

Committee Agenda



Epping Forest District Council

AREA PLANNING SUB-COMMITTEE SOUTH **Wednesday, 30th March, 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, 30th March, 2022**
at **7.00 pm.**

Georgina Blakemore
Chief Executive

Democratic Services
Officer:

J Leither, 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 - 16)

To confirm the minutes of the last meeting of the Sub-Committee held on 2 March 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/your-council/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/1586/21 HIGHGROVE CLOSE, FORMERLY LAND TO THE REAR OF 33-37 HILLYFIELDS, LOUGHTON IG10 2PT (Pages 17 - 28)

To consider the attached report for the construction of a 4 bedroom two storey dwelling with associated parking and landscaping.

10. PLANNING APPLICATION - EPF/2298/21 GARAGES TO THE REAR OF 2-12 STATION WAY, STATION WAY, BUCKHURST HILL IG9 6LN (Pages 29 - 40)

To consider the attached report for a proposed development of 4 two storey terraced houses, proposed 4 new car parking spaces and proposed landscaped access way.

11. PLANNING APPLICATION - EPF/2374/21 20 GOLDINGS RISE, LOUGHTON IG10 2QP (Pages 41 - 46)

To consider the attached report for the proposed remodelling of existing facade using existing levels and roof remodelling to adapt proposed hip to gable style roof extension.

12. PLANNING APPLICATION - EPF/2607/21 WAYBACK, 179 LAMBOURNE ROAD, CHIGWELL IG7 6JU (Pages 47 - 54)

To consider the attached report on the demolition of existing dwelling and erection of replacement dwelling and ancillary garden outbuilding.

13. PLANNING APPLICATION - EPF/3283/21 MINDRUM, NURSERY ROAD, LOUGHTON IG10 4EA (Pages 55 - 60)

To consider the attached report on the demolition of the existing conservatory, replace with single storey rear extension with minor actions to dormer windows.

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 South	Date:	2 March 2022
Place:	Council Chamber - Civic Offices	Time:	7.00 - 9.22 pm
Members Present:	J Share-Bernia (Chairman), K Williamson (Vice-Chairman), R Baldwin, D Barlow, P Bhanot, R Brookes, R Jennings, J Jennings, A Lion, L Mead, S Murray, S Neville, C Nweke, A Patel, Caroline Pond, C C Pond, D Sunger and D Wixley		
Members Virtual Attendance:	K Rizvi		
Apologies:	S Heap, J Jogia, H Kauffman, M Owen, S Rackham and C Roberts		
Officers Present:	J Godden (Heritage, Enforcement & Landscaping Team Manager), J Leither (Democratic Services Officer) and S Mitchell (PR Website Editor)		
Officers Virtual Attendance:	G Courtney (Principal Planning Officer) and R Perrin (Democratic and Electoral Services Officer)		

95. 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.

96. MINUTES

RESOLVED:

That the minutes of the Sub-Committee held on 2 February 2022 be taken as read and signed by the Chairman as a correct record.

97. DECLARATIONS OF INTEREST

- a) Pursuant to the Council's Code of Member Conduct, Councillor S Murray declared a non-pecuniary interest in the following item of the agenda by virtue of one of the objectors being known to him. The Councillor had determined that he would remain in the meeting for the consideration of the application and voting thereon:
 - EPF/1586/21 Formerly Land to the Rear of 33-37 Hillyfields, Loughton IG10 1BL
- b) Pursuant to the Council's Code of Member Conduct, Councillor S Murray declared a non-pecuniary interest in the following item of the agenda by virtue

of acknowledging emails sent to him by objectors. The Councillor had determined that he would remain in the meeting for the consideration of the application and voting thereon:

- EPF/2131/19 Land to the South of Chigwell Rise, Chigwell IG7 6BN

c) Pursuant to the Council's Code of Member Conduct, Councillor D Sunger declared a non-pecuniary interest in the following item of the agenda by virtue of acknowledging emails sent to him by objectors. The Councillor had determined that he would leave the meeting for the consideration of the application and voting thereon:

- EPF/2131/19 Land to the South of Chigwell Rise, Chigwell IG7 6BN

d) 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 the applicant and objectors being known to him,. The Councillor had determined that he would remain in the meeting for the consideration of the application and voting thereon:

- EPF/2131/19 Land to the South of Chigwell Rise, Chigwell IG7 6BN

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

- EPF/2131/19 Land to the South of Chigwell Rise, Chigwell IG7 6BN

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

- EPF/2808/20 Rear of 75, 75A-C, 77 Quessns Road, Buckhurst Hill IG9 5BW

98. ANY OTHER BUSINESS

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

99. 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

100. SITE VISITS

Councillor C C Pond proposed a site visit for item 11 on the agenda, EPF/1586/21 – Rear of 75, 75A-C, 77 Queens Road, Buckhurst Hill IG9 5BW which was seconded by Councillor D Wixley.

AGREED:

That the Sub-Committee agreed in favour of a site visit.

101. PLANNING APPLICATION - EPF/2131/19 LAND TO THE SOUTH OF CHIGWELL RISE, IG7 6BN

APPLICATION No:	EPF/2131/19
SITE ADDRESS:	Land to the South of Chigwell Rise, IG7 6BN
PARISH:	Chigwell
APPLICANT:	Mr F Cheroomi
DESCRIPTION OF PROPOSAL:	Permission for use of site as a burial ground with associated landscaping, access improvements and ancillary storage and reception buildings. *** SAC Case now progressing with - New site plan showing changes to parking layout **
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=627893

REASONS

- 1 The proposal would cause unacceptable harm to the appearance and character of the landscape in this prominent and locally important site and is contrary to policies LL1 and LL2 of the adopted Local Plan and Alterations, policies SP 7 and DM 3 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 and cause adverse impacts on highways safety, contrary to policies ST4 and 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 drainage provisions of the development are insufficient to deal with drainage and run off on this site and onto surround sites contrary to policy U3B of the adopted Local Plan and Alterations, policy DM15 and DM16 of the Submission Version Local Plan (2017), and the guidance contained within the National Planning Policy Framework.

102. PLANNING APPLICATION - EPF/2808/20 REAR OF 75, 75A-C,77 QUEENS ROAD, BUCKHURST HILL IG9 5BW

APPLICATION No:	EPF/2808/20
SITE ADDRESS:	Rear of 75, 75a-c,77 Queens Road Buckhurst Hill IG9 5BW
PARISH:	Buckhurst Hill
APPLICANT:	Mr S Moore
DESCRIPTION OF PROPOSAL:	Demolition of structures to the rear of 75-77 Queens Road and erection of 8 new dwellings (Revised Scheme to EPF/2514/19).
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=645353

REASONS

- 1 The proposal would result in an inappropriate overdevelopment of the site and would result in unfavourable living conditions for the future occupants due to the lack of amenity space is contrary to policies DBE3, DBE5, DEB8, DBE9 and DBE 11 of the adopted Local Plan 1998 & 2006, Policy DM9 of the Local Plan Submission Version 2017, and Paragraphs 126 & 130 of the NPPF 2021.
- 2 The proposed development has an adverse visual impact on the neighbouring residential properties and would result in an unacceptable sense of enclosure for properties in Kings Avenue contrary to policies DBE2 and DBE9 of the adopted Local Plan 1998 & 2006, Policy DM9 of the Local Plan Submission Version 2017, and Paragraphs 126 & 130 of the NPPF 2021.

103. PLANNING APPLICATION - EPF/1586/21 FORMERLY LAND TO THE REAR OF 33-37 HILLYFIELDS, LOUGHTON IG10 2PT

APPLICATION No:	EPF/1586/21
SITE ADDRESS:	Highgrove Close Formerly land to the rear of 33-37 Hillyfields Loughton IG10 2PT
PARISH:	Loughton
APPLICANT:	Mr S Tappenden

DESCRIPTION OF PROPOSAL:	Construction of a 4 bedroom two storey dwelling with associated parking and landscaping.
DECISION:	Deferred

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=653453

DEFERRED

For a Site Visit.

104. PLANNING APPLICATION - EPF/2083/21 14 BROOKLYN AVENUE, LOUGHTON IG10 1BL

APPLICATION No:	EPF/2083/21
SITE ADDRESS:	14 Brooklyn Avenue Loughton Essex IG10 1BL
PARISH:	Loughton
APPLICANT:	Ms Atwal
DESCRIPTION OF PROPOSAL:	Application for a proposed dormer windows & loft conversion.
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=655653

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: 1BGL/219, location plan
- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those in the existing building.

