

Committee Agenda



Epping Forest District Council

AREA PLANNING SUB-COMMITTEE SOUTH **Wednesday, 2nd February, 2022**

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

Council Chamber, Civic Offices, High Street, Epping
on **Wednesday, 2nd February, 2022**
at **7.00 pm.**

Georgina Blakemore
Chief Executive

Democratic Services
Officer:

R Perrin, 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, Caroline 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 Chamber and using the public 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

1. This meeting is to be webcast. Members are reminded of the need to activate their microphones before speaking.

2. The Chairman will read the following announcement:

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

If you are seated in the lower public seating area it is likely that the recording cameras will capture your image and this will result in the possibility that your image will become part of the broadcast.

This may infringe your human and data protection rights and if you wish to avoid this you should move to the upper public gallery.”

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 - 22)

To confirm the minutes of the last meeting of the Sub-Committee held on 5 January 2022.

4. APOLOGIES FOR ABSENCE

To be announced at the meeting.

To report non-attendance **before** the meeting, please use the Members Portal webpage https://eppingforestdc-self.achieveservice.com/service/Member_Contact to ensure your query is properly logged.

Alternatively, you can access the Members portal from the front page of the Council's website, at the bottom under 'Contact Us' <https://www.eppingforestdc.gov.uk/yourcouncil/members-portal/>

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 COUNCIL PLANNING POLICY BRIEFING NOTE (OCTOBER 2021)

This briefing note, dated October 2021, 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 ("LPSV"), which was published on 18 December 2017 and the Main Modifications to the LPSV published for consultation between 15 July and 23 September 2021. The primary purpose of this note is to inform the development management process and to assist Development Management officers, Councillors, applicants, and planning agents. Other Council officers involved in the development management process may also find the note helpful (e.g., Housing, Contaminated Land, Landscaping etc).

The Planning Policy Briefing Note (October 2021) is available at:

<https://www.eppingforestdc.gov.uk/wp-content/uploads/2021/10/Planning-Policy-Briefing-Note-06-October-2021-accessible.pdf>

8. SITE VISITS

To identify and agree requirements for formal site visits to be held with regard to any planning application listed in this agenda, prior to consideration of the application.

9. PLANNING APPLICATION - EPF/1880/19 PARKING AREA AT SOUTHERN END OF CUL-DE-SAC THATCHERS CLOSE, LOUGHTON IG10 3SP (Pages 23 - 34)

To consider the attached report on the erection of one 2 storey affordable home with 2 parking spaces. *** SAC Case Progressing ***

10. PLANNING APPLICATION - EPF/1573/20 2 COURTLAND DRIVE, CHIGWELL IG7 6PN (Pages 35 - 50)

To consider the attached report on the demolition of existing dwelling and replacement with new structure containing 5 units, (2, 1 bed and 3, 2 bed), basement parking with car lift, bin /cycle stores ** SAC Case now Progressing **

11. PLANNING APPLICATION - EPF/2149/21 38 QUEENS ROAD, BUCKHURST HILL IG9 5BY (Pages 51 - 60)

To consider the attached report for alterations and extension to create three flats, with amended retail space to the front.

12. PLANNING APPLICATION - EPF/2358/21 5 THE SHRUBBERIES, CHIGWELL IG7 5DU (Pages 61 - 66)

To consider the attached report for a proposed double storey side and rear extension (amended scheme to EPF/0122/18).

13. PLANNING APPLICATION - EPF/2440/21 44 BARRINGTON GREEN, LOUGHTON IG10 2BA (Pages 67 - 72)

To consider the attached report on the erection of a single storey rear extension and front porch.

14. 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 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. Only in special circumstances are the public excluded. If you wish to observe meetings live you can view the webcast on the Council's website at: <https://www.eppingforestdc.gov.uk/your-council/watch-a-meeting/> Alternatively, you can attend in person and will be seated in the public gallery of the Council Chamber.

When and where is the meeting?

Details of the location, 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. You can register to speak at the meeting either virtually via Zoom or in person at the Civic Offices. 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: Only 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 **3 minutes**. At the discretion of the Chairman, speakers may clarify matters relating to their presentation and answer questions from Committee members.

If you are not present by the time your item is considered, the Committee will determine the application in your absence.

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 South or Area Plans Sub-Committee West you will either address the Committee from within the Council Chamber at the Civic Offices, or will be admitted to the meeting virtually via Zoom. Speakers must NOT forward the Zoom invite to anyone else under any circumstances. If attending virtually, your representation may be supplied in advance of the meeting, so this can be read out by an officer on your behalf should there be a technical problem. Please email your 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://www.eppingforestdc.gov.uk/> 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:** Wednesday, 5 January 2022
South

Place: Council Chamber, Civic Offices, **Time:** 7.00 pm - 10.05 pm
High Street, Epping

Members Present: J Share-Bernia (Chairman), K Williamson (Vice-Chairman), 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, A Patel, K Rizvi, D Sunger and D Wixley

Other Councillors:

Apologies: R Baldwin, M Owen, Caroline Pond and C C Pond

Officers Present: T Carne (Corporate Communications Team Manager) and L Kirman (Democratic Services Officer).

Officers Present Virtually: G Courtney (Planning Applications and Appeals Manager (Development Management)) and V Messenger (Democratic Services Officer)

71. Webcasting Introduction

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

72. Minutes

RESOLVED:

That the minutes of the Sub-Committee held on 1 December 2021 be taken as read and signed by the Chairman as a correct record.

73. Declarations of Interest

- a) Pursuant to the Council's Code of Member Conduct, Councillor P Bhanot declared a non-pecuniary interest in the following item of the agenda by virtue of living opposite the site. The Councillor had determined that he would remain in the meeting for the consideration of the application and voting thereon:
 - EPF/2701/19 13-22 Brook Parade, Chigwell.
- b) Pursuant to the Council's Code of Member Conduct, Councillors R and J Jennings declared a non-pecuniary interest in the following item of the agenda by virtue of being members of the Hills Amenity Society; as ordinary members they did not draft the response to the application. The Councillors

had determined that they would remain in the meeting for the consideration of the application and voting thereon:

- EPF/2033/21, 17 Stony Path, Loughton, IG10 1SJ
- c) Pursuant to the Members Code of Conduct, Councillor S Murray, declared an interest in the following item of the agenda, by virtue of a close friendship with a neighbour The Councillor indicated that his interest was likely to be non-prejudicial but to ensure probity he would leave the meeting for the consideration of the item and voting thereon:
- EPF/0507/21, Land and Garages, Whitehills Road, Loughton IG10 1TS
- d) Pursuant to the Council's Code of Member Conduct, Councillor Brookes declared a non-pecuniary interest in the following item of the agenda by virtue of being an acquaintance of a speaker on the application. The Councillor had determined that they would remain in the meeting for the consideration of the application and voting thereon:
- EPF/0507/21, Land and Garages, Whitehills Road, Loughton, IG10 1TS
- e) Pursuant to the Council's Code of Member Conduct, Councillor S Heap declared a non-pecuniary interest in the following item of the agenda by virtue of being a Buckhurst Hill Parish Councillor. The Councillor had determined that they would remain in the meeting for the consideration of the application and voting thereon:
- EPF/2556/21, 14 Victoria Road Buckhurst Hill, IG9 5ES

74. Any Other Business

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

75. Epping Forest District Council Planning Policy Briefing Note (October 2021)

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

76. Site Visits

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

77. Planning Application - EPF/2701/19 13-22 Brook Parade, Chigwell IG7 6PF

APPLICATION No:	EPF/2701/19
SITE ADDRESS:	13-22 Brook Parade Chigwell Essex IG7 6PF
PARISH:	Chigwell

WARD:	Chigwell Village
DESCRIPTION OF PROPOSAL:	Proposed construction of an additional storey comprising of x6 no. two bedroom flats. *** SAC Case now progressing ***
DECISION:	Refused

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=630274

REASON FOR REFUSAL

- 1 The proposal would constitute overdevelopment and intensification of this prominent site, causing harm to the character of the area, contrary to policies CP2 and DBE1 of the adopted Local Plan and Alterations, policies SP 2 and DM 9 of the Submission Version Local Plan (2017), and the guidance contained within the National Planning Policy Framework.
- 2 Due to insufficient parking associated with the development, the proposal would cause increased parking stress in the area through the displacement of vehicles to surrounding roads, contrary to policy ST6 of the adopted Local Plan and Alterations, policy T 1 of the Submission Version Local Plan (2017), and the guidance contained within the National Planning Policy Framework.
- 3 The precedent set by the proposal and combined impact from this development, along with associated development and other nearby pending applications, would increase the pressure on transport, parking and services within the area and has not been adequately addressed, contrary to policies CP2 and ST1 of the adopted Local Plan and Alterations, policies SP 2, T 1 and P 7 of the Submission Version Local Plan (2017), and the guidance contained within the National Planning Policy Framework.
- 4 In the absence of a completed Section 106 planning obligation the proposed development fails to mitigate against the adverse impact that it will have on the Epping Forest Special Area for Conservation in terms of recreational pressure and air pollution. Failure to secure such mitigation is contrary to policies CP1 and CP6 of the adopted Local Plan 1998 & 2006, Policies DM2 and DM22 of the Local Plan Submission Version 2017, Paragraph 180 of the NPPF 2021, and the requirements of the Habitats Regulations 2017.

78. Planning Application - EPF/0507/21 Land and Garages, Whitehills Road, Loughton IG10 1TS

APPLICATION No:	EPF/0507/21
SITE ADDRESS:	Land and garages Whitehills Road Loughton Essex IG10 1TS

PARISH:	Loughton
WARD:	Loughton St Marys
DESCRIPTION OF PROPOSAL:	Demolishing existing garages, and erection of residential building, proposing 2 houses with associated parking spaces and landscaping.
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=648778

CONDITIONS

- 1 The development shall not be occupied until suitable mitigation measures are provided in relation to the Epping Forest Special Area of Conservation, as committed by the letter dated 25 November 2021 from Deborah Fenton, Housing and Property Director, regarding a commitment to pay a financial contribution.
- 2 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 3 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 190057-ECD-XX-00-DR-A- 05000 Rev P3, 05010 Rev P2, 05050 Rev P2, 05060 Rev P2. 05100 Rev P3, 05200 Rev P2 and 05300 Rev P3.
- 4
 - A) No work on any phase of the development (with the exception of demolition works where this is for the reason of making areas of the site available for site investigation), shall commence until an assessment of the risks posed by any contamination within that phase shall have been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with British Standard BS 10175: Investigation of Potentially Contaminated Sites - Code of Practice and the Environment Agency's Guidelines for the Land Contamination: Risk Management (LCRM 2020) (or equivalent if replaced), and shall assess any contamination on the site, whether or not it originates on the site. The development shall only be carried out in accordance with the approved details unless the Local Planning Authority gives its written consent to any variation. The assessment shall include: (1) A survey of the extent, scale and nature of contamination and (2) An assessment of the potential risks to: human health; property (existing or proposed) including buildings, crops, livestock, pets, woodland, service lines and pipes; adjoining land; groundwater and surface waters; ecological systems; and archaeological sites and ancient monuments.
 - B) If following the risk assessment unacceptable risks are identified from land affected by contamination in that phase, no work on any phase of the development shall take place, until a detailed land

remediation scheme has been completed. The scheme will be submitted to and approved in writing by the local planning authority. The scheme shall include an appraisal of remediation options, identification of the preferred option(s), the proposed remediation objectives and remediation criteria, and a description and programme of the works to be undertaken including the verification plan. (The remediation scheme shall be sufficiently detailed and thorough to ensure that after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990). The development shall only be carried out in accordance with the approved scheme. Following the completion of the remediation works and prior to the first occupation of the development, a verification report by a suitably qualified contaminated land practitioner shall be submitted to and approved in writing by the local planning authority.

