first occupation and shall be retained for the lifetime of the development.
- 6 Details and location of the parking spaces (including garages) equipped with active and/or passive EVCP must be submitted prior to works commencing on site, including details which shall demonstrate that the development will deliver active EVCPs from occupation. The details shall include:

1. Location of active and passive charging infrastructure;
2. Specification of charging equipment; and
3. Operation/management strategy.

The council will expect that a management plan for the charging points is set out clearly. This will address:

1. Which parking bays will have active and/or passive charging provision, including disabled parking bays;
2. How charging point usage will be charged amongst users;
3. The process and the triggers for identifying when additional passive charging points will become activated; and
4. Electricity supply availability.

The electricity supply should be already confirmed by the Network Provider so that the supply does not need to be upgraded at a later date.

The installation of EVCP shall be completed in accordance with the approved details and made operational prior to first occupation.

7 Prior to the commencement of development, a strategy to facilitate super-fast broadband for future occupants of the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall seek to ensure that upon occupation of a dwelling, either a landline or ducting to facilitate the provision of a broadband service to that dwelling from a site-wide network, is in place and provided as part of the initial highway works and in the construction of frontage thresholds to dwellings that abut the highway, unless evidence is put forward and agreed in writing by the Local Planning Authority that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure. The development of the site shall be carried out in accordance with the approved strategy unless otherwise agreed in writing by the Local Planning Authority.

8 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. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of the building or completion of the development, whichever is the sooner. 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.

- 9 Prior to first occupation of the development, measures shall be incorporated within the development to ensure a water efficiency standard of 110 litres (or less) per person per day.
- 10 The development shall be carried out in accordance with the recommendations set out in the Preliminary Ecological Appraisals by agb Environmental Ltd (dated 10 February 2021), unless otherwise agreed in writing with the Local Planning Authority. The scheme shall be implemented in full prior to the occupation of the development hereby approved, and so retained.
- 11 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.
- 12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any other order revoking and re-enacting that order) no development permitted by virtue of Classes A & B of Part 1 to schedule 2 shall be undertaken.
- 13 The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site. Should any discoloured or odorous soils be encountered during development works or should any hazardous materials or significant quantities of non-soil forming materials be found, then all development works should be stopped, the local planning authority contacted and a scheme to investigate the risks and/or the adoption of any required remedial measures be submitted to, agreed and approved in writing by the local planning authority prior to the recommencement of development works. In such instances, following the completion of development works and prior to the first occupation of the site, sufficient information must be submitted to demonstrate that any required remedial measures were satisfactorily implemented or confirmation provided that no unexpected contamination was encountered.
- 14 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed and utilised to clean vehicles immediately before leaving the site. Any mud or other material deposited on nearby roads as a result of the development shall be removed.
- 15 No deliveries, external running of plant and equipment or demolition and construction works, other than internal works not audible outside the site boundary, shall take place on the site other than between the hours of 07:30 to 18:00 on Monday to Friday and 08:00 to 13:00 on Saturday and not at all on Sundays, Public or Bank Holidays without the prior written permission of the Local Planning Authority.

...and Subject to the Completion of a s106 Legal Agreement.

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

Site and Surroundings

The site comprises of a detached bungalow, located within a built-up area of Loughton. It is not listed nor in a conservation area.

Proposal

The proposal is for the demolition of an existing bungalow and replacement with two semi-detached chalet bungalows.

Relevant Planning History

EPF/2674/19 - Proposed accommodation with a new roof form – Approved

EPF/0490/20 - Proposed replacement of an existing house – Dismissed on Appeal on Loss of Bungalow.

Development Plan Context

Local Plan and Alterations 1998 & 2006 (LP)

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

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

CP1	Achieving Sustainable Development Objectives
CP2	Protecting the Quality of the Rural and Built Environment
CP3	New Development
CP6	Achieving Sustainable Urban Development Patterns
CP7	Urban Form and Quality
H2A	Previously Developed Land
H4A	Dwelling Mix
U3B	Sustainable Drainage Systems
DBE1	Design of New Buildings
DBE8	Private Amenity Space
DBE9	Loss of Amenity
LL10	Adequacy of Provision for Landscape Retention
LL11	Landscaping Schemes
ST4	Road Safety
ST6	Vehicle Parking