105. PLANNING APPLICATION - EPF/2350/21 1 GRASMERE CLOSE, LOUGHTON IG10 1SL

APPLICATION No:	EPF/2350/21
SITE ADDRESS:	1 Grasmere Close Loughton IG10 1SL

PARISH:	Loughton
APPLICANT:	Mr Sukhbir Birak
DESCRIPTION OF PROPOSAL:	Conversion of existing garage into a habitable space involving minor alterations and ground and first floor side extensions
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=656873

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: 2107-GC-DR-A-05-100; 2107-GC-DR-A-03-100; 2107-GC-DR-A-02-100 Site Plan; 2107-GC-DR-A-02-100 Block Plan; 2107-GC-DR-A-05-200 Rev P4 ; 2107-GC-DR-A-03-200 Rev P4 ;
- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing dwelling house, unless otherwise agreed in writing by the Local Planning Authority.
- 4 Prior to first occupation of the extension hereby permitted the window(s) in the Northwest flank 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.
- 5 No deliveries, external running of plant and equipment or demolition and construction works, other than internal works not audible outside the site boundary, shall take place on the site other than between the hours of 07:30 to 18:00 on Monday to Friday and 08:00 to 13:00 on Saturday and not at all on Sundays, Public or Bank Holidays without the prior written permission of the Local Planning Authority.

- 6 If any tree, shrub or hedge within the curtilage of the property is removed, uprooted or destroyed, dies, or becomes severely damaged or diseased during development activities or within 5 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. 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.

106. PLANNING APPLICATION - EPF/2990/21 17 HIGH ELMS, CHIGWELL IG7 6NF

APPLICATION No:	EPF/2990/21
SITE ADDRESS:	17 High Elms Chigwell IG7 6NF
PARISH:	Chigwell
APPLICANT:	Mrs. U. Chaudhary
DESCRIPTION OF PROPOSAL:	Single storey ground floor rear and side extensions.
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=659936

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 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, or those specified in the submitted application form.
- 3 The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans:
Existing Ground Floor Plan 17HE-STR01
Existing Elevations D05
Existing Elevations D06
Existing Roof Plan D04
Proposed Ground Floor Plan Showing Structure Above 17HE-STR02
Proposed Ground Floor Plan Showing Ground Beams and Piles 17HE-STR03
Proposed Sections 17HE-STR04
Proposed Elevations D07 REV1
Proposed Elevations D08

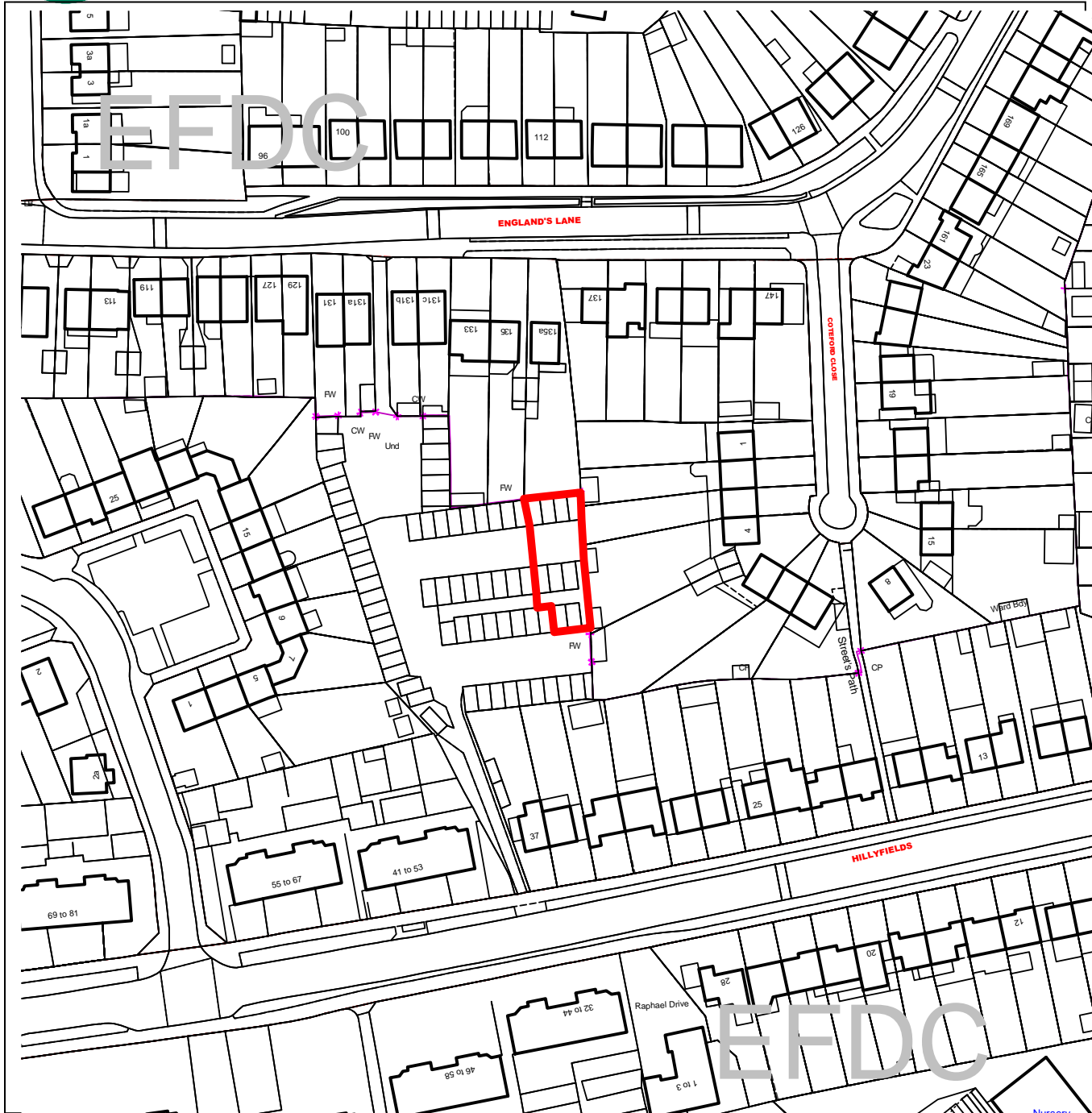
Proposed Roof Plan D03
Proposed Details 01 17HE-STR05
Proposed Details 02 17HE-STR06
Proposed Details 03 17HE-STR07
Site Location Plan D12
Tree Protection Plan MWA TPP 01
Soft Landscaping Plan MWA SLP 01

- 4 Soft landscaping shall be implemented as shown on MWA Arboriculture 'Soft landscaping scheme' drawing reference MWA SLP 01 (dated 8th November 2021); and the accompanying planting schedule. The works shall be carried out prior to the occupation of the building or completion of the development. 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.
- 5 If any tree, shrub or hedge shown to be retained in the submitted Arboricultural reports is removed, uprooted or destroyed, dies, or becomes severely damaged or diseased during development activities or within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.
- 6 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.
- 7 No preliminary ground works shall take place until foundation details have been submitted to the Local Planning Authority and approved in writing. The foundations shall consist of piles and an above ground beam design. Drawings submitted shall include cross sectional detail of pile and beam join and the location of piles in plan form. The development shall be carried out only in accordance with the approved documents.

CHAIRMAN



Epping Forest District Council



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Application Number:	EPF/1586/21
Site Name:	Highgrove Close Formerly land to the rear of 33-37 Hillyfields, Loughton IG10 2PT
Scale of Plot:	1:1250

Report Item No: 9

APPLICATION No:	EPF/1586/21
SITE ADDRESS:	Highgrove Close Formerly land to the rear of 33-37 Hillyfields Loughton IG10 2PT
PARISH:	Loughton
WARD:	Loughton Fairmead Loughton St Johns
APPLICANT:	Mr S Tappenden
DESCRIPTION OF PROPOSAL:	Construction of a 4 bedroom two storey dwelling with associated parking and landscaping.
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=653453

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: site location plan, site layout plan and building plans and elevation drawing
- 3 Tree protection shall be implemented prior to the commencement of development activities (including demolition), and the methodology for development (including supervision) shall be undertaken in accordance with the submitted Tree Survey/ Arboricultural Method Statement reports and Tree protection shall be installed as shown on Sharon Hosegood Associates drawing number SHA.1103.TPP dated 23rd November 2019.
- 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 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.
- 7 Prior to any above ground works, full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) shall be submitted to and approved in writing by the Local Planning Authority. 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.