- 5 Prior to preliminary ground works taking place, details of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with 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 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan, Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - Recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 7 Prior to any above groundworks, details and location of the parking spaces (including garages) equipped with active and/or passive Electric Vehicle Charging Point(s) shall have been submitted to and approved in writing with the Local Planning Authority (LPA), unless otherwise agreed in writing with the LPA. The installation of EVCP shall be completed in accordance with the approved details and made operational prior to first occupation. The details shall include:
 - Location of active and passive charging infrastructure;
 - Specification of charging equipment; and
 - Operation/management strategy. The council will expect that a management plan for the charging points is set out clearly. This will address:
 - a) Which parking bays will have active and/or passive charging provision, including disabled parking bays;
 - b) How charging point usage will be charged amongst users;
 - c) The process and the triggers for identifying when additional passive charging points will become activated; and
 - d) 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.
- 8 Prior to any above groundworks, a strategy to facilitate super-fast broadband for future occupants of the site shall have been submitted to

and approved in writing by the Local Planning Authority (LPA). 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 LPA 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 LPA.

- 9 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.
- 10 Prior to any above ground works, documentary and photographic details of the type and colours of the external finishes of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 11 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.
- 12 No works other than ground works shall be commenced until a scheme of traffic calming measures on the vehicular accessway serving the site has been submitted to and approved in writing by the Local Planning Authority. The measures shall include a speed-table. The approved measures shall be implemented prior to the first occupation of the development.

- 13 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 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 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.
- 16 Prior to the first occupation of the development the vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The parking and turning areas shall be retained in perpetuity for their intended purpose.
- 17 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
- 18 There shall be no discharge of surface water onto the Highway.
- 19 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 20 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no roof enlargement or generally permitted by virtue of Classes A, AA, B and C of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 21 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.

- 22 The access gate to neighbouring properties as show for retention on drawing number 05050 Rev: P2 shall be retained free from obstruction for the use of neighbouring residents.

79. Planning Application - EPF/2033/21 17 Stony Path, Loughton IG10 1SJ

APPLICATION No:	EPF/2033/21
SITE ADDRESS:	17 Stony Path Loughton IG10 1SJ
PARISH:	Loughton
WARD:	Loughton St Johns
DESCRIPTION OF PROPOSAL:	Extension to the roof and addition of small front, side and rear dormer.
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=655418

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:

Drawing No. 01 A - Existing Plans, Elevations, Site Plan & Street Scene
Drawing No. 02 J - Proposed Plans, Elevations, Site Plan & Street Scene
Covering Letter, 20th July 2021.
- 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 specified on the approved plans.
- 4 Prior to first occupation of the extension hereby permitted the windows in the side dormer window facing No. 19 Stony Path shall have been fitted with obscure glass with a minimum privacy level 3 obscurity, and no part of those windows that are 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.

80. Planning Application - EPF/2442/21 44 Barrington Green, Loughton IG10 2BA

APPLICATION No:	EPF/2442/21
SITE ADDRESS:	44 Barrington Green Loughton IG10 2BA
PARISH:	Loughton
WARD:	Loughton Broadway
DESCRIPTION OF PROPOSAL:	Erection of a shed to be used as a gymnasium & store.
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=657323

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: Location Plan, LIVARCH/44BG/101 Rev A, LIVARCH/44BG/103 Rev A, and LIVARCH/44BG/104 Rev A.
- 3 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, unless otherwise agreed in writing by the Local Planning Authority.
- 4 The building hereby permitted shall only be used for purposes incidental to the residential use of the main dwelling with the exception of any overnight residential accommodation, and shall not be used for any primary residential accommodation or separate business or commercial use.

81. Planning Application - EPF/2531/21 Hazel Cottage, 67 Smarts Lane, Loughton IG10 4BU

APPLICATION No:	EPF/2531/21
SITE ADDRESS:	Hazel Cottage 67 Smarts Lane Loughton IG10 4BU
PARISH:	Loughton

WARD:	Loughton Forest
DESCRIPTION OF PROPOSAL:	Proposed removal of existing kitchen outrigger, a full width ground floor extension and first floor rear extension.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=657713

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: 1 AR-0-001; 1 AR-0-100; 1 AR-0-101; 1 AR-0-201; 1 AR-0-3011 AR-0-401; 1 AR-100; 1 AR-101; 1 AR-201; 1AR 301; 1AR-401
- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing dwellinghouse, 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.

82. Planning Application - EPF/2556/21 14 Victoria Road, Buckhurst Hill IG9 5ES

APPLICATION No:	EPF/2556/21
SITE ADDRESS:	14 Victoria Road Buckhurst Hill IG9 5ES
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
DESCRIPTION OF PROPOSAL:	Proposed single storey rear extension, change main roof to gable end & add a dormer, widen crossover to road.
DECISION:	Refuse Permission (Householder)

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=657894

REASON FOR REFUSAL

- 1 The proposal would result in an overbearing and overly enclosed form of development which has a detrimental visual impact, and which materially impacts upon the outlook of the occupiers of the neighbouring property at 12 Victoria Road. Therefore, the proposal does not comply with policy DBE9 of the adopted Local Plan and Alterations (1998 & 2006), nor with policy DM 9 of the Local Plan Submission Version (2017). The proposal is not in accordance with paragraph 130 of the National Planning Policy Framework (2021).

- 2 The development proposal does not relate positively to the locality and it does not achieve a high specification of design. It is unsympathetic and non-complementary to the distinctive style, detailing and appearance of the existing property. As a result, the proposal is contrary to policy DBE10 of the adopted Local Plan and Alterations (1998 & 2006) and contrary to policies DM 9 and DM 10 of the Local Plan Submission Version (2017). The proposal is not in accordance with paragraph 124 of the National Planning Policy Framework (2019).

83. Planning Application - EPF/2777/21 83 Tycehurst Hill, Loughton IG10 1BZ

APPLICATION No:	EPF/2777/21
SITE ADDRESS:	83 Tycehurst Hill Loughton IG10 1BZ
PARISH:	Loughton
WARD:	Loughton St Marys
DESCRIPTION OF PROPOSAL:	Two storey front extension, two storey & single-storey extension. First-floor side extension, new and raised roof, rear dormers, entrance wall & gates & external swimming pool. (Ref: EPF/1832/21).
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=659014

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:

Drawing 2510/20 - Existing Plans, Elevations and Site Plan
Drawing 2510/21 Rev G - Proposed Plans, Elevations and Site Plan.
Cover Letter, MP Architects, 19th October 2021
Arboricultural Report and Impact Assessment, Moore Partners Ltd, 20-09-2021
Drawing MP/83TH/01 - 'Tree constraints and Protection Plan' drawing number (dated 26th October 2021)
- 3 Prior to any above ground works, documentary and photographic details of the type and colours of the external finishes of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 4 Access to the flat roof over the extension hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a seating area, roof garden, terrace, patio or similar amenity area.
- 5 Prior to first occupation of the extensions hereby permitted the windows in the flank elevations at first floor level shall have 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 Prior to first occupation of the development hereby permitted a plan indicating the position, design, materials and type of boundary treatment to be erected, shall have been submitted to and approved by the Local Planning Authority. The approved boundary treatment shall be implemented prior to the occupation of the development and thereafter permanently retained.
- 7 Prior to preliminary ground works taking place, details of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details, and shall be provided on site prior to the first occupation and shall be retained for the lifetime of the development.
- 8 Tree protection shall be installed as shown on Moore Partners Ltd 'Tree constraints and Protection Plan' drawing number MP/83TH/01 (dated 26th October 2021) prior to the commencement of development activities (including any demolition). The methodology for development (including Arboricultural supervision) shall be undertaken in accordance with the submitted Tree Survey/ Arboricultural Method Statement reports.
- 9 The soft landscaping details shall include the planting of a 'liquidamber styraciflua' within a publicly prominent position within the front garden. It shall have a girth side of 12-14cm at time of planting and a minimum height of 3metres. The planting shall be undertaken in accordance with the planting implementation programme submitted as part of the

overall site landscaping condition. If within a period of five years from the date of the planting or establishment the tree, or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree of the same species and size as that originally planted shall be planted at the same place