National Planning Policy Framework 2019 (Framework)

The Framework is a material consideration in determining planning applications. As with its predecessor, the presumption in favour of sustainable development remains at the heart of the

NPPF. Paragraph 11 of the NPPF provides that for determining planning applications this means either;

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

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

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

Paragraphs 108 - 110
Paragraph 117
Paragraphs 124, 127
Paragraph 175

Epping Forest District Local Plan Submission Version 2017 (LPSV)

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

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

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

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

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

Policy	Weight afforded
SP1 Presumption in Favour of Sustainable Development	Significant
SP2 Spatial Development Strategy 2011-2033	Some
SP3 Place Shaping	Significant
SP7 The Natural Environment, Landscape Character and Green and Blue Infrastructure	Some
H1 Housing Mix and Accommodation Types	Some
T1 Sustainable Transport Choices	Significant
DM2 Epping Forest SAC and the Lee Valley SPA	Significant
DM3 Landscape Character, Ancient Landscapes and Geodiversity	Significant
DM5 Green and Blue Infrastructure	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
DM17 Protecting and Enhancing Watercourses and Flood Defences	Significant
DM18 On Site Management of Wastewater and Water Supply	Significant
DM19 Sustainable Water Use	Significant
DM21 Local Environmental Impacts, Pollution and Land Contamination	Significant
DM22 Air Quality	Significant

Summary of Representations

Number of neighbours Consulted: 9. 3 response(s) received
Site notice posted: Yes

1 LITTLE GOLDINGS, 10 STANMORE WAY & LRA PLANS GROUP – Objections – Summarised as;

- Out of character;
- Loss of privacy/overlooking;
- Loss of trees; and
- Impact on EFSAC.

LOUGHTON TOWN COUNCIL – The Committee OBJECTED to this application on the grounds that the proposal would replace one property with two, increasing the impact on the Epping Forest SAC by virtue of increased emissions from vehicles at the application site. This development, being very close to the SAC, will be damaging to vegetation near the edge of the Forest. We therefore object; there being no mitigation proposed for the borders of the Forest in the strategy. The LPA cannot be certain that detriment to the SAC will not result from this application; accordingly, it must be refused.

All the existing properties are detached houses/bungalows in the street so it would be unsympathetic to the street scene. The development would also cause the loss of a bungalow contrary to the district local plan.

Further, the development involves the loss of too many trees. The Committee objects to applications which will result in inappropriate treatment being carried out to any significant tree, and also objects to any application to fell such a protected tree. It therefore objected to this application.

If, however, the District Council's arboricultural officers deem this application acceptable, whether with amendments or not, then the Committee was willing to waive its objection.

Planning Considerations

Therefore, the main issues for consideration in this case are:

- a) Supply of housing for older residents;
- b) The impact on the character and appearance of the area;
- c) The impact on the living conditions of neighbouring amenities;
- d) Highway safety and parking provision;
- e) Trees and landscaping; and
- f) The impact on the Epping Forest Special Area of Conservation (EFSAC).

Supply of housing for older residents

Policy H1 (f) of the LPSV specifically seeks to resist the loss of bungalows (due to their potential ease of adaption) in order to ensure an appropriate mix of accommodation types is maintained. This is consistent with the Framework's aim of delivering housing of differing sizes and types to meet the needs of different groups of the community, including older people. Policy H1 also requires new homes to be accessible and adaptable as defined by Building Regulations.

Therefore, the proposed development would provide a net gain to the Councils bungalow stock which is necessary to meet the needs of an aging population, and those with reduced mobility, and would also be fully accessible and adaptable for the lifetime of the buildings.

Thus, the development would comply with paragraph 127 of the Framework and Policy H1 (f) of the LPSV.

Character and Appearance

The current bungalow is at odds with the rest of the properties in the wider area, which consist of large detached dwellings of various architectural styles and built form. The proposed semi-detached bungalows would be of a similar height as both neighbouring properties, have sufficient spacing around the building, and are of a high-quality design. Therefore, the proposed development would complement the appearance of the street scene and that of the wider area and would not amount to harmful overdevelopment of the site.

Living Conditions

The proposed dwelling is sited a significant distance away from No. 1 Little Goldings (Approx. 10m to the common boundary & 15m to the flank elevation) and as such would not cause any material impact to their amenities in terms of harmful overlooking.