- 8 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.
- 9 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those in the existing buildings in Highgrove Close.
- 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 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.
- 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 parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents and visitors vehicles.
- 14 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any other order revoking and re-enacting that order) no development permitted by virtue of Class A-E of Part 1 to schedule 2 shall be undertaken, without the prior written agreement of the Local Planning Authority.
- 15 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 east facing flank elevations, without the prior written agreement of the Local Planning Authority.

And subject to the completion of a s106 legal agreement to secure contributions to mitigate impact on the Epping Forest Special Area of Conservation comprising £352 in relation to recreational impact £335 in relation to air quality impact, plus 5% monitoring fee of £34.35.

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)).

Additional comments:

The application was previously put forward to Area Planning Sub-Committee South on 02 March 2022, however, it was deferred for a Site Visit. This has been arranged for 26 March 2022.

Description of Site:

The application site comprises around 0.21 hectares within what is now known as Highgrove Close, to the north of Hillyfields. Redevelopment of the site as a terrace of seven houses is complete and the development is occupied.

The site is primarily surrounded by residential properties and there is a separate block of garages immediately to the north accessed from England's Lane constructed with a significantly higher finished ground level; there is no link between the two areas. Otherwise surrounding properties are a mix of two storey houses and three storey flats, particularly on Hillyfields.

The site entrance lies close to a bus stop. Land at the site and in the surrounding area rises from south to north such that a change of existing built levels is clearly visible.

Description of Proposal:

The application is a resubmission of a scheme for an additional dwelling on land to the east of the built units, comprising of a two storey, double fronted L-shaped 4 bed house with rear garden. Main openings are to the front and rear, a ground floor side door facing east is included to dual aspect rear kitchen. The building includes a hipped roof on the east side, abutting Coteford Close.

Three additional parking spaces are indicated at the eastern end of parking court in front of the dwelling increasing parking overall to 17. No other alterations to external layout are proposed

Relevant History:

- EPF/0513/16 Proposed demolition of existing garages and erection of 8 no. dwellings (6 x three beds and 2 x two beds), with associated access and parking – Refused due to impact of a detached dwelling on the east site boundary having a disproportionate impact on neighbouring occupiers
- EPF/2913/16 Revised application as above, proposing seven dwellings (5 x three bed and 2 x two bed) - Approved subject to conditions and implemented
- EPF/3512/17 Revised scheme for 9 units (7 no. three bed houses and 2 no. two bed houses) and associated parking refused – appeal dismissed on overshadowing within development.
- EPF/2205/19 Variation of plan numbers approval for revised built form to the terrace, introducing a stepped roof line – approved
- EPF/2561/19 Proposed 4 bedroom two storey dwelling – refused, appeal dismissed on impact on EFSAC (see Main Issues below)

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 Quality of rural and built environment
- CP6 Achieving sustainable Durban development patterns
- CP7 Urban form and quality
- RP5A Adverse environmental impacts
- H2A Previously developed land
- DBE1 Design of new buildings
- DBE2 Effect on neighbouring properties
- DBE3 Design in urban areas
- DBE5 Design and layout of new development
- DBE8 Private amenity space
- DBE9 Loss of amenity
- LL11 Landscaping schemes
- ST2 Accessible development
- ST4 Road safety
- ST5 Travel plans
- 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 – 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
SP6	Green Belt and District Open Land
SP7	The Natural Environment, landscape character and green infrastructure
T1	Sustainable transport choices
DM1	Habitat protection and improving biodiversity
DM2	Epping Forest SAC and Lee Valley SPA
DM3	Landscape Character, Ancient Landscapes and Geodiversity
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: 14
 Site notice posted: No, not required
 Responses received: Responses have been received from 3 neighbours. Residents at 3 and 4 COTEFORD CLOSE object on a range of issues covering:

- over intensive development
- direct amenity impacts – overbearing appearance, sense of enclosure, loss of light to gardens and overlooking
- impact on willow tree in rear garden of no.3
- impact on existing wildlife and protected species

Resident at 4 COTEFORD CLOSE has commented that boundary fences should not be less than 1.8m high (as has been installed) and the additional parking should be constructed to prevent slippage into adjoining gardens.

The LOUGHTON RESIDENTS ASSOCIATION Plans Group have also objected on grounds that the development would adversely affect the EFSAC in terms of recreational pressure and air quality impact from additional vehicle movements.

Parish Council: Loughton Town Council OBJECTED to the application, commenting as under:

The Committee OBJECTED to this application stating it was an overdevelopment of the site which would be overbearing on the amenity of residents in neighbouring properties on both Coteford Close and Highgrove Close.

Members requested that the soft landscaping on the site of this proposal, which was conditioned in the approved application EPF/2193/16 should be enforced.

The Committee drew the attention of the Tree and Landscaping Officer to the Arboricultural Report submitted for this application which it believed was incorrect and that the proposed development would negatively impact the willow tree in the garden of the neighbour at 3 Coteford Close.

Furthermore, the additional property was contrary to the SAC and would result in more car pollution and a subsequent impact on the air quality to the SAC. This proposal 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) in 2025 is not guaranteed to happen and has not yet been approved by the Planning Inspector. In any event the proposal does not stop additional cars associated with new dwellings from polluting the SAC before the CAZ is brought into operation

Main Issues and Considerations:

As set out above, the application amounts to a resubmission of the scheme refused under EPF/2561/19, which was dismissed at appeal. There have been no substantial changes in local conditions since then that would specifically affect the consideration of the application. In broad policy terms, there have been limited changes to the NPPF and the LPSV has reached a more advanced stage giving greater weight. Thus, the previous reason for refusal and the Inspectors decision must form the starting point of this assessment.

The previous application was refused for the following reason:

The proposed dwelling, by reason of the scale and siting adjacent to the rear garden boundaries of properties in Coteford Close, and the loss of soft landscaping as a result of the increased provision of parking spaces, would appear excessively overbearing and dominant when seen from those gardens, causing an unacceptable degree of harm to the living conditions of adjoining residents. Accordingly, the proposal is contrary to policies DBE2 and DBE9 of the adopted Local Plan and Alterations, policies DM9 and DM10 of the Local Plan Submission Version (2017), and with the National Planning Policy Framework.

At the appeal, the Council introduced additional grounds relating to the impact of the development on the EFSAC.

The Inspector considered the three key issues to be the impact of development on the integrity of the EFSAC, the effect on the living conditions of adjoining residents, and whether the increase in parking provision would increase reliance on journeys by private motor vehicle.

Impact on EFSAC – The Inspector accepted the submissions in this regard concluding that with no mitigation measures in place, the proposal would adversely affect the EFSAC.

Living conditions of neighbours – The Inspector recognised the change in levels between the site and properties in Coteford Close but considered the building not excessive in scale, had no first floor windows in the east elevation and was set well away from the buildings which had lengthy gardens. The Inspector concluded ‘*I have not therefore identified any significant harm to the living conditions of adjoining residents*’ and that the loss of landscaping to provide additional parking spaces would not conflict with policies as the site was ‘*tucked away to the rear of Hillyfields and not widely publicly visible..*’ The application has been amended from the appeal scheme in that the gable end abutting properties in Coteford Close has been replaced by a hipped end, designed to reduce further the scale adjacent to this boundary.

Vehicle parking – The Inspector found that overall parking levels would be consistent with Essex Parking Standards and would not be an over provision and did not therefore conflict with relevant policies.

The Inspector concludes:

While I have not identified any significant harm in relation to the living conditions of adjoining residents and car parking provision, the proposal would be likely to adversely affect the integrity of the Epping Forest Special Area of Conservation. I am required to afford significant weight to this matter. The appeal should therefore be dismissed.

Consultation responses raise similar issues, in particular around the matters relating to the relationship with neighbouring properties. A number of comments relate to potential impact on the willow tree in the adjoining garden, but this was not previously considered a reason to refuse the application. Notwithstanding the Parish Council comments in this regard, the detailed Arboricultural Assessment accompanying the application states that only around 5.5% of the root protection area is impacted by the proposal and that this area was previously occupied by a garage. This is not disputed by the Tree Officer subject to a suitable tree protection condition being included.