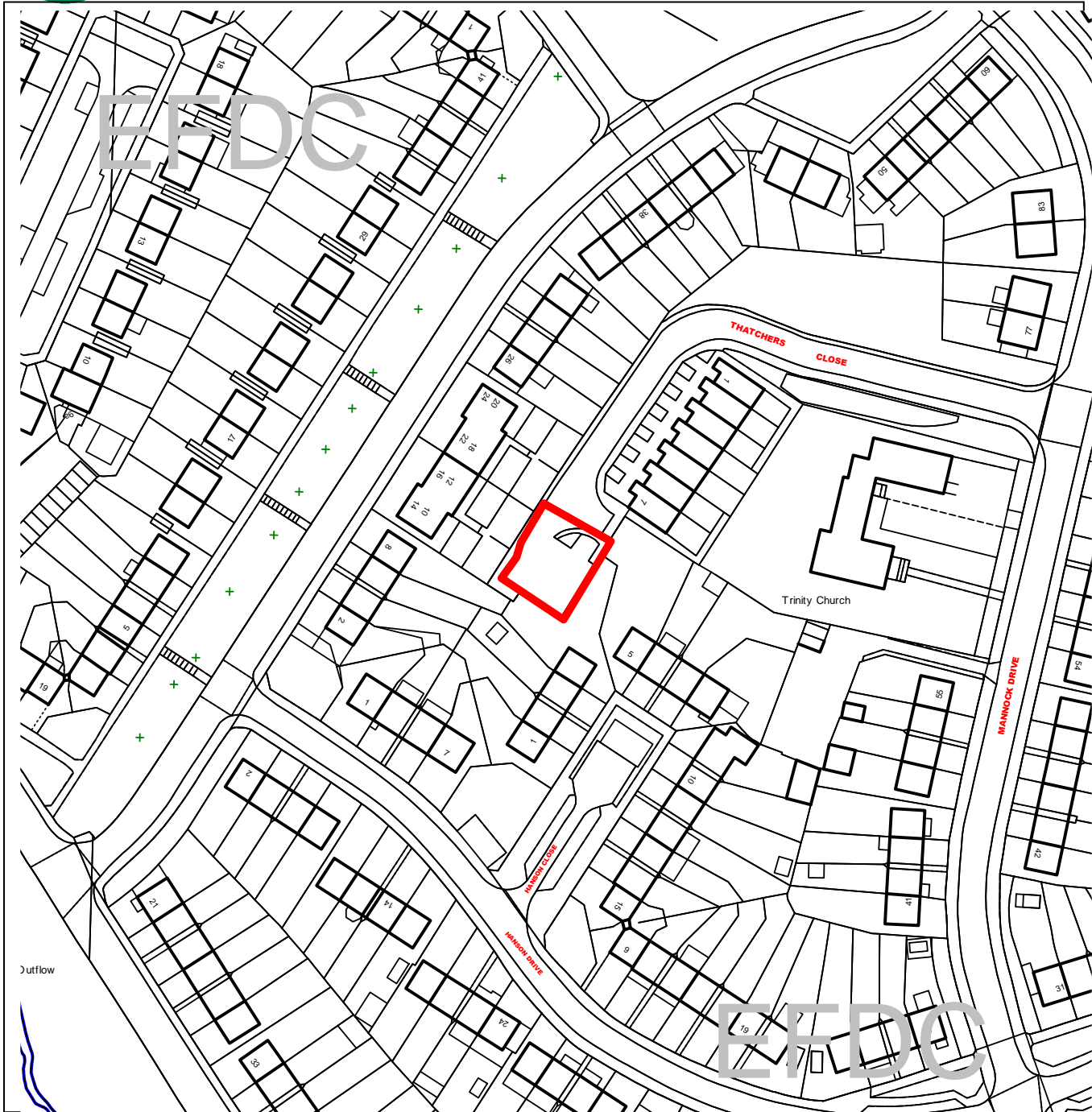
- 10 If any tree, shrub or hedge shown to be retained in the submitted Arboricultural reports is removed, uprooted or destroyed, dies, or becomes severely damaged or diseased during development activities or within 3 years of the completion of the development, another tree, shrub or hedge of the same 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.
- 11 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.

CHAIRMAN

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Epping Forest District Council



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Application Number:	EPF/1880/19
Site Name:	Parking area at southern end of cul-de-sac Thatchers Close Loughton IG10 3SP
Scale of Plot:	1:1250

Report Item No: 9

APPLICATION No:	EPF/1880/19
SITE ADDRESS:	Parking area at southern end of cul-de-sac Thatchers Close Loughton Essex IG10 3SP
PARISH:	Loughton
WARD:	Loughton Fairmead
APPLICANT:	Mr John Hayes
DESCRIPTION OF PROPOSAL:	Erection of one 2 storey affordable home with 2 parking spaces. *** SAC Case Progressing ***
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=626877

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: 612 | 063 | PL01, 612 | 063 | PL02, 612 | 063 | PL03 Rev A, 612 | 063 | PL04 Rev B, 612 | 063 | PL05 Rev B, 612 | 063 | PL06 Rev A and MWA TPP 001.
- 3 A) No work on any phase of the development (with the exception of demolition works where this is for the reason of making areas of the site available for site investigation), shall commence until an assessment of the risks posed by any contamination within that phase shall have been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with British Standard BS 10175: Investigation of Potentially Contaminated Sites - Code of Practice and the Environment Agency's Guidelines for the Land Contamination: Risk Management (LCRM 2020) (or equivalent if replaced), and shall assess any contamination on the site, whether or not it originates on the site. The development shall only be carried out in accordance with the approved details unless the Local Planning Authority gives its written consent to any variation. The assessment shall include: (1) A survey of the extent, scale and nature of contamination and (2) An assessment of the potential risks to: human health; property (existing or proposed) including buildings, crops, livestock, pets, woodland, service lines and pipes; adjoining land; groundwater and surface waters; ecological systems; and archaeological sites and ancient monuments.

B) If following the risk assessment unacceptable risks are identified from land affected by contamination in that phase, no work on any phase of the development shall take place, until a detailed land remediation scheme has been completed. The scheme will be submitted to and approved in writing by the local planning authority. The scheme shall include an appraisal of remediation options, identification of the preferred option(s), the proposed remediation objectives and remediation criteria, and a description and programme of the works to be undertaken including the verification plan. (The remediation scheme shall be sufficiently detailed and thorough to ensure that after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990). The development shall only be carried out in accordance with the approved scheme. Following the completion of the remediation works and prior to the first occupation of the development, a verification report by a suitably qualified contaminated land practitioner shall be submitted to and approved in writing by the local planning authority.

- 4 Prior to preliminary ground works taking place, details of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details, and shall be provided on site prior to the first occupation and shall be retained for the lifetime of the development.
- 5 Prior to preliminary ground works taking place, details of the treatment or alteration to the boundary fences at the rear of numbers 10 to 16 Goldingham Avenue shall be submitted to and approved by the Local Planning Authority. The development shall be implemented in accordance with such agreed details and so retained.
- 6 Tree protection shall be installed as shown on MWA Arboriculture Ltd drawing number MWA TPP 001 (dated 11th October 2019) prior to the commencement of development activities (including any demolition). The methodology for development (including Arboricultural supervision) shall be undertaken in accordance with the submitted Tree Survey/ Arboricultural Method Statement reports.
- 7 Prior to any above groundworks, details and location of the parking spaces (including garages) equipped with active and/or passive Electric Vehicle Charging Point(s) shall have been submitted to and approved in writing with the Local Planning Authority (LPA), unless otherwise agreed in writing with the LPA. The installation of EVCP shall be completed in accordance with the approved details and made operational prior to first occupation. The details shall include:
 - Location of active and passive charging infrastructure;
 - Specification of charging equipment; and
 - Operation/management strategy. The council will expect that a management plan for the charging points is set out clearly. This will address:
 - a) Which parking bays will have active and/or passive charging provision, including disabled parking bays;
 - b) How charging point usage will be charged amongst users;
 - c) The process and the triggers for identifying when additional passive charging points will become activated; and
 - d) 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.

- 8 Prior to any above groundworks, a strategy to facilitate super-fast broadband for future occupants of the site shall have been submitted to and approved in writing by the Local Planning Authority (LPA). 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 LPA 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 LPA.
- 9 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.
- 10 Prior to first occupation of the building hereby permitted the window(s) in the east elevation(s) at first floor level, shall have 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.
- 11 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.
- 12 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.
- 13 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, unless otherwise agreed in writing by the Local Planning Authority.

- 14 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.
- 15 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.
- 16 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.
- 17 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, AA, B, D & E of Part 1 to schedule 2 shall be undertaken, without the prior written agreement of the Local Planning Authority.
- 18 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows [other than those expressly authorised by this permission] shall be constructed on the elevation(s), without the prior written agreement of the Local Planning Authority.

This application is before this Committee since it is an application for non-Major category development on the Council's own land or property that is for disposal, and 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 hard-surfaced parking area at the southern end of this cul-de-sac called Thatcher's Close. Adjoining the site is the rear and side gardens of two storey dwellings in Hanson Close and Goldingham Avenue. It is not listed nor within a conservation area. There are no protected trees on site.

Proposal

The proposal is for one 2 bed affordable home with 2 parking spaces and cycle storage.

This is a renewal of a previous approved consent EPF/2618/15 that was approved by members of the Area Plans South held on the 3rd of May 2016.

For clarity, whilst the development description makes reference to affordable housing, however, there is no policy requirement to secure this. As such this point will not be discussed further in the report.

Relevant Planning History

EPF/2618/15 - Erection of one 2 storey affordable home with 2 parking spaces - Approved

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
H5A	Provision for Affordable Housing
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 2021 (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 110 - 112
Paragraph 119
Paragraphs 126, 130
Paragraph 180

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.

Following the Examination Hearing Sessions for the emerging Local Plan, the Council has prepared a number of changes, known as **Main Modifications**, to the Epping Forest District Local Plan Submission Version (2017) to address issues of soundness and/or legal compliance identified by the Inspector. These are put forward without prejudice to the Inspector's final conclusions on the Plan

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 Main Modifications, the **highest weight** should be accorded to LPSV policies in accordance with paragraph 48 of Framework. The following policies are relevant to the determination of this application;

SP2	Spatial Development Strategy 2011-2033
H1	Housing Mix and Accommodation Types
T1	Sustainable Transport Choices
DM2	Epping Forest SAC and the Lee Valley SPA
DM3	Landscape Character, Ancient Landscapes and Geodiversity
DM5	Green and Blue Infrastructure
DM9	High Quality Design
DM10	Housing Design and Quality
DM11	Waste Recycling Facilities on New Development
DM16	Sustainable Drainage Systems
DM19	Sustainable Water Use
DM21	Local Environmental Impacts, Pollution and Land Contamination

Summary of Representations

Number of neighbours consulted: 35. 3 response(s) received
Site notice posted: Yes

A reconsultation exercise was carried out and the following responses below were received.

7 THATCHERS CLOSE & 4 & 6 HANSON CLOSE – Objections – Summarised as:

- Parking stress;
- Overshadowing;
- Loss of trees;
- Loss of light;
- Loss of visual amenity;
- Air, ground pollution; and
- Loss of privacy

LOUGHTON TOWN COUNCIL – Objection – Cllr Wixley advised the Committee that his interest in respect of this application concerned the process rather than the proposal itself.

Following its listing for consideration at Area Planning Sub-Committee South in November 2021, in his role as a District Councillor, he had requested that LTC was re-consulted following the length of time that had elapsed since it was first considered before a decision was made.

The Committee OBJECTED to this application, reiterating its previous comments which were:

“Members commented on the poor quality of the drawings to view in respect of this application.

The Committee OBJECTED to this application reiterating its previous concerns for EPF/2618/15, which were:

Members were concerned the combined effect of the height of the proposed dwelling and raised level of the plot, owing to the slope of the land, would overlook and have a detrimental impact on neighbouring properties in Hanson Close and Goldingham Avenue, as well as overshadow these neighbouring gardens.”

The Committee further stated that the additional dwelling would result in more car pollution and a subsequent impact on the air quality to the SAC. Any additional dwelling that leads to more Planning and Licensing Committee 29 November 2021 3 traffic in the SAC is unacceptable. The additional dwelling would also result in more pressure for the overstressed recreational services and subsequent damage to the SAC. The current proposed solution to bring in a Clean Air Zone (CAZ) is not guaranteed to occur and would not stop additional cars associated with new dwellings from polluting the SAC before it was brought in. Until incorporated into the Local Plan, this mitigation is null and void.

Members also believed that the application failed to consider the sustainability guidance for Minor Developments, adopted by Epping Forest District Council in March 2021.

Concern was also expressed that it was unknown if other consultees and neighbours had been re-consulted on this application.