Furthermore, there will be no material impact to the living conditions of No. 6 due the extensive extensions carried out to their property, and no material impact to No. 10 due to the siting, form and separation distance of the building to the common boundary.

Highway Safety

There is sufficient space to park multiple cars on the site, and no objection has been received from the highways officer, so it is considered that there would be no detrimental impact to the safety operation of the highway network.

Accordingly, the proposal complies with polices ST4 and ST6 of the LP, policy T1 of the LPSV and Paragraphs 108 and 109 of the Framework.

Trees and Landscaping

The Councils tree officer has raised no objection subject to the imposition of conditions as part of the consent, as the proposed landscaping scheme is considered to be adequate. Due to this the Town Council objection is considered to be waived, as per their response.

Epping Forest Special Area of Conservation (EFSAC)

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 Pathways of Impact whereby development within Epping Forest District is likely to result in significant effects on the EFSAC. The Pathways of Impact 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 Pathways of Impact identified. Consequently, the Council, as Competent Authority under the Habitats Regulations, is satisfied that the Pathways of Impact 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:

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

Stage 1: Screening Assessment

This application has been screened in relation to both the recreational pressures and atmospheric pollution Pathways of Impact and concludes as follows:

- 1) The site lies within the Zone of Influence as identified in the Interim Approach to Managing Recreational Pressure on the Epping Forest Special Area of Conservation' (the Interim Approach) adopted by the Council on 18 October 2018 as a material consideration in the determination of planning applications. Consequently the development would result in a likely significant effect on the integrity of the EFSAC as a result of recreational pressures.
- 2) The development has the potential to result in a net increase in traffic using roads through the EFSAC.

Consequently, the application proposal would result in a likely significant effect on the integrity of the EFSAC in relation to both the recreational pressures and atmospheric pollution Pathways of Impact.

Having undertaken this first stage screening assessment and reached this conclusion there is a requirement to undertake an 'Appropriate Assessment' of the application proposal in relation to both the recreational pressures and atmospheric pollution Pathways of Impact.

Stage 2: 'Appropriate Assessment'

Recreational Pressures

The application proposal has the potential to increase recreational pressures on the EFSAC. However, the Council, through the development of the Interim Approach, has provided a strategic, district wide approach to mitigating recreational pressures on the EFSAC through the securing of financial contributions for access management schemes and monitoring proposals. Consequently, this application can be assessed within the context of the Interim Approach. In doing so the Council has sought to take a proportionate approach to the securing of such financial contributions, and currently only seeks these from proposals for new homes within 3km of the EFSAC, as is the case with this planning application. The applicant has agreed to make a financial contribution in accordance with the Interim Approach. Consequently, the Council is satisfied that the application proposal would not have an adverse impact on the integrity of the EFSAC subject to the satisfactory completion of a Section 106 planning obligation.

Atmospheric Pollution

The application proposal has the potential to result in a net increase in traffic using roads through the EFSAC. However, the Council, through the development of an Interim Air Pollution Mitigation Strategy (IAPMS), has provided a strategic, district wide approach to mitigating air quality impacts on the EFSAC through the imposition of planning conditions and securing of financial contributions for the implementation of strategic mitigation measures and monitoring activities. Consequently, this application can be assessed within the context of the IAPMS. The applicant has agreed to make a financial contribution in accordance with the IAPMS. In addition, the application will be subject to planning conditions to secure measures as identified in the IAPMS. Consequently, the Council is satisfied that the application proposal would not have an adverse impact on the integrity of the EFSAC subject to the satisfactory completion of a Section 106 planning obligation and the imposition of relevant planning conditions.

The Council is satisfied that, subject to the satisfactory completion of a Section 106 planning obligation and the imposition of relevant planning conditions as set out above, the application proposal would not have an adverse effect on the integrity of the EFSAC.

The concerns raised by the Town Council regarding the close proximity of the site to the EFSAC are noted, however, as set out in the Appropriate Assessment above, no specific additional measures are required due to this matter.

Conclusion

For the reasons set out above, having regard to the matters raised, it is recommended that conditional planning permission be granted subject to a s106 Legal Agreement to secure contributions for the EFSAC.

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:

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