This leaves only the issue of the impact on the EFSAC. The site lies within the core area and the developers have accepted that a contribution towards mitigation measures for recreational impacts is appropriate. The application is accompanied by a site specific Habitat Regulations Assessment which acknowledges that the development will have a minor impact on air quality and that mitigation measures are appropriate. On this basis, officers have undertaken an Appropriate Assessment 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 Loughton/Buckhurst Hill/Theydon Bois (delete as appropriate). 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.

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.

A draft unilateral undertaking relating to air pollution mitigation, recreational mitigation and 55 monitoring fee has been submitted and is currently under review.

Conclusion:

The appeal decision is the key consideration in the determination of this application. The Inspector, having regard to all material considerations (including the LPSV considered the development of itself to be acceptable, this is essentially the same proposal.

The applicants have confirmed their willingness to enter a suitable legal agreement to address contributions towards mitigating impacts on the EFSAC in terms of recreational pressure and air quality and those contributions are fully in line with current requirements.

Thus, officers recommend that the application be approved subject to appropriate conditions and a suitably worded legal agreement.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm 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



Epping Forest District Council



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Application Number:	EPF/2298/21
Site Name:	Garages to the rear of 2-12 Station Way, Station Way, Buckhurst Hill IG9 6LN
Scale of Plot:	1:1250

Report Item No: 10

APPLICATION No:	EPF/2298/21
SITE ADDRESS:	Garages to the rear of 2-12 Station Way Station Way Buckhurst Hill IG9 6LN
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill East
APPLICANT:	Mr Atkinson
DESCRIPTION OF PROPOSAL:	Proposed development of 4 two storey terraced houses - Proposed 4 new car parking spaces - Proposed landscaped access way
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=656635

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:
1037-CYA-AA-OO -DR-A-02100 Rev J
1037-CYA-AA-00 -DR-A-04100 Rev A
1037-CYA-AA-01 -DR-A- 02101 Rev I
1037-CYA-AA-0R -DR-A- 02102 Rev I
1037-CYA-AA-XX -DR-A- 01000 Rev B
1037-CYA-AA-XX -DR-A- 01100 Rev I
1037-CYA-AA-ZZ -DR-A- 01001 Rev B
1037-CYA-AA-ZZ -DR-A- 01002 Rev A
1037-CYA-AA-ZZ -DR-A- 03100 Rev G
1037-CYA-AA-ZZ -DR-A- 03101 Rev H
1037-CYA-AA-ZZ -DR-A- 03102 Rev I
1037-CYA-AA-ZZ -DR-A- 03103 Rev I
CCL/10657/TPP

- 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 Tree protection shall be implemented prior to the commencement of development activities (including demolition), and the methodology for development (including supervision) shall be undertaken in accordance with the submitted Tree Survey/ Arboricultural Method Statement reports and Tree protection shall be installed as shown on Crown Arboricultural Consultants drawing number CCL 10657/TPP Rev 1 dated 13th August 2021 unless the Local Planning Authority gives its prior written approval to any alterations through an appropriate application.
- 5 The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground), have been submitted to and approved in writing by the local planning authority which:
 - provide demolition and construction details including foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent). Consultation with the developer/contractor will be required prior to RAMS being written. Full review and agreement with those RAMS with TfL engineers is required
 - provide details on the use of tall plant/scaffolding e.g. piling rigs, mobile cranes etc.
 - accommodate the location of the existing London Underground structures - No glare or glint to be thrown onto the railway from the proposed development
 - demonstrate access to elevations of the building adjacent to the property boundary with London Underground can be undertaken without recourse to entering our land
 - demonstrate that there will at no time be any potential security risk to our railway, property or structures
 - full review and agreement with any landscaping
 - mitigate the effects of noise and vibration arising from the adjoining operations within the structures - Agreement not to object any noise or vibration or other issues experienced due to London Underground's running and maintaining of a safe operational railway

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

- 6 Prior to preliminary ground works taking place, details of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and shall be provided on site prior to the first occupation and shall be retained for the lifetime of the development.
- 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). 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 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.
- 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.

- 10 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.
- 11 Prior to the commencement of the development other than ground works, full details of the cycle store shall be submitted to and approved by the Local Planning Authority. The approved facilities shall be provided prior to the first occupation of the development.
- 12 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.
- 13 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.
- 14 All material excavated from the below ground works hereby approved shall be removed from the site.
- 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 Prior to the first occupation of the development the access arrangements, vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The access, parking and turning areas shall be retained in perpetuity for their intended purpose.
- 17 The refuse stores shown on the approved plans shall be constructed and available for use by residents prior to the first occupation of the development. The refuse stores shall thereafter be retained for the stated purpose.
- 18 Prior to the first occupation of the dwellings hereby permitted the windows at first floor level shown on the approved plans as being fitted with obscure glazing, 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.
- 19 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any other order revoking and re-enacting that order) no development permitted by virtue of Class A, B, C and E of Part 1 to Schedule 2 shall be undertaken, without the prior written agreement of the Local Planning Authority.

AND subject to a suitably worded legal agreement to secure contribution of £1408 (4 x £352) to mitigate recreational impact on the EFSAC, and monitoring fee of 5% (£70.40).

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

Description of Site:

The application site comprises an area of 24 garages within a site of around 730 sq.m. accessed from Station Way. The eastern end of the site abuts Buckhurst Way where an established landscape area screens the site, no access is available from this direction.

The site access lies between 10/12 Station Way, part of a terrace of purpose built flats and a house at no.14. all buildings being two storey. The entrance faces the flank of The Monkams Public House. The site backs onto the Underground railway which is elevated at this point just east of Roding Valley Station.

Description of Proposal:

The application proposes demolition of the existing garages and replacement with four dwellings. The mews style block comprises two storeys with off-centre pitched roofs running front to rear and gable ends, each property consists of two bedrooms, built predominantly in brick.

Each dwelling has a private amenity area at the rear of around 27.5 sq.m. The shared frontage includes landscaping, refuse and cycle stores and one parking space for each dwelling is provided at the western end of the site accessed from a turning area of a minimum 8m diameter.

The application is supported by a number of documents including Arboricultural Report, SuDs report, Habitat Regulations Screening Report, Preliminary Ecological Assessment, Daylight and Sunlight Assessment, Energy Statement and Phase 1 Contaminated Land Report.

Relevant History:

None

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 Quality of rural and built environment
- CP6 Achieving sustainable urban development patterns
- CP7 Urban form and quality
- RP5A Adverse environmental impacts
- H2A Previously developed land

- DBE1 Design of new buildings
- DBE2 Effect on neighbouring properties
- DBE3 Design in urban areas
- DBE5 Design and layout of new development
- DBE8 Private amenity space
- DBE9 Loss of amenity
- LL11 Landscaping schemes
- ST2 Accessible development
- ST4 Road safety
- ST5 Travel plans
- 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
SP7	The Natural Environment, landscape character and green infrastructure
T1	Sustainable transport choices
T2	Safeguarding of routes and facilities
DM1	Habitat protection and improving biodiversity
DM2	Epping Forest SAC and Lee Valley SPA
DM3	Landscape Character, Ancient Landscapes and Geodiversity
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: 19
Site notice posted: No, not required
Responses received: Three responses received from neighbours, as under;
2 STATION WAY – concerned at direct impacts in terms of loss of privacy, light and outlook, potential noise disturbance, impact on wildlife and potential congestion.
22 STATION WAY – concerned at increased traffic
29 LUCTONS AVENUE – the owner of the garage at the rear of 10 / 12 Station Way advised an error on the original site plan that included his building in the site. This issue has been resolved.

Parish Council: Buckhurst Hill Parish Council's objection raises the following concerns:

- Daylight / sunlight report not Building Regulations compliant
- Overlooking of neighbours
- Access road not suitable for emergency vehicles
- Building too close to neighbours
- Displacement of parking
- Cramped development
- Loss of light to existing ground floor units
- Does not meet '25 metre' rule of adjoining properties

Main Issues and Considerations:

Whether the garages were originally built to serve the adjoining dwellings is unclear, but it is evident that any connection has long been severed. The applicants have supplied a tenants list that indicates only four garages are let to those with an IG9 postcode. Most of the garages also appear to be used primarily for storage – a movement survey was undertaken in October 2021 over 9 days which showed visits to the site included 2 on foot (to the same garage) and 3 by car with the remainder by small commercial vehicles. None of these movements involved vehicles being taken into or out of garages. This appears consistent with the submission that the garages are dated and do not meet the needs for many modern vehicles and are used for storage purposes, a use pattern that is similar to other such sites of this nature within the District.