Planning Considerations

The main issues for consideration in this case are:

- a) The previous approved consent EPF/2618/15;
- b) The impact on the Character and Appearance of the locality;
- c) Highway Safety and Parking Provision;
- d) Trees and Landscaping;
- e) Residential Amenity of Future Occupiers;
- f) The impact to the Living Conditions of Neighbours; and
- g) The impact on the Epping Forest Special Area of Conservation.

Principle of Development

The application site is not allocated for development in the LPSV and was not assessed as part of the site selection process informing the preparation of the emerging Local Plan.

The site is situated within a sustainable urban location close to local services, facilities and public transport and would make more efficient use of this site. Given that 92.4% of the District is designated Green Belt the principle of further development within existing sustainable settlements outside of the Green Belt is generally considered to be appropriate, provided all other policies are complied with. In relation to policy SP2 (iii) from the LPSV, the site is located on one of a large number of similar sites across the district for the development of affordable homes on Council owned garage sites – though in this case the site is not given over to garages but it is a hard-surfaced area of land presumably initially intended for additional unallocated parking. However, it appears that it is rarely used for this purpose and redevelopment of this land is encouraged.

Character and Appearance

The site measures some 15m in width by 17m in length. The house would only occupy a small section of the site and will measure 5.8m in width by 8.6m in length. The remainder of the site would be given over to a garden, two car spaces, and hard surfaced area. Having regard to the modest size of this two-storey house the proposal is far from being an overdevelopment of the site.

In terms of its appearance, it is considered that proposed dwelling is of a simple design that would complement and enhance the appearance of the street scene and wider area. Accordingly, it would conform to Policies CP2, CP7 & DBE1 of the LP, Policy DM9 of the LPSV, and Paragraphs 126 & 130 of the Framework.

Highway Safety and Parking Provision

In terms of access and parking this development does not impinge upon the existing turning area at the end of this cul-de-sac. With regard to the potential loss of unallocated parking spaces, the site is little used for parking, and in any event, there is space within the Close for visitors to park.

In terms of the parking provision for the proposed dwelling, two spaces are proposed along with a cycle storage to promote sustainable transport choices, and a condition will be imposed for at least 1 EV charging point to ensure that the proposed development supports the transition to a low carbon future. Accordingly, it conforms to Policies ST1, ST2, and ST4 from the LP, and Policy T1 from the LPSV.

Trees and Landscaping

The Councils tree officer raises no objection to the proposed development, as it is considered that the proposed development provides an adequate landscaping scheme that enhances the setting

of the proposed building. Also, relevant conditions would be imposed as part of the consent to ensure that the landscaping scheme is retained and maintained in perpetuity, and the existing trees and shrubs are retained and protected from any damage during the construction phase. Accordingly, it conforms to policies LL10 & LL11 of the LP, and Policies DM3 and DM5 of the LPSV.

Residential Amenity of Future Occupiers

The house would be of a good size and provides an acceptable level of internal and external amenity space. Accordingly, the development conforms to policy DBE8 of the LP, and policy DM9 and DM10 of the LPSV.

Living Conditions of Neighbours

Concerns have been raised about the impact of the proposed house on the outlook and privacy of neighbouring houses. However, the orientation of houses to the south and south east in Hanson Close mean that these neighbouring houses do not directly face the proposed house, and due to the approx. 15m distance between the proposed house and the rear areas of these houses, it would ensue that their outlook is not significantly affected.

Furthermore, the houses on Hanson Close and their gardens lie on a higher ground level than the application site. This relationship between the application site and the house on Hanson Close along with the separation distances referred to mitigates any potential overbearing impact. Since the house would be sited to the north of the nearest neighbour in Hanson Close, No. 4, any overshadowing would only impact on the northern arm of its garden in late evening during the summer. Such impact would not be excessively harmful.

In terms of the Goldingham Avenue properties it is acknowledged that they and their gardens are on a lower ground level than the application site and hence the height of the proposed house (at 4.8m to eaves and 7.2m to ridge) will be higher when viewed from the rear of these Goldingham Avenue maisonettes. However, the front face of the proposed house will be some 23m away from the rear walls of the neighbouring properties, and this significant distance, together with the modest bulk of the proposed house, will mean that the development will not be unduly obtrusive to the existing residents outlook.

With regard to overlooking, the first-floor bedroom window is a triangular projecting window with the large side obscured - and the smaller clear glazed side will provide for a more angled view away from direct views into the rear areas of the Goldingham Avenue houses. Trees also exist close to the west boundary of the site. These will be retained and will provide some screening of the proposed new house. Taking the above factors into account the proposal will not cause a significant loss of privacy to the Goldingham Avenue houses.

Accordingly, the proposed is considered to have a limited impact to neighbouring properties and would safeguard their living conditions. Therefore, it conforms to policies CP7 & DBE9 of the LP, Policy DM9 of the LPSV, and Paragraph 130 (f) of the Framework.

Epping Forest SAC

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 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. In addition, the site lies within the parish of Loughton. 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 recreational pressures and atmospheric pollution.

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 and identification of Infrastructure Enhancement Projects in the Council's Green Infrastructure Strategy, has provided a strategic, district wide approach to mitigating recreational pressures on the EFSAC through the securing of financial contributions for access management schemes, monitoring proposals and Infrastructure Enhancement Projects specifically related to development within the parishes of Loughton, Buckhurst Hill and Theydon Bois. Consequently, this application can be assessed within the context of the Interim Approach and the Green Infrastructure Strategy. 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 and the Green Infrastructure Strategy. Consequently, the Council is satisfied that the application proposal would not have an adverse effect 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.

Notwithstanding the above, as the Council is the applicant the contribution cannot be secured by a Unilateral Undertaking or S106 legal agreement, as the Council cannot sign such an agreement with itself. Other mechanisms are available, however, to ensure that the obligations are met.

Conclusion

Whilst there will be a limited impact on neighbouring amenity, the accommodation proposed makes efficient use of the space available, as this site is a largely unused 'brownfield' site and the construction of an affordable home makes for a better use of it, and is in a sustainable urban location which would result in socio-economic benefits derived from the construction and occupation of the home.

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

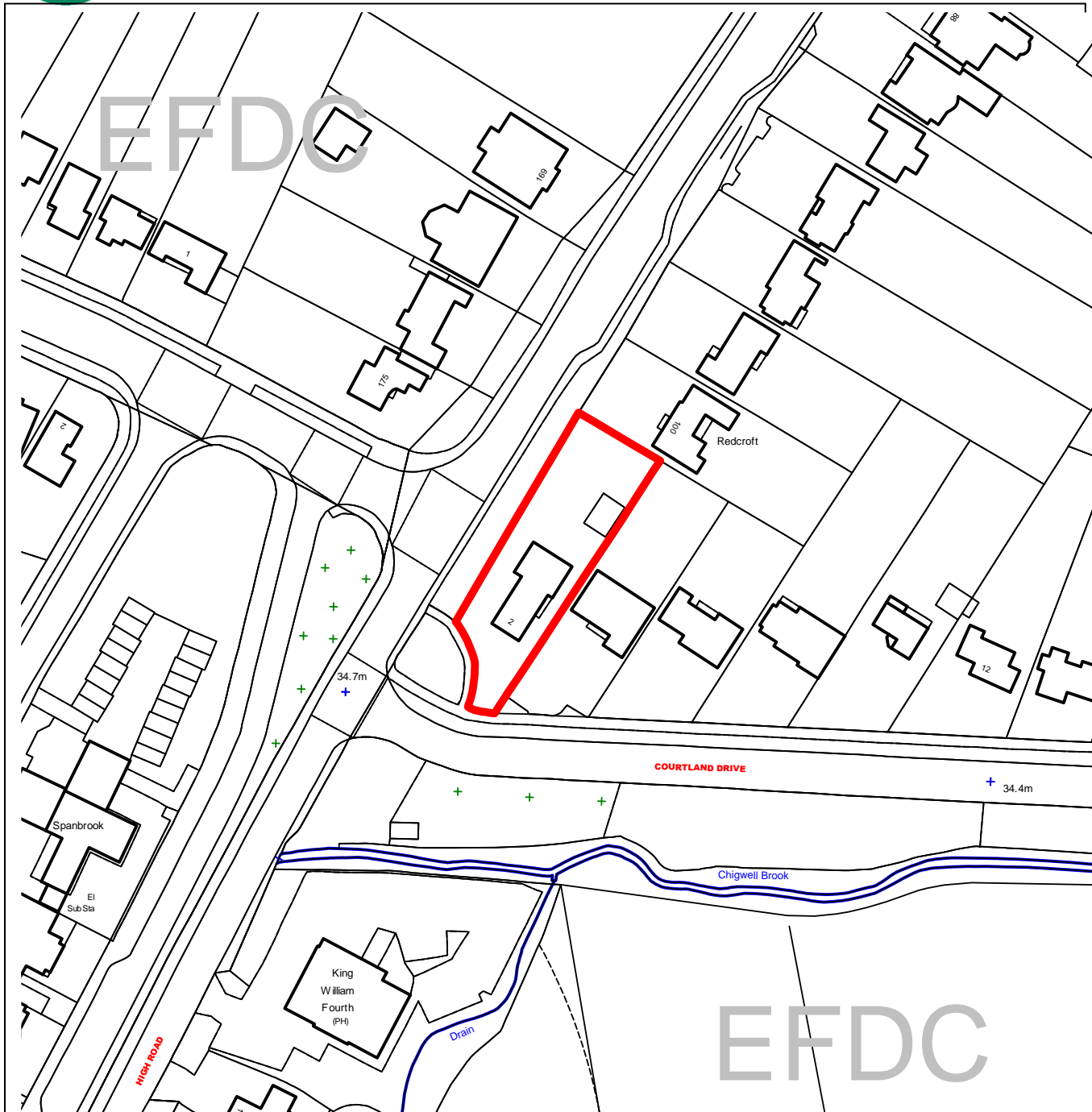
Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

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

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



Epping Forest District Council



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Application Number:	EPF/1573/20
Site Name:	2 Courtland Drive Chigwell IG7 6PN
Scale of Plot:	1:1250

Report Item No: 10

APPLICATION No:	EPF/1573/20
SITE ADDRESS:	2 Courtland Drive Chigwell IG7 6PN
PARISH:	Chigwell
WARD:	Chigwell Village
APPLICANT:	Megabay Ltd
DESCRIPTION OF PROPOSAL:	Demolition of existing dwelling and replacement with new structure containing 5 units, (2, 1 bed and 3, 2 bed), basement parking with car lift, bin /cycle stores ** SAC Case now Progressing **
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=639716

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: GBI_101 Rev A; GBI_102; GBI_103; GBI_104; GBI_105; GBI_106; GBI_001; GBI_002; GBI_208 Rev G; GBI_209 Rev G; GBI_212; GBIGBI_202 Rev E; GBI_203 Rev H; GBI_204 Rev F; GBI_206 Rev E; GBI_207 Rev H
- 3 Prior to any above ground works, documentary and photographic details of the type and colours of the external finishes of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 4 Prior to first occupation of the building hereby permitted the window(s) in the east flank elevation(s) at first floor level and above, shall have 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.
- 5 Prior to preliminary ground works taking place, details of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with 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 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.
- 7 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.
- 8 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.
- 9 Prior to any above groundworks, details and location of the parking spaces (including garages) equipped with active and/or passive Electric Vehicle Charging Point(s) shall have been submitted to and approved in writing with the Local Planning Authority (LPA), unless otherwise agreed in writing with the LPA. The installation of EVCP shall be completed in accordance with the approved details and made operational prior to first occupation. The details shall include:
- Location of active and passive charging infrastructure;
 - Specification of charging equipment; and
 - Operation/management strategy. The council will expect that a management plan for the charging points is set out clearly. This will address:
 - a) Which parking bays will have active and/or passive charging provision, including disabled parking bays;
 - b) How charging point usage will be charged amongst users;
 - c) The process and the triggers for identifying when additional passive charging points will become activated; and
 - d) 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.
- 10 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.
- 11 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.