This indicates that the loss of garaging has little local parking implication as it will not result in displacement of vehicles into the surrounding area. As a result, national and local policy would support the redevelopment of the site for residential use.

The design of the development has evolved through a number of stages having regard to the constraints of the site in terms of the adjoining railway embankment, the relationship with adjoining properties and the broad site constraints. The dwellings are designed as a terrace with connecting off centre pitched roofs running front to rear, thereby reducing the ridge height compared a conventional pitched roof spanning the deeper front to back. Windows in the front elevation are first floor are limited to bathrooms and bedrooms in the centre units with partial obscure glazing to reduce the perception of overlooking in both directions, bedroom windows to the end units are located in the side elevations. Recessed brick panels are introduced in the front elevation at first floor as design features to break up the mass. Landscaping beds are introduced to the frontage on either side of the access walkway, breaking up the frontage and allowing a degree of screen planting to be introduced on the boundary with properties in Station Way. Each dwelling has a private garden space to the rear, parking is provided at one space per unit at the western end of

the site with a turning area to appropriate standards and provision of bin and cycle stores. Officers consider the design to be well considered and makes efficient use of the land available.

The site does lie in a backland position, and development will require some compromises. Adjacent residential properties in Station Way comprise purpose-built flats with rear gardens. The buildings are set around 5m from the common boundary, and the shorter rear gardens to 2 / 4 Station Way are around 7m deep (other gardens are deeper). With the low roof profile, the buildings will not cause significant overshadowing to habitable rooms. Overlooking concerns are addressed by the style and location of windows on the facing elevation which comprises mostly bathrooms, and two bedrooms which can be partially screened. It is not disputed that the development will have a visual impact simply from the construction of a two storey building where only single storey structures currently exist, but taking account of the above considerations and the introduction of landscaping to the boundary, officers do not consider this relationship to be unduly enclosive or harmful.

The parking and access arrangements to the site have been revised in line with Highway Authority comments. The scheme now proposes an 8m clear turning circle free of obstruction, and parking spaces to current standards of 5.5m deep and 2.9m wide. The access road is confirmed as being wide enough for emergency and service vehicles to access.

The site lies within the core Epping Forest SAC area. The application has been assessed in terms of both recreational pressure and air quality impact. The application acknowledges the impact on the protected area in respect of recreational pressure and appropriate contributions can assist in mitigating this impact.

In terms of air quality, it is noted that the garages are used without restrictions on the character of their use or the vehicles that visit them. The movement survey indicates most visits are by van and that there is a regular flow of vehicle movements as a result. The net reduction in vehicle movements, arising from the site accommodating only 4 vehicle spaces, will it is submitted result in a net reduction in vehicle movements.

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 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 would not 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 recreational pressures but would not have a likely significant effect in relation to atmospheric pollution.

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 recreational pressures.

Stage 2: 'Appropriate Assessment'

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.

Appropriate Assessment Conclusion

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

Conclusion:

It is evident that the garages no longer perform a local parking function, there are no overriding planning reasons to support their retention for the existing storage uses. As a result, national and local policy would support redevelopment for residential purposes.

The scheme proposes a mews style development which considers the relationship with the adjoining dwellings – the buildings have been kept to a minimum height, sited away from the common boundary and windows in the front elevation facing adjoining gardens have been minimised. The internal accommodation meets national prescribed space standards and an area of private space is provided for each dwelling. In this accessible location, one parking space is provided for each dwelling within a courtyard which has turning space to the highway authority requirement.

The development has been assessed in relation to its relationship with the EFSAC and a net reduction in vehicle movements is envisaged. Thus, should permission be granted as recommended, this should be subject to the conditions set out and to a legal agreement to secure appropriate contribution to mitigate recreational impact on the protected area.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm 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

Report Item No: 11

APPLICATION No:	EPF/2374/21
SITE ADDRESS:	20 Goldings Rise Loughton IG10 2QP
PARISH:	Loughton
WARD:	Loughton St Johns
APPLICANT:	Mr Gokcek
DESCRIPTION OF PROPOSAL:	Proposed remodelling of existing facade using existing levels and roof remodelling to adapt proposed hip to gable style roof 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=656955

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 BD-191101 A; Location Plan BD-191102 A; Existing Floor Plans BD-191101 A; Proposed Floor Plans BD-191102 A; Existing Roof Plan BD-191103 A; Proposed Roof Plan BD-191104 B; Existing Front Elevation BD-191105 A; BD-191106 A; Existing Front Elevation BD-191109 A; Proposed Front Elevation BD-191107 B; BD-191108 B; Existing Rear Elevation BD-191109 A; Proposed Rear Elevation BD-191110 B; Existing Side Elevation BD-191111 A; Proposed Side Elevation BD-191112 B; Existing Section BD-191113 A; Proposed Section BD-191114 A
- 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 extension hereby permitted the windows in the flank elevations at first floor level and above, shall have been fitted with obscure glass with a minimum privacy level 3 obscurity, and no part of those windows that is less than 1.7 metres above the internal floor level of the room in which it is installed shall be capable of being opened. Once installed the obscure glass shall be retained thereafter.

- 5 No deliveries, external running of plant and equipment or demolition and construction works, other than internal works not audible outside the site boundary, shall take place on the site other than between the hours of 07:30 to 18:00 on Monday to Friday and 08:00 to 13:00 on Saturday and not at all on Sundays, Public or Bank Holidays without the prior written permission of the Local Planning Authority.

This application is before this committee since the recommendation is for approval contrary to an objection from a Local Council which is material to the planning merits of the proposal, supported by 1 local resident (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council)

Description of Site:

20 Goldings Rise is a two-storey detached property, with an attached single garage. It has a driveway and garden to the front and a long garden to the rear, which slopes steeply away from the main dwelling. Goldings Rise is a T-shaped cul-de-sac which runs uphill from Goldings Road below; 20 Goldings Rise lies near the top of the hill. Properties on Goldings Rise are of varied character and appearance. For example, numbers 18, 17, 16 and 15, which lie opposite number 20, are all visibly different to each other in architectural style and finish. Number 21, the next-door property, has a large dormer window at roof level to the rear. 20 Goldings Rise is situated in a built-up part of Loughton, it is not a listed building and it does not lie in a conservation area.

Description of Proposal:

The proposal is for the remodelling of the existing facade using existing levels, and roof remodelling to include a hip-to-gable style roof extension. The roof extension would also include a rear dormer. The proposed primary elevation will feature a new front entrance as well as new fenestration and render. The façade will be articulated with a central element built in brick and topped with a small forward-facing gable end.

Relevant Planning History:

No relevant planning history.

It is noted that the applicant applied for pre-application advice for this proposal (EF\2021\ENQ\00354). This pre-application submission was broadly supported and overall, it is considered that the applicants have followed the advice that they received from officers.

Development Plan Context:

Local Plan and Alterations 1998 & 2006 (LP)

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

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

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

LL7 Planting, Protection and Care of Trees
LL10 Adequacy for the Provision of Landscape Retention

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, 134

Epping Forest District Local Plan Submission Version 2017 (LPSV)

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

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

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

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

As the preparation of the emerging Local Plan has reached a very advanced stage, subject to the Inspector's Advice regarding the need for additional MMs, significant weight should be accorded to

LPSV policies in accordance with paragraph 48 of Framework. The following table lists the LPSV policies relevant to the determination of this application and officers' recommendation regarding the weight to be accorded to each policy.

Policy	Weight afforded
SP1 Presumption in Favour of Sustainable Development	Significant
DM1 Habitat Protection and Improving Biodiversity	Significant
DM5 Green and Blue Infrastructure	Significant
DM9 High Quality Design	Significant
DM10 Housing Design and Quality	Significant

Consultation Carried Out and Summary of Representations Received:

Seven neighbours were consulted, and a further reconsultation was carried out following the submission of amended plans.

Oak Tree Cottage, Goldings Hill, have objected based on concerns about loss of privacy and overlooking from the proposed rear dormer windows.

Loughton Town Council originally objected to this application, *'on the grounds that the rear roof extension was too bulky, making it appear too large and clumsy'*. They state that, *'it needs to be subservient to the main building and read as a proper dormer. As such it should be reduced in size. The poor example at No 21 should not be used to justify another one in this location. Members expressed concern that this overbearing proposal would have on the neighbours; and with the site being so close to the forest, for the negative impact the extensive glazing at the rear of the property would have on insects and animals caused by light pollution.'*

Following reconsultation, the Town Council considered the amended plans but did not feel that these addressed their concerns and therefore continue to object.

Loughton Residents Association Plans Group object to this application. They state, *'The rear roof extension has too much bulk, making it appear too large and clumsy. It needs to be subservient to the main building and read as a proper dormer. As such it needs to be reduced in size. We do not consider the poor example at No 21 should be used to justify another one in this location.'*

Issues and 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

Given the variety of building styles in the locality, officers consider that the proposed façade alterations are of acceptable character and appearance in this location. The articulated central brick element ensures that the building is not entirely finished in white render, which is considered to be a positive design choice. To a degree, this central brick feature provides some stylistic connection back to the character and appearance of the existing building, which is not rendered and has a brick exterior. Following concerns raised by Planning Officer, the glazing has been removed from the front gable projection in order to simplify this element of the proposal.

Officers consider that there is some validity to Loughton Town Council's comments that the rear dormer appears somewhat bulky, and as a result amendments were sought reducing the scale of the dormer. This is now set away from the edge of the roof by 280mm each side and set down

from the ridge by 300mm. It is considered that this additional inseting of the dormer reduces its overall bulk and dominance within the roofslope, particularly when taking into consideration the large dormer on the neighbouring property at 21 Goldings Hill.

Living conditions of neighbours and existing occupiers

Flank windows are to be obscure glazed and the existing separation to the boundary with neighbours is to be maintained on each side. The amount of glazing proposed in the dormer appears reasonable, and no Juliet balcony is proposed. Measuring the submitted location plan, there are circa 18 metres from the back of the proposed development to the back of the garden. This is a built-up area and given the hill, some degree of overlooking between properties is to be expected. Again, it is noted that there is a dormer window featuring a significant amount of glazing at the next-door property. Officers do not believe that the proposed dormer would result in loss of privacy that would be damaging to the living conditions of neighbours, including those at Oak Tree Cottage.

Conclusion

Given the points raised above and the amendments made to the original submission, it is recommended that planning permission is granted subject to conditions.

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

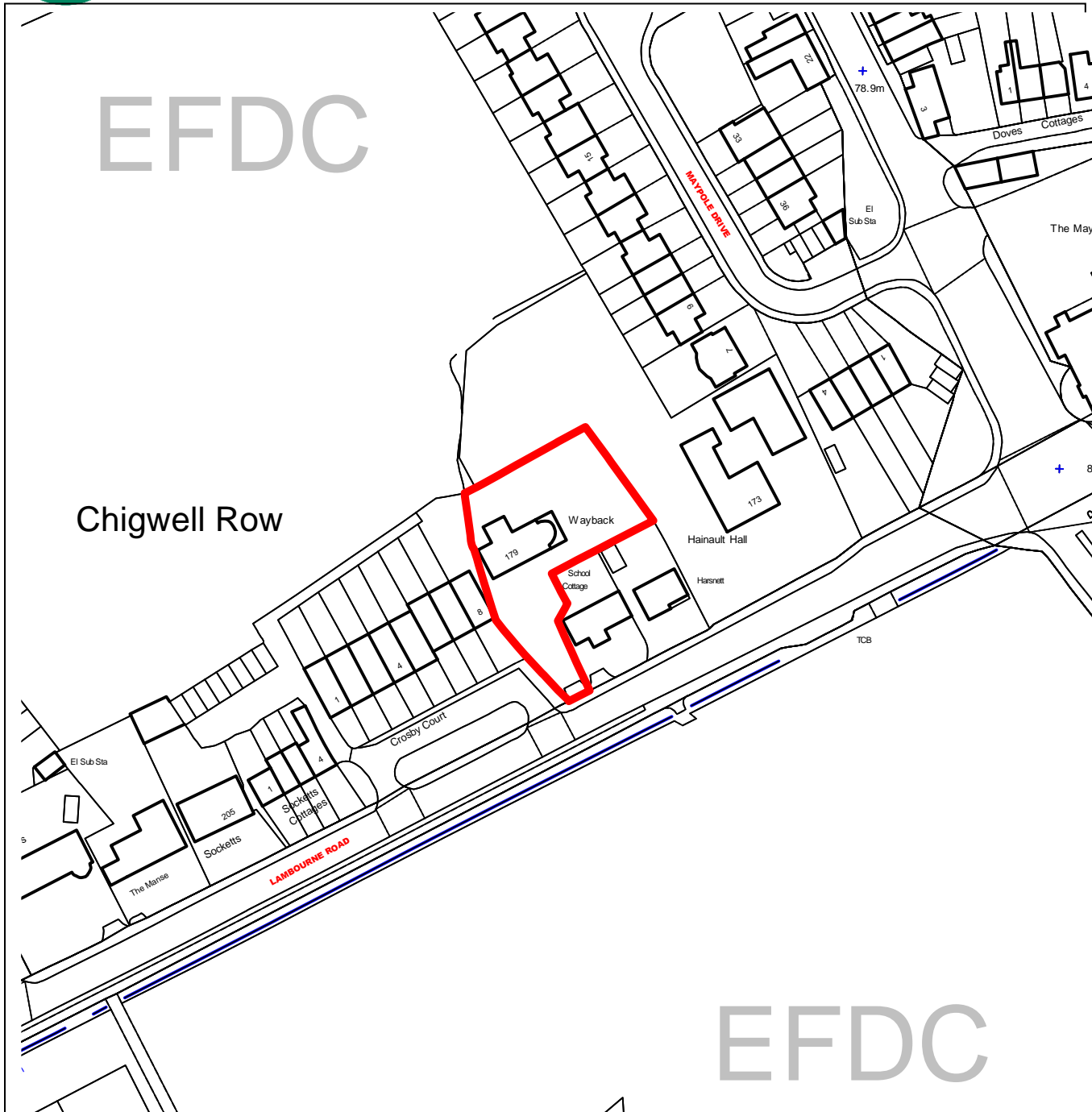
Planning Application Case Officer: Graham Courtney

Direct email: gcourtney@eppingforestdc.gov.uk

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/2607/21
Site Name:	Wayback, 179 Lambourne Road Chigwell., IG7 6JU
Scale of Plot:	1:1250

Report Item No: 12

APPLICATION No:	EPF/2607/21
SITE ADDRESS:	Wayback 179 Lambourne Road Chigwell IG7 6JU
PARISH:	Chigwell
WARD:	Chigwell Row
APPLICANT:	Mr Amarjeet Whaid
DESCRIPTION OF PROPOSAL:	Demolition of existing dwelling and erection of replacement dwelling and ancillary garden outbuilding.
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=658134

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: L9523, P-000, P-001, P-002, P-003, P-004, P-005 Rev P01, P-006 Rev P01, P-007 Rev P01, P-008 Rev P01, P-009 Rev P01, P-010 Rev P01, P-011 Rev P01, and P-012 Rev P01.
- 3 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.
- 4 Tree protection shall be installed as shown on Tim Moya Associates 'Tree protection for demolition' drawing number 191109-P-12 and 'Tree protection for construction' drawing number 191109-P-13 (both dated December 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.
- 5 Prior to any above ground works, full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) shall be submitted to and approved in writing by the Local Planning Authority. 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.