12 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan, Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - Recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.

13 Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation, per dwelling and at no cost to the occupier, 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.

The above measures are to ensure that this proposal is not contrary to the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, policies ST2, ST4 & ST6 of the Local Plan and policy T1 of the Local Plan Submission Version 2017.

14 Prior to the first occupation of the development the vehicle/cycle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The parking, car lift and turning areas shall be retained in perpetuity for their intended purpose.

15 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.

16 Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the carriageway.

The above measures are to ensure that this proposal is not contrary to the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, Policies ST2, ST4 & ST6 of the adopted Local Plan 1998 & 2006, Policy T1 of the Local Plan Submission Version 2017, and the NPPF 2021.

- 17 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.
- 18 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.
- 19 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.
- 20 All material excavated from the below ground works hereby approved shall be removed from the site.
- 21 Prior to any above groundworks, a strategy to facilitate super-fast broadband for future occupants of the site shall have been submitted to and approved in writing by the Local Planning Authority (LPA). 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 LPA 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 LPA.

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.

This application is before this Committee since it is for a type of development that cannot be determined by Officers if more than five objections are received 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:

No. 2 comprises of a 2-storey detached dwellinghouse with a detached rear/side garage located to the north of Courtland Drive, a corner plot sited adjacent to the main High Road. The plot is deep, and the property is well set back from the highway on both Courtland Drive and High Road with a large wide corner pavement and grass verge.

Courtland Drive is residential in character comprising of large, wide 2- storey detached dwellinghouses with deep frontages arranged in a staggered alignment with no. 2 sited further forward than No. 4 and the other dwellings in this section of Courtland Drive.

No. 2 is sited adjacent to High Road which is typified by a mixed variety of urban building types and heights with 3-and 4 storey residential blocks of flats to the west and commercial units to the south.

Description of Proposal:

Planning permission is sought for the redevelopment of the site involving the demolition of the existing 2- storey detached dwellinghouse and garage and its replacement with a 2- storey building to accommodate x 5 residential units. (2, 1 bed and 3, 2 bed), basement parking for 5 car spaces, 1 per unit with one visitor car space accessed via a car lift /turntable.

The communal refuse storage and cycle area is sited to the east boundary measuring a height of 1.5m, a width of 3m and a depth of 2.3m.

The proposed building has a similar front building line and height as the existing dwellinghouse, some 2m wider set in between 2.5-3.66m from the east boundary and some 3.8m from the west boundary.

Ground floor

Flat 1: 1 bed (56,6sqm)
Flat 2: 1 bed (59.7sq)
Flat 3: 2 bed (109sqm)

First Floor

Flat 4: 2 bed (90.4sqm)
Flat 5: 2 bed (117sqm)

The main pedestrian entrance to the building is to the central west elevation of the building with the provision of a lift and staircase. The majority of the habitable room windows are to be sited to the west and front elevations. The existing crossover is to be widened and the bollard removed.

Amenity space is sited to the rear of the building with the provision of balconies to units, 3.4 and 5.

Materials: Brick and render and clay tiles

Relevant History:

EPF/0672/17 - Enlargement of roof, and provision of one front dormer window and three rear dormer windows as part of loft conversion.

EPF/1929/18 - Proposed first floor rear infill extension, enlargement of roof and loft conversion with one front dormer window and three rear dormer windows.

EPF/2057/16 - Two storey rear extension, and erection of new front wall, railings, and gates on front boundary – 06/10/2016

CHI/0320/59 - Erec of Det Hse & Garage - Approved

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
- CP3: New Development
- CP6 Achieving sustainable urban development patterns
- CP7 Urban Form and Quality
- CP7: Urban Form and Quality
- RP4 Contaminated Land
- RP5a Environment Impacts
- DBE1 Design of New Building
- DBE2: Effect on neighbouring properties
- DBE8: Private amenity space
- DBE9: Neighbouring residential amenity
- LL11 Landscaping schemes
- ST1: Location of development
- ST2: Accessibility of Development
- ST4: Road safety
- ST6: Parking provision
- H2A: Previously developed land
- H4A: Dwelling Mix
- H3A Housing Density
- NC1 SPA's, SAC's and SSS1's

NPPF, 2021

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 51, 86, 104 - 111

Paragraph 118- 121, 126 - 132, 194

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.

The appointed Inspector issued her initial advice on 2 August 2019 and since then, the Council has undertaken further work to address the actions identified by the Inspector. This has led to the production of a number of proposed changes to the Local Plan Submission Version 2017 (known as the Schedule of Main Modifications) and additional supporting documents associated with the Main Modifications. These are to address issues of soundness and/or legal compliance identified by the Inspector.

The Main Modifications include changes to some of the supporting text and Policies within the Plan, deletion and amendment to some site allocations, updated Housing Supply data to March 2020, along with associated changes to the mapping contained within the Plan.

The Main Modifications are put forward without prejudice to the Inspector's final conclusions on the Plan. Following the close of the consultation (ends 23rd September 2021), the representations will be passed to the Inspector for her consideration before the publication of the Inspector's final report.

The following policies in the LPSV are considered to be of relevance to the determination of this application:

Policy	Weight afforded
SP1 - Presumption in Favour of Sustainable Development	Significant
SP6 - Green Belt and District Open Land	Significant
SP7 - The Natural Environment, Landscape Character and Green and Blue	Significant
H1 - Housing mix and accommodation types	Significant
H3A Housing Density	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
DM16 Sustainable drainage systems	Significant
DM18 On site management of wastewater and water supply	Significant
DMM19 - Sustainable Water Use	Significant
DM20 - Low Carbon and Renewable Energy	Significant
DM21 - Local environmental impacts, pollution and land Contamination	Significant
DM2 - Air Quality	Significant
T1 - Sustainable transport choices	Significant

Consultation Carried Out and Summary of Representations Received

CHIGWELL PARISH COUNCIL - OBJECTION

- over-development, setting an undesirable precedent for the area
- out of keeping with visual aesthetic
- inadequate parking
- reduced amenity
- loss of greenery/garden space

59 adjoining neighbours were notified, and 80 objections have been received that raise the following concerns:

- Scale and dominance of the development
- considerable increase on existing - Detract from the streetscene
- Noise and disturbance due to the intensification and the car lift results in noise and impact on no. 4
- Loss of privacy and over development. Parking is inadequate for the number of flats
- Increase in traffic and pedestrians,
- impact on EFSAC.

An additional 14-day consultation was undertaken on the 13th December and over 35 further objections have been received that raise the following concerns:

- Impact on the residents of Courtland Drive as it will cause overcrowding and huge traffic at the junction of Courtland Drive to Chigwell road. This can potentially extend to the whole area.
- The development will appear as if Courtland estate is hidden behind a wall and ruin the current open look with greenery.
- over development,
- poor design, not reflecting the character of Courtland State
- Loss of Trees and roots and impact on Chigwell Brook which is less than 20 m away.

Main Issues and Considerations:

- The principle of residential
- Design, Character and Appearance
- Impact on the amenity of surrounding residents; Form of Accommodation;
- Trees and Landscaping
- Parking and highway safety
- Drainage and Contamination
- Epping Forest Special Area of Conservation

Principle of Residential Development

There is no objection to the provision of residential use within this urban, residential location which accords with the presumption in favour of sustainable development.

The intensification of this site would accord with the Government NPPF and should be afforded significant weight to maximise the use of urban sustainable locations to meet an identified housing need.

The site is located within an existing mixed use area of commercial/retail and residential area where accessibility is good and the infrastructure has been developed so there local services, facilities and good public transport links are available within walking distance of the site and would make more efficient use of this site. The principle of further development within existing sustainable settlements outside of the Green Belt is generally considered to be appropriate, subject to all other parameters.

Design, Character and Appearance

Epping Forest adopted 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 surrounding area is characterised by urban built form. The application site is a corner plot adjoining the main High Road which comprises of a mixed type of residential and commercial buildings.

No. 2 Courtland Drive is a 2- storey detached dwelling well forward of the other dwellings in Courtland Drive due to the staggered arrangement of the properties and is also one of the narrowest properties.

The scheme has been amended following reducing the overall scale and massing and which is now considered proportionate and which respects the setting, content and appearance of the street scene and surrounding area. The proposed development would be no wider, deeper or higher than any of other properties in Courtland Drive

In terms of its design and form the development is not harmful and sufficiently maintains the established visual character and pattern of development in Courtland Drive and the wider area and complies satisfactorily with policies CP2, DBE1, 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 Local Plan Submission Version, 2017 and does not conflict with the design objectives of the National Planning Policy Framework., 2021 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.

Amenity to Neighbours Amenity and Form of Accommodation

The NPPF encourages Local Planning Authorities to:

‘Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

No. 4 Courtland Drive is the closest residential dwellinghouse to No. 2 which itself has been extended into a large property with a first floor and 2- storey rear extension. The majority of the main habitable room windows to the proposed development are sited to the west flank elevation fronting onto High Road with 3 minor non-habitable room windows located to the east first floor flank elevation. In addition, it is considered that the separation distance would prevent any demonstrable harm to the living conditions of neighbouring properties in terms of loss of light, overlooking or privacy subject to first floor flank elevation windows being conditioned as being obscure glazed. It is considered that the amenity of the adjoining occupiers would be maintained to an acceptable level and accords with the requirements of policy DBE9 of the adopted Local Plan and policy DM9 of the Local Plan submission Version, 2017.

Form of Accommodation

The main habitable rooms of the units have sufficient daylight and outlook that meet BRE guidelines for daylight levels and are considered of a satisfactory form of living space that also meets the Nationally Prescribed Space Standards as set out in Policy DM10 of the Submission Version Local Plan, 2017, providing a good quality of accommodation for future occupants.

The proposed building has the provision of rear amenity area which is functional and usable in terms of its width, depth, shape and orientation to meet the needs of future occupants and which would not suffer from any direct overlooking or loss of privacy and accords with the requirements of DBE8 of the Local Plan and DM10 of the Submission Version Plan. The building also provides recreational balconies to units 3.4 and 5. The quality of the proposed accommodation is therefore considered acceptable.