- 6 The development hereby permitted shall be carried out in accordance with the details set out in chapters 8 & 9 of the Preliminary Ecological Appraisal by Tim Moya Associates (dated January 2020). The scheme shall be implemented in full prior to the occupation of the development hereby approved, and so retained.
- 7 Prior to first occupation of the development, measures shall be incorporated within the development to ensure a water efficiency standard of 110 litres (or less) per person per day.
- 8 Prior to first occupation of the building hereby permitted the windows in the flank elevation (facing Crosby Court) 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.
- 9 Prior to first occupation of the development hereby approved, 1 Electric Vehicle Charging Point shall be installed and retained thereafter for use by the occupants of the site.
- 10 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those specified on the approved plans.
- 11 If any tree, shrub or hedge shown to be retained in the submitted Arboricultural reports is removed, uprooted or destroyed, dies, or becomes severely damaged or diseased during development activities or within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.
- 12 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.
- 13 The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site. Should any discoloured or odorous soils be encountered during development works or should any hazardous materials or significant quantities of non-soil forming materials be found, then all development works should be stopped, the local planning authority contacted and a scheme to investigate the risks and/or the adoption of any required remedial measures be

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

- 14 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed and utilised to clean vehicles immediately before leaving the site. Any mud or other material deposited on nearby roads as a result of the development shall be removed.
- 15 No deliveries, external running of plant and equipment or demolition and construction works, other than internal works not audible outside the site boundary, shall take place on the site other than between the hours of 07:30 to 18:00 on Monday to Friday and 08:00 to 13:00 on Saturday and not at all on Sundays, Public or Bank Holidays.
- 16 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, C, D & E of Part 1 to schedule 2 shall be undertaken, without the prior written agreement of the Local Planning Authority.

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

Site and Surroundings

The site comprises of a large detached chalet style bungalow situated within the semi-rural area of Chigwell Row. It is not listed, nor within a conservation area or the Green Belt.

Proposal

The proposal is for a replacement dwelling.

The scheme was amended since its initial submission and all relevant parties were reconsulted on the changes.

Too add, this is an amended scheme to that allowed on appeal under EPF/2946/19, with the main changes as follows;

1. The proposal would be sited in the similar position as the existing building;
2. Reduced in scale, bulk and massing;
3. Modern design;
4. Removal of 3 bay garage; and
5. New Outbuilding.

Relevant Planning History

EPF/2946/19 - Proposed demolition of an existing dwelling & erection of a replacement dwelling – Allowed on Appeal

EPF/2929/20 - Application for approval of details reserved by condition 4 'Construction Method Statement' on planning application EPF/2946/19 – Details Approved

EPF/3034/20 - Application for Approval of Details Reserved by Conditions 7"risks posed by any contamination", 8"remediation scheme" & 9" Phase II report" for EPF/2946/19 – Details Approved

EPF/0155/21 - Application for Approval of Details Reserved by conditions 3 `Types and colours of external finishes' & 13 `landscaping' for EPF/2946/19. (Demolition of existing dwelling and erection of replacement dwelling) – Details Partially Approved

EPF/0246/21 - Demolition of existing dwelling and erection of replacement dwelling (Amended application to EPF/2946/19 Allowed on Appeal) – Withdrawn by Applicant

Pre-app - EF\2021\ENQ\00760 - Replacement dwelling (Amended scheme to EPF/2946/19)

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 and Quality
H4A	Dwelling Mix
DBE1	Design of New Buildings
DBE8	Private Amenity Space
DBE9	Loss of Amenity
ST4	Road Safety
ST6	Vehicle Parking
LL10	Adequacy of provision for landscape retention
LL11	Landscaping schemes

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
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 afforded to LPSV policies in accordance with paragraph 48 of Framework. The following policies below 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
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

Summary of Representations

Number of neighbours Consulted: 13.
 5 responses received
 Site notice posted: Yes

173 LAMBOURNE ROAD – Support

5, 6 & 8 CROSBY COURT, 177 LAMBOURNE ROAD - Objections - Summarised as:

- Overshadowing/Loss of light;
- Over-dominant; and
- Out of character/Unsuitable Development.

CHIGWELL PARISH COUNCIL – The Council OBJECTS to this application, because this proposal does not meet with the requirements stipulated in the EFDC Local Plan, Policy DM21. Further it fails to mitigate to a minimum, adverse environmental impacts and fails to align with the carbon emission reduction policies, which would protect the health and well-being of residents.

Planning Considerations

The main issues for consideration in this case are:

- a) Whether the loss of bungalow is justified;
- b) The impact on the character and appearance of the locality;
- c) Highway safety and parking provision;
- d) The impact to the living conditions of neighbours;
- e) Standard of Accommodation for future occupiers;
- f) Trees and landscaping; and
- g) The impact on the Epping Forest Special Area of Conservation.

Loss of Bungalow

The proposal would result in a loss of a chalet bungalow, however Members will note that the previous Inspector did not uphold this reason for refusal on the previous permission and this was subsequently granted consent. Since the previously approved scheme is extant, there would be insufficient grounds to refuse the application on this ground again.

Character and Appearance

Within the immediate surroundings, which is residential in nature, the properties vary in size and design. Other than Hainault Hall, a Grade II listed building, the remainder of the properties lack any significant architectural merit.

The proposed new dwelling would be a contemporary design. It would have large glazed feature gables with grey aluminium frames. It would be finished in Natural White Portland Stone with a grey slate tile roof. Whilst more modern in appearance to its surrounding neighbours, the proposal would represent a visually attractive solution adding to the overall quality of the area.

The proposed dwelling would be of a size and scale not out of keeping with the surrounding area, which contains a varied mix of one-and-a-half and two storey (and two-storey plus), detached and terraced dwellings. This includes larger, two storey detached properties similar to this proposal.

Therefore, the proposed development is not considered to have any adverse impacts upon the character and appearance of the street scene or the wider locality.

Living Conditions of Neighbouring Properties

The proposal would have no material impact to 8 Crosby Court in terms of harmful overlooking, loss of privacy, overshadowing, or overbearing and visual impact, that would warrant a reason for refusal. This is due to the existing relationship between the host house and 8 Crosby Court, the proposed separation distance from the common boundary, and the staggered set in at the first-floor level and above on the west elevation.

Whilst there are upper storey windows facing the rear garden of School Cottage, this would replace existing upper storey windows. This, along with the separation distance from the common boundary, the orientation of the host house facing southeast, and the scale of the proposed dwelling, would ensure that there would be little additional material harm to the residents of Harsnett and School Cottage situated to the front of the host house.

Standard of Accommodation

The proposed development would have sufficient internal and external amenity space for future occupiers of the proposed dwelling, in accordance with the National Described Spaced Standards as set out in Policy DM10 of the LPSV.

Highway safety and Parking Provision

The Highways officer has raised no objections and there is sufficient space to park multiple cars on the site, and no change is proposed to the existing vehicular access.

Trees and Landscaping

The Councils Tree Officer has raised no objections to the proposal, subject to the imposition of conditions as part of the consent.

Epping Forest SAC (EFSAC)

A replacement dwelling will not have an impact to the integrity of the EFSAC, as there will be no increase in recreational pressure and vehicle movements from the site compared to what can be achieved at present.

Other Considerations

With regards to the comments raised by the Parish, it is vague and unsubstantiated and has not led Officers to a different conclusion.