Comments on Representations Received.

A large number of objections have been received in relation to the scale, bulk, and siting of the development that would result in an over development of the site and an overbearing, intrusive impact, overlooking and a loss of privacy.

There is no objection to the provision of residential use within this urban, location and accords with the presumption in favour of sustainable development and the intensification of this site would accord with this presumption and should be afforded significant weight. The site is located within an established residential road but also sited in close proximity to an existing mixed use area of commercial/retail and residential area where accessibility is good and the infrastructure in the vicinity has been developed so there are local services, amenities and a good public transport links available within walking distance of the site.

The development has been designed to ensure that it is appropriate in its context supported by the NPPF and would not prejudice the amenity of the occupiers of adjoining properties.

The site provides a quality, sustainable residential development that brings forward the growing need for additional housing. The principle of residential development is acceptable which is consistent with the requirements of policies CP1, CP3 and H3A of the Local Plan and with the NPPF which seeks to boost significantly the supply of housing. Policies DBE1, DBE2 and DBE4 of the Epping Forest District Local Plan seeks to ensure that new development is satisfactorily located and is of a high standard of design and layout.

The concerns expressed by Chigwell Parish Council, and neighbouring residents regarding overdevelopment of the site and that flats would set a precedent in Courtland Drive must be balanced against the appropriateness of the design that respects the overall scale, height and relationship of the building to its plot boundaries and to the surrounding built form.

Parking and Highway

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject the attachment of conditions. The 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 ST2, ST4 & ST6 of the Local Plan and policy T1 of the Local Plan Submission Version 2017.

Trees and Landscape

There are several 'street trees' on the adjacent grass verges that are significant landscape assets. The proposal demonstrates that it should be possible to develop as proposed without a detrimental impact on them subject to tree protection, supervision and careful siting of new services. The application does show the removal of the existing vegetation from the western (roadside) boundary – this will open up the view of the property – which is particularly significant when at the junction of Chigwell Rise and we would expect to see extensive planting along this boundary in any landscaping proposals.

The Tree officer raises no objection subject to conditions that seek the retention of the existing trees and shrubs and the provision of a hard and soft landscaping scheme

Land Drainage

No objection in principle. The site lies within an Epping Forest District Council Flood Risk Assessment Zone and of a size where it is necessary to avoid generating additional runoff and the opportunity of new development should be taken to improve existing surface water runoff. The

applicant is proposing to dispose of surface water by main sewer. Drainage request further details to be submitted to the Local Planning Authority of the disposal of foul sewage, surface water and drainage prior to preliminary groundworks commencing in accordance with policy U2B of the Local Plan which are considered reasonable and As the proposed development includes a basement a further informative would be added at any approval .

Contamination

The site has no acknowledged potentially contaminated land. Due to the requirements for the limited site investigation, it is recommended that land contamination conditions are secured to ensure the risks from land contamination to the future users of the land in accordance with the guidance contained within the National Planning Policy Framework, policy RP4 of the adopted Local Plan and Alterations, and policy DM 21 of the Epping Forest District Council Local Plan Submission Version 2017.

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 proposed development is an efficient sustainable use of brownfield land and provides additional housing which is a benefit that should be afforded significant weight in the planning balance, particularly in light of the acute housing shortage within the District.

In terms of the quality of the proposed homes, these would meet prescribed space standards, benefiting from amenity space and sufficiently maintaining the character, appearance of development in the surrounding area and would not result in any amenity implications to neighbouring dwellings in terms of light, privacy and outlook; other aspects in relation to parking/highway safety and landscaping are considered satisfactory. The application is supported

by the policies set out in the adopted Local Plan and Alterations (1998-2006) and the emerging Local Plan, Submission Version, 2017 and the National Planning Policy Framework.

In light of the above considerations it is recommended that planning permission is approved subject to conditions and a Section 106 legal agreement to secure appropriate financial contributions for measures to mitigate potential impacts on air quality and for the management and monitoring of visitors 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:

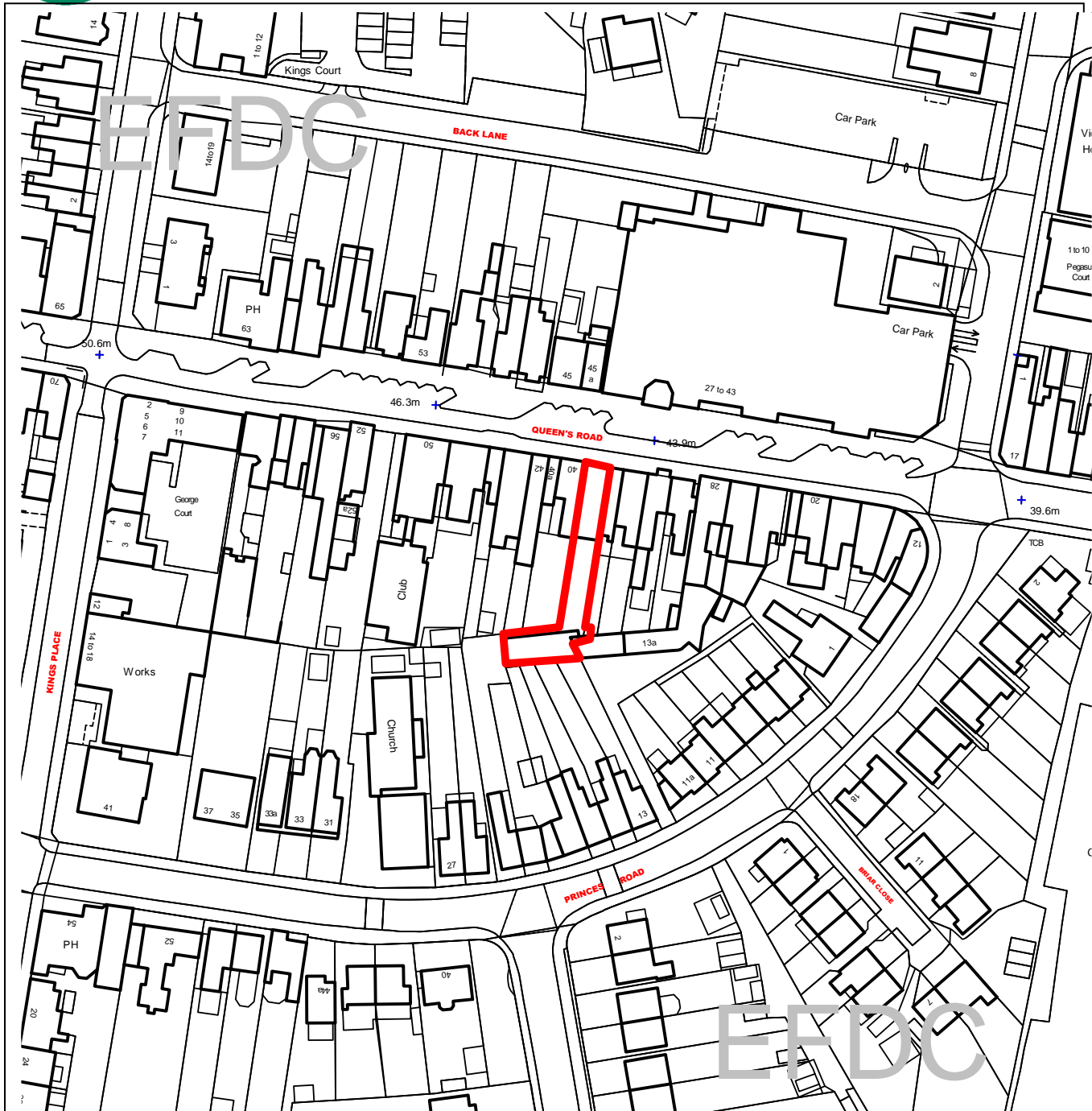
***Planning Application Case Officer: Caroline Brown
Direct Line Telephone Number: 01992 564182***

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/2149/21
Site Name:	38 Queens Road Buckhurst Hill IG9 5BY
Scale of Plot:	1:1250

Report Item No: 11

APPLICATION No:	EPF/2149/21
SITE ADDRESS:	38 Queens Road Buckhurst Hill IG9 5BY
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
APPLICANT:	38 QR Ltd
DESCRIPTION OF PROPOSAL:	Alterations and extension to create three flats, with amended retail space to the front.
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=655974

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: QUE-001, TBU/002 rev A, TBU/003 rev A, TBU/101, TBU/111 rev A, TBU/112 rev A, TBU/113 rev A, TBU/114 rev A and existing sections.
- 3 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. Residential amenity areas shall be available prior to first occupation of the dwellings and thereafter retained solely for amenity space for occupiers.

- 4 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those in the existing buildings.
- 5 The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site. Should any discoloured or odorous soils be encountered during development works or should any hazardous materials or significant quantities of non-soil forming materials be found, then all development works should be stopped, the local planning authority contacted and a scheme to investigate the risks and/or the adoption of any required remedial measures be submitted to, agreed and approved in writing by the local planning authority prior to the recommencement of development works. In such instances, following the completion of development works and prior to the first occupation of the site, sufficient information must be submitted to demonstrate that any required remedial measures were satisfactorily implemented or confirmation provided that no unexpected contamination was encountered.
- 6 Refuse stores and cycle stands shown on the plans hereby approved shall be fully installed and available for use prior to the first occupation of any of the residential units hereby permitted, and shall be thereafter retained in perpetuity for use by residential occupiers.
- 7 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.
- 8 Prior to first occupation of the development, measures shall be incorporated within the development to ensure a water efficiency standard of 110 litres (or less) per person per day.
- 9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows [other than those expressly authorised by this permission] shall be constructed on the [] elevation, without the prior written agreement of the Local Planning Authority.

And subject to a suitable legal agreement in respect on mitigation of EFSAC impacts.

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 lies on the south side of Queens Road within the core retail area towards the lower eastern end. The property is readily identifiable being three storey with the upper floor in a mansard style on the front located in a run of otherwise two storey units. The ground floor is in retail use, access to rear and upper floors is from a self-contained (shared) entrance from the front, the upper floors have been used for residential purposes. The history of a single storey storage / workshop building at the rear of the site is unclear with its access also being from the

front. This abuts a rear service yard to properties to the east (approx. 26 – 30 Queens Road) but does not have access thereto.

The site backs on to residential properties in Princes Road which comprise two storey houses at this point.

Description of Proposal:

The application proposes alterations and extensions to the building and the formation of three residential units, two within the upper floors and one in the workshop at the rear.

The extensions project to the same depth, resulting in a 6.25m addition at ground floor and 9.95m at first floor, the extension is not full width, leaving the side access clear and has a flat roof which will accommodate solar panels. The upper floors of the existing building are converted to a 2 bed flat on two floors, and within the extension a one bed flat also over two floors.

The annexe building is refurbished and converted to a two bed flat on one level. The north elevation facing into the site is rebuilt to provide window openings and the flat roof again houses solar panels.