Conclusion

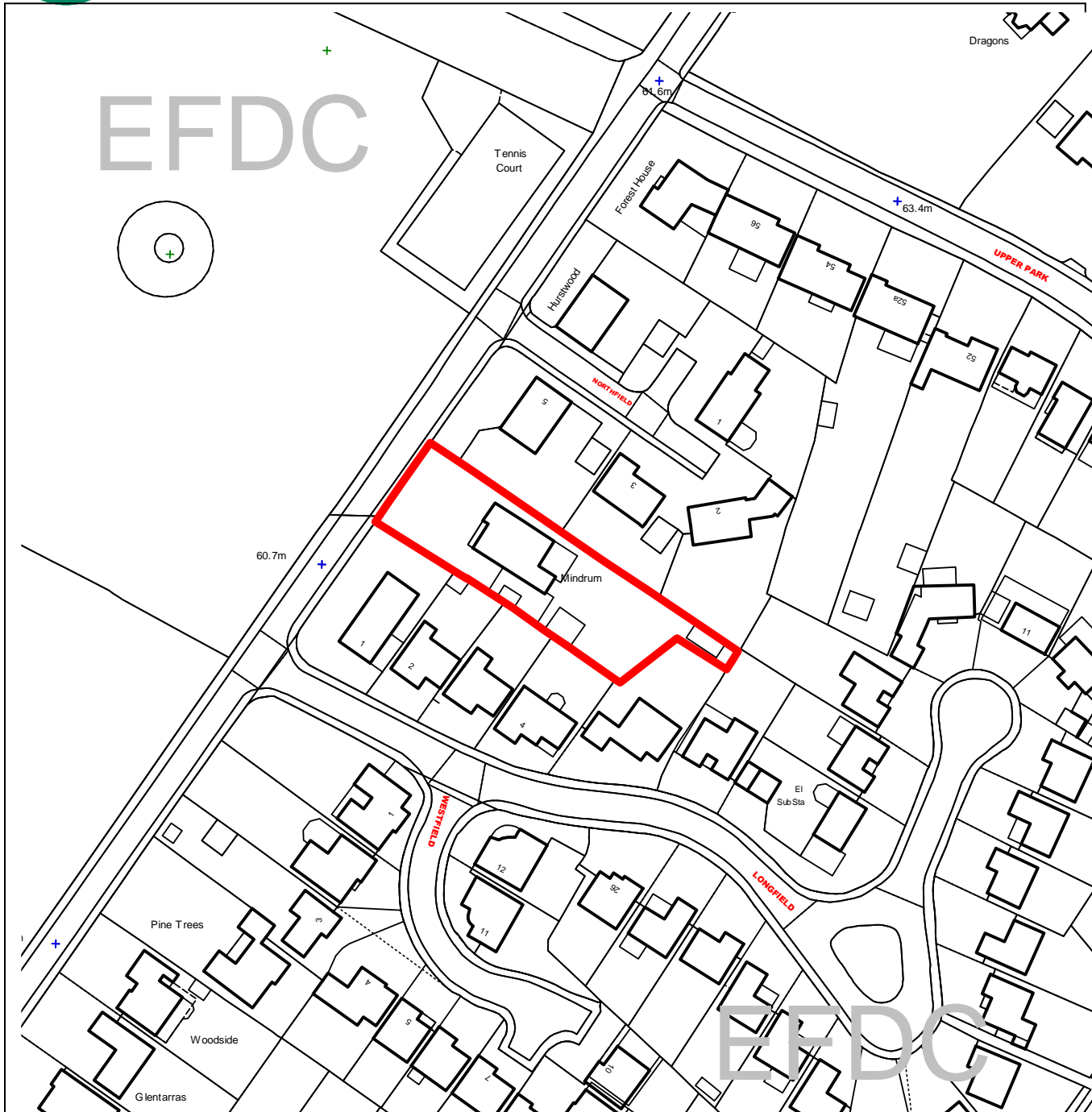
For the reasons set out above, having regard to all the matters raised, it is recommended that conditional planning permission be granted.

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 on 01992 564415 or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



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Application Number:	EPF/3283/21
Site Name:	Mindrum, Nursery Road Loughton, IG10 4EA
Scale of Plot:	1:1250

Report Item No: 13

APPLICATION No:	EPF/3283/21
SITE ADDRESS:	Mindrum Nursery Road Loughton IG10 4EA
PARISH:	Loughton
WARD:	Loughton Forest
APPLICANT:	Mr Dane Sparke
DESCRIPTION OF PROPOSAL:	Demolition of the existing conservatory, replace with single storey rear extension with minor actions to dormer windows.
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=661277

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: 389-EX-01; 389-EX-02; 389-EX-03; 389-PL-01; 389-PL-02; 389-PL-03; 389- PL-04; 389-PL-05;
- 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 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 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.
- 6 If any tree, shrub or hedge shown to be retained in the submitted Arboricultural reports is removed, uprooted or destroyed, dies, or becomes severely damaged or diseased during development activities or within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.

7 Tree protection shall be installed as shown on Moore Partners Ltd 'Tree Constraints and Protection Plan' drawing number 'MP/MIN/01 Rev A' (dated 3rd December 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.

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:

Description of Site:

Mindrum is a 2-storey double fronted detached dwellinghouse sited within a large, deep and wide plot which backs on to the rear gardens of several houses fronting onto Northfield and Longfield. The property is located to the east of Nursery Road which is residential in character with properties of varying design and sizes. Mindrum has an existing integral side garage and rear conservatory.

Description of Proposal:

The proposal seeks consent for the removal of the existing conservatory sited to the rear of the existing living room measuring a depth of 5.8m and replace it with a flat roof rear extension in a similar location with a rear canopy and bi-folding doors, the north flank projects to a depth of 4.1m with the central rear aspect extending an additional 1m to 5.1m to the rear of the existing kitchen at a height of 3.1m. Materials are white cladding and a green roof.

In addition, the existing front and rear gable dormer windows over the utility room and garage are to be slightly enlarged and altered to flat roof dormers with recessed balconies

Relevant History:

EPF/1466/21 - Conversion of a garage & erection of a single storey front porch. approved - 16/07/2021 - Not Implemented

EPF/1469/08 - Demolition of two dwellings and erection of three detached dwellings-Approved 02/10/08

Policies Applied:

DEVELOPMENT PLAN CONTEXT

Local Plan (1998) and Alterations (2006)

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

CP1- Achieving sustainable development objectives
CP2 - Protecting the quality of the rural and built environment
CP3 - New Development
DBE2 - Impact on Neighbouring Properties
DBE9 - Loss of Amenity
DBE10 - Residential Extensions

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.

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:

SP1 Presumption in Favour of Sustainable Development
DM9 High Quality Design
DM10 Housing Design and Quality.

Consultation Carried Out and Summary of Representations Received

LOUGHTON TOWN COUNCIL- OBJECTION

- The extension is not sympathetic in design and not subservient to the main dwellinghouse
- Overbearing and dominant

11 neighbour consultations were undertaken, and 1 objection has been received:

- Out of scale, visually intrusive and detract from the small scale of the existing development of the immediate area.
- loss of light.
- When viewed from Longfield (i.e. from the south-west side), the proposed dormer balconies will draw the eye and excessively dominate the view. This is partly due to the increased size, but mainly due to the strong contrast in appearance against the existing red roof tiles.
- Assuming that the inset nature of the balconies do not allow a view into neighbouring houses/gardens then, other than the choice/colour of materials used, I have no objection in principle to the existing dormer windows becoming balconies.

Main issues and Consideration:

The main issues to consider relate to: Character and Appearance and Impact on Residential Amenity.

Design and Character

The proposed extension is to replace an existing rear conservatory with a more modern, flat roof rear extension with a rear canopy and bi-folding doors. The new extension would project to a depth of 4.1m, with the central rear aspect extending an additional 1m to 5.1m. The proposal would be to a maximum height of 3.1m. Materials are white cladding and a green roof. The proposal is considered to be an acceptable proportional addition, appropriate in design, scale and siting.

The increase in size of the front and rear dormer windows over the utility room and garage are again of a more modern appearance, however would not be harmful to the overall appearance of the dwelling or character of the street scene. These would include recessed balconies, which again would be appropriate in their design

It is considered that the extension would not result in any harmful impact on the character or appearance of the property or surrounding area and is therefore acceptable complying with policy DBE9 and DBE10 of the Local Plan and Alterations, (1998-2006) and policy DM9 and DM10 of the Submission Version, 2017 and the National Planning Policy Framework, 2019 that seeks to ensure that development is of a high standard of design and layout.

Impact on Neighbouring Amenity:

Mindrum is sited within a large plot, set in 2.8m from the north boundary and 5m from the south boundary obscured by the existing side garage. The siting and separation distance of the proposed extension in relation to the adjoining properties and the additional dense boundary treatment would prevent any significant harmful impact on their amenity in terms of loss of light, outlook or overbearing impact. The proposed recessed nature of the front and rear dormer windows would prevent overlooking or a loss of privacy which is greater than what presently exists.

The objection from the Parish Council and neighbour are noted, however the proposed extension is not as high or deep as the existing rear conservatory which is to be removed, and its siting would prevent any demonstrable harm to the living conditions of neighbouring properties and accords with the requirements of policy DBE9 of the adopted Local Plan and policy DM9 of the Local Plan submission Version, 2017.

Trees and Landscaping

The Tree & Landscape Officer raises no objection subject to conditions to enable full consideration to the impact of the proposed development on existing trees/ hedges, so as to safeguard and enhance the visual amenities of the area and to ensure a satisfactory appearance to the development in accordance with policy LL10 of the adopted Local Plan 1998 & 2006, policies DM3 and DM5 of the Local Plan Submission Version 2017, and the NPPF 2021.

Conclusion

The proposed extension is considered of an appropriate design and scale that is in keeping with the character and appearance of the dwellinghouse and maintains an acceptable level of amenity to adjoining properties and is supported by the relevant policies of the adopted Local Plan and Alterations (1998 - 2