Each flat is provided with its own outdoor space with provision for two cycle stands per units and communal refuse store is provided. Internal refurbishment of the shop is included to self-contain this element as well.

Relevant History:

EPF/0251/20 Alterations and extension to create 5no. one bedroom flats, with amended retail space to front. Application was refused on grounds of impact on neighbours from the extension of the rear building to two storeys, scale and mass of second floor extension to the main building, impact on EFSAC, pressure on parking and the over intensive character of the development in terms of the amenity of future occupiers. An appeal was dismissed – the Inspector supported the reasons relating to the impact of the additional floor to the rear building on neighbours and from the second floor extension, and the reason relating to harm to the EFSAC. The Inspector did not support the arguments around the standard of accommodation being provided given there was shared amenity space provided, nor the reason relating to parking pressure as the site was considered to be in a highly sustainable location where transport and other services were readily available.

Policies Applied:

Adopted Local Plan:

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

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

CP1	Achieving sustainable development objectives
CP2	Protecting the quality of the rural and built environment
CP6	Achieving sustainable urban development patterns
CP7	Urban Form and quality

NC1	SPA's, SAC's and SSSI's
RP4	Contaminated Land
U3B	Sustainable Drainage Systems
DBE2	Effect on neighbouring properties
DBE3	Design in urban areas
DBE6	Car parking in new development
DBE9	Loss of Amenity
DBE10	Residential Extensions
ST6	Vehicle parking

NPPF (July 2021):

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:

- 2 Achieving sustainable development – paragraphs 7, 8, 10, 11, 12
- 5 Delivering sufficient supply of homes – paragraphs 60, 66, 69, 74, 75, 79
- 8 Promoting healthy and safe communities – paragraphs 92, 97
- 9 Providing sustainable transport – paragraphs 104, 107, 108, 110, 111, 112
- 11 Making effective use of land – paragraphs 119, 122, 123, 124
- 12 Achieving well designed places – paragraphs 126, 130, 131, 132, 135
- 14 Meeting the challenge of climate change, flooding and coastal change – paragraphs 154, 159 – 169
- 15 Conserving and enhancing the natural environment – paragraphs 174, 175, 179 - 182, 183, 185, 186

Epping Forest District Local Plan (Submission Version) 2017:

On 14 December 2017, the Council resolved to approve the Epping Forest District Local Plan (2011-2033) – Submission Version ("LPSV") for submission to the Secretary of State and the Council also resolved that the LPSV be endorsed as a material consideration to be used in the determination of planning applications.

The Council submitted the LPSV for independent examination on 21 September 2018. The Inspector appointed to examine the LPSV ("the Local Plan Inspector") held examination hearings between 12 February and 11 June 2019. As part of the examination process, the Council has asked the Local Plan inspector to recommend modifications of the LPSV to enable its adoption.

During the examination hearings, a number of proposed Main Modifications of the LPSV were 'agreed' with the Inspector on the basis that they would be subject to public consultation in due course. Following completion of the hearings, in a letter dated 2 August 2019, the Inspector provided the Council with advice on the soundness and legal compliance of the LPSV ("the Inspector's Advice"). In that letter, the Inspector concluded that, at this stage, further Main Modifications (MMs) of the emerging Local Plan are required to enable its adoption and that, in some cases, additional work will need to be done by the Council to establish the precise form of the MMs.

Although the LPSV does not yet form part of the statutory development plan, when determining planning applications, the Council must have regard to the LPSV as material to the application under consideration. In accordance with paragraph 48 of the Framework, the LPAs "may give weight to relevant policies in emerging plans according to:

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

Footnote 22 to paragraph 48 of the NPPF explains that where an emerging Local Plan is being examined under the transitional arrangements (set out in paragraph 214), as is the case for the LPSV, consistency should be tested against the previous version of the Framework published in March 2012.

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 policies in the LPSV are considered to be of relevance to the determination of this application, with the advanced stage of the LPSV, all policies should be afforded significant weight:

No.	POLICY
SP1	Presumption in favour of sustainable development
SP2	Spatial Development Strategy
T1	Sustainable transport choices
T2	Safeguarding of routes and facilities
DM1	Habitat protection and improving biodiversity
DM2	Epping Forest SAC and Lee Valley SPA
DM9	High Quality Design
DM10	Housing design and quality
DM15	Managing and reducing flood risk
DM16	Sustainable Drainage Systems
DM19	Sustainable water use
DM21	Local environmental impacts, pollution and land contamination
DM22	Air quality

Consultation Carried Out and Summary of Representations Received

Date of site visit: 06 December 2021
Number of neighbours consulted: 15
Site notice posted: No, not required

Responses received: Two responses have been received from neighbours at 17 and 19 PRINCES ROAD concerned at the impact of the works to the outbuilding. These relate to potential noise and disturbance and overlooking, potential construction disturbance particularly from any refurbishment or rebuilding works, and concerns at access to the rear building for emergency services.

Parish Council: Buckhurst Hill Parish Council have objected raising the following issues:

- concerns about means of escape in an emergency
- there is no waste facility for refuse on the development
- overdevelopment of the site.

Main Issues and Considerations:

In considering this revised scheme, it should be noted that the elements that the appeal Inspector specifically referred to as being unacceptable – the second floor extension to the main building and the additional floor on the rebuilding – have been removed entirely.

In broad terms, the principle of providing an increased density of accommodation on sites within town centres with easy access to public transport (bus and train) and to local services is supported by national and local policy. Examples of additional accommodation being provided above and behind commercial properties exist in the locality and provide an opportunity to bring into use land that may otherwise be abandoned to residual rubbish from the commercial operation.

Extensions at ground and first floor such extensions are common in the immediate vicinity. These include more substantial projections on buildings to the east and west, including no.40 which extends the two storey on the boundary to around a third of the depth of the current proposal. With no habitable accommodation at the neighbouring properties at ground floor, direct impact will be minimal. The annexe building will be refurbished only and while this may entail some works of rebuilding where the structure is in poor condition, the end result will be that neighbouring residents face onto essentially a building of the same proportions and scale as currently exists. Officers therefore conclude that impact from building works is minimal.

Neighbouring residents in Princes Road raise concerns at the direct impact from the annexe building, including from overlooking. However, it should be clarified that no openings are proposed in the rear and side elevations which abut neighbouring gardens and direct impact from the residential use is limited.

The internal accommodation meets the nationally prescribed space standards as set out in policy DM10. Areas of amenity space are available within the site for the occupiers and each unit is provided with cycle stores. A refuse compound is proposed within the rear yard to serve all units (contrary to the Parish Council's comment otherwise). Both the Parish Council and objectors raise concerns at potential means of escape and access for emergency services. While these are largely matters outside of the planning application process, officers have sought advice from Building Control who advise that so long as each unit is 'compartmentalised' (i.e. has direct access to an external area without passing through a shared internal space) then the building would be compliant for means of escape. This is the case, all units meet this requirement.

The scheme does not provide any parking. However, the highly sustainable location meets all necessary criteria to be considered appropriate for car free development as it provides ample

alternative travel modes, including cycle stands in a secure location, and has access to services. There are limited opportunities in any event for long stay parking in the immediate vicinity as a result of the existing parking controls. Given the Inspector's reluctance to support this issue when development for five units was proposed, any such argument would be more difficult to sustain for three dwellings. Notwithstanding any comparison, this is an appropriate car free location by any assessment.

The site lies within the core area of the Epping Forest SAC and has been assessed in terms of recreational pressure and air quality. On the latter issue, an assessment accompanying the application recognises that vehicle movements associated with the development would have limited impact on the SAC. As a result an appropriate assessment has been completed as under:

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

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

The Council published a Habitats Regulations Assessment in January 2019 (the HRA 2019) to support the examination of the LPSV. The screening stage of the HRA 2019 concluded that there are two 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 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. In addition, the site lies within the parish of Buckhurst Hill. 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 recreational pressures and atmospheric pollution.

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 and identification of Infrastructure Enhancement Projects in the Council's Green Infrastructure Strategy, has provided a strategic, district wide approach to mitigating recreational pressures on the EFSAC through the securing of financial contributions for access management schemes, monitoring proposals and Infrastructure Enhancement Projects specifically related to development within the parishes of Loughton, Buckhurst Hill and Theydon Bois. Consequently, this application can be assessed within the context of the Interim Approach and the Green Infrastructure Strategy. 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 and the Green Infrastructure Strategy. Consequently, the Council is satisfied that the application proposal would not have an adverse effect 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.

Appropriate Assessment Conclusions:

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

Conclusion:

The proposal has responded to previous refusal and subsequent appeal decision by reducing the scale of the proposed development both in the built form and the overall number of units. The works have little direct impact on neighbouring occupiers while providing an acceptable level of accommodation in a highly accessible location.

Subject therefore to an appropriate legal agreement to address mitigation measures in relation to the EFSAC and to conditions, the application is recommended for approval.

Should you wish to discuss the contents of this report item please use the following contact details by 11am on the day preceding the meeting at the latest:

Planning Application Case Officer: Ian Ansell

Direct Line Telephone Number: 01992 564481

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



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Application Number:	EPF/2358/21
Site Name:	5 The Shrubberies Chigwell IG7 5DU
Scale of Plot:	1:1250

Report Item No: 12

APPLICATION No:	EPF/2358/21
SITE ADDRESS:	5 The Shrubberies Chigwell IG7 5DU
PARISH:	Chigwell
WARD:	Grange Hill
APPLICANT:	Mr Humza Shaikh
DESCRIPTION OF PROPOSAL:	Proposed double storey side and rear extension (amended scheme to EPF/0122/18).
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=656881

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: Location Plan, LIVARCH/5TS/101 Rev B, LIVARCH/5TS/102 Rev B, LIVARCH/5TS/103 Rev B, LIVARCH/5TS/104 Rev B, LIVARCH/5TS/105 Rev B, LIVARCH/5TS/106 Rev B, LIVARCH/5TS/107 Rev B, LIVARCH/5TS/108 Rev B, and LIVARCH/5TS/109 Rev A.
- 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.
- 4 Prior to first occupation of the building/extension hereby permitted the window(s) in the flank elevation(s) at first floor level and above, shall have 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.
- 5 Access to the flat roof over the single storey rear 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.

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 semi-detached house, located within a built-up area of Chigwell. It is not listed nor in a conservation area.

Proposal

The proposal is for a two-storey side and part single-part two storey rear extension (amended scheme to EPF/0122/18). The application has been amended since its initial submission to include the loft conversion which has recently been constructed (and found lawful under EPF/2349/21), and all parties were reconsulted on them.

The existing garage would be demolished to make way for the proposed extensions. The part single storey rear extension has a depth of some 3.5m, with an eaves height of 2.55m, and an overall height of 3.4m. The part first-floor rear extension has a depth of some 3m and matches the same eaves and ridge height as the main roof.

The two-storey side extension has a width of some 3.7m with a set in of a 1m from the common boundary with No.4. The eaves and ridge height match the same as the main roof.

Relevant Planning History

EPF/0122/18 - Proposed double storey side and rear extension – Approved

EPF/2301/20 - Prior approval for an additional second floor to enlarge the existing dwelling house – Refused

EPF/2349/21 - Certificate of lawful development for a proposed hip to gable roof extension and rear dormer window in connection with a loft conversion, roof lights to front - Lawful

Development Plan Context

Local Plan & Alterations 1998 & 2006 (LP)

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

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

CP2	Protecting the Quality of the Rural and Built Environment
CP7	Urban Form & Quality
DBE9	Loss of Amenity
DBE10	Residential Extensions

National Planning Policy Framework 2021 (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 126 & 130

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.

Following the Examination Hearing Sessions for the emerging Local Plan, the Council has prepared a number of changes, known as **Main Modifications**, to the Epping Forest District Local Plan Submission Version (2017) to address issues of soundness and/or legal compliance identified by the Inspector. These are put forward without prejudice to the Inspector's final conclusions on the Plan.

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 Main Modifications, the **highest weight** should be accorded to LPSV policies in accordance with paragraph 48 of Framework. The following policies are relevant to the determination of this application;

DM9 High Quality Design

Summary of Representations

Number of neighbours Consulted: 6. 2 response(s) received
Site notice posted: No, not required

CHIGWELL RESIDENTS ASSOCIATION & 5 THE SHRUBBERIES – Objections - Summarised as;

- Not in keeping;
- Visual impact;
- Damage to host building & Street Scene;
- Overdevelopment;
- Overlooking; and
- Loss of parking/garage.

CHIGWELL PARISH COUNCIL – The Council objects to this application, because this extension could cause an undesirable terracing effect and would result in the loss of parking amenity.

Planning Considerations

The main issues for consideration in this case are:

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

Character and Appearance

A similar scheme was approved under EPF/0122/18, and it is considered that the proposed development is considered to be of a size, scale and design that is acceptable and complements the appearance of the existing building, the street scene and wider area. There is a visual gap of 1m from the common boundary with No.4, so there would be no terracing effect. There is also sufficient space to the front and rear of the host building, so the proposed works would not amount to harmful overdevelopment of the site, and as mentioned above a similar scheme was approved previously.

There is sufficient space to park two cars on the driveway, so the loss of garage is acceptable. It should be noted that this matter was also found acceptable in the previous approved scheme.

Accordingly, the proposal is considered to comply with policies CP2 and DBE10 of the LP, Policy DM9 of the LPSV, and Paragraphs 126 and 130 of the Framework.

Living Conditions

The proposed development will have no material impact to the living conditions of both neighbouring properties, in terms of loss of light, loss of privacy, overbearing and visual impact, than that was approved previously, and also one that warrants a reason for refusal.

Therefore, the proposed development safeguards the living conditions of neighbouring amenities, in compliance with Policies CP7 & DBE9 of the LP, Policy DM9 (H) of the LPSV and Paragraph 130 (f) of the Framework.

Conclusion

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

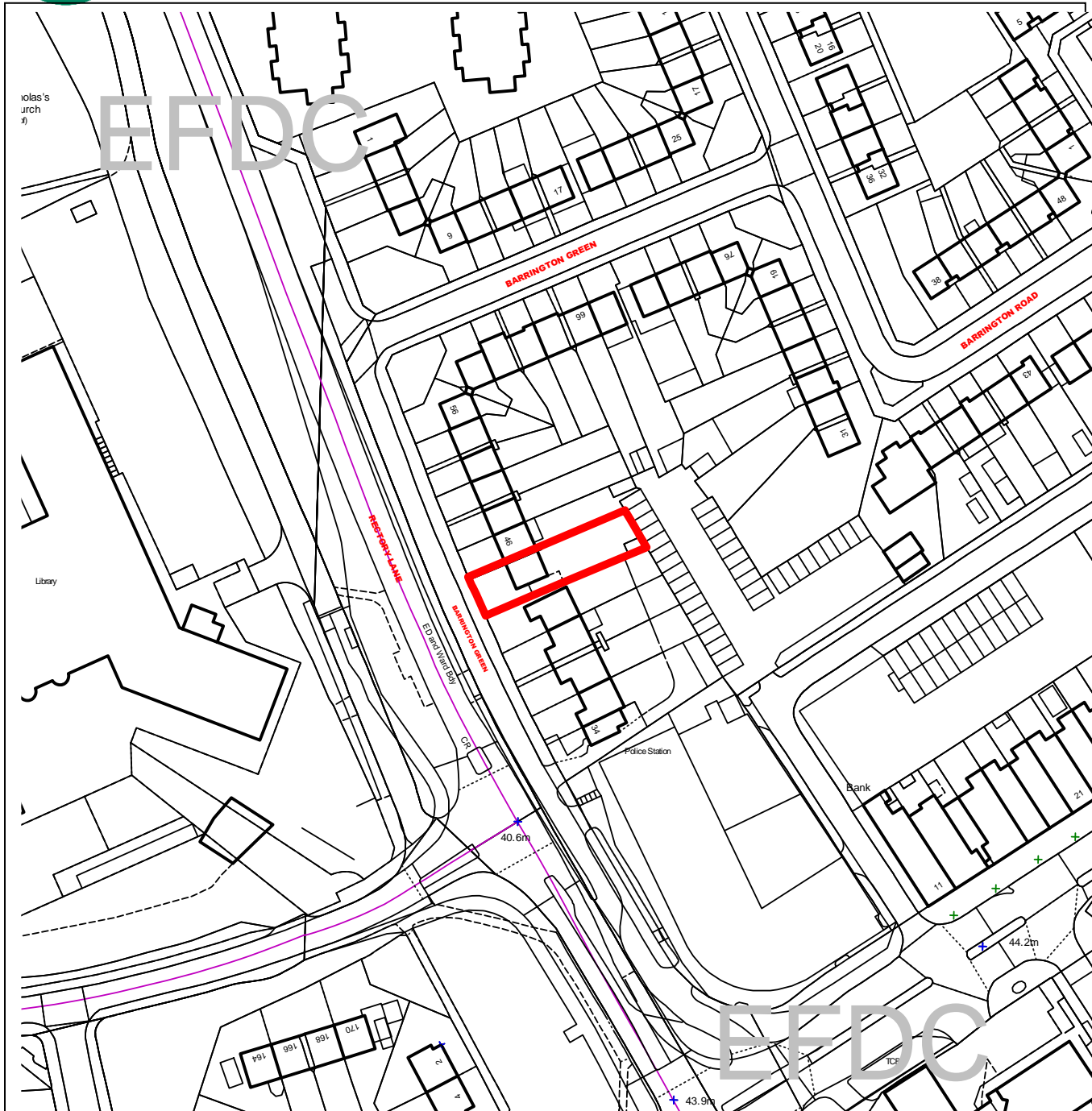
Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

Planning Application Case Officer: Muhammad Rahman

Direct Line Telephone Number: 01992 564415 or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council



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Application Number:	EPF/2440/21
Site Name:	44 Barrington Green Loughton IG10 2BA
Scale of Plot:	1:1250

Report Item No: 13

APPLICATION No:	EPF/2440/21
SITE ADDRESS:	44 Barrington Green Loughton IG10 2BA
PARISH:	Loughton
WARD:	Loughton Broadway
APPLICANT:	Mr Ioan Misca
DESCRIPTION OF PROPOSAL:	Erection of a single storey rear extension & front porch.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=657321

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: Location Plan, LIVARCH/44BG/101 Rev B, LIVARCH/44BG/102 Rev A, LIVARCH/44BG/103 Rev B, LIVARCH/44BG/104 Rev A, LIVARCH/44BG/105 Rev B, and LIVARCH/44BG/106 Rev A.
- 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.
- 4 Access to the flat roof over the rear 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.

This application is before this Committee 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).

Site and Surroundings

The site comprises of an end of terrace dwelling, located within a built-up area of Loughton. It is not listed nor in a conservation area.

Proposal

The proposal is for the erection of a single storey rear extension & front porch.

The rear extension will have a depth of 4m with an overall height of 3m. The front porch measures 1m in depth, with an eaves height of 2.55m and an overall height of 3.4m.

The application was amended since its initial submission and all parties were reconsulted on the changes. The main change was alteration to the rear extension, so it is now stepped in on the corner where the shared alleyway with No. 46 is located.

Relevant Planning History

EPF/0928/21 - Single storey rear/side extension – Refused

EPF/2439/21 - Application for a Lawful Development certificate for a proposed loft conversion with a rear dormer & installation of x3 no. rooflight windows at front – Lawful

EPF/2442/21 - Erection of a shed to be used as a gymnasium & store – Approved by Members of the Area Plans South Sub-Committee on 05th January 2022.

Development Plan Context

Local Plan & Alterations 1998 & 2006 (LP)

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DM9 High Quality Design

Summary of Representations

Number of neighbours Consulted: 2. 3 response(s) received

Site notice posted: No, not required

LRA PLANS GROUP & 42 & 46 BARRINGTON GREEN – Objections - Summarised as;

- Out of character;
- Overdevelopment;
- Loss of garden space; and
- Unsympathetic design.

LOUGHTON TOWN COUNCIL – Members considered the amended plans for this proposal but felt they did not address the Committee’s previous concerns regarding the alleyway.

The Committee OBJECTED to this application stating that building into, around, blocking, stopping light or encroaching on the shared passage was unacceptable.

Members requested that should the local planning authority be minded to approve this application; a condition be imposed that materials should match the existing.

Planning Considerations

The main issues for consideration in this case are:

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

Character and Appearance

The site has a sizeable rear garden, and officers are of the view that the proposed development does not amount to harmful overdevelopment of the site, even when taking into account the recently approved outbuilding. There would still be ample garden space retained for the occupiers to use for recreational purposes, hanging clothes etc.

Members attention is drawn to the point that a 3m rear extension can be built under permitted development, and a similar scale front porch. As such the proposed rear extension and front porch is considered to be of a size, scale and design that is acceptable and complements the appearance of the existing building, and wider area.

Accordingly, the proposal is considered to comply with policies CP2 and DBE10 of the LP, Policy DM9 of the LPSV, and Paragraphs 126 and 130 of the Framework.

Living Conditions

The proposed development will have no material impact to the living conditions of both neighbouring properties, in terms of overbearing and visual impact, that warrants a reason for refusal. This is due to the limited depth and height of the rear extension.

Therefore, the proposed development safeguards the living conditions of neighbouring amenities, in compliance with Policies CP7 & DBE9 of the LP, Policy DM9 (H) of the LPSV and Paragraph 130 (f) of the Framework.

Other Considerations

For clarity, the matters raised by the Town Council are not Planning Matters, rather it is a civil matter between the applicant and the owners of No. 46. Notwithstanding this there is no encroachment on the shared passage, so this point is baseless. The rear extension is contained within the rear garden of the host house as shown on the plans.

Conclusion

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

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

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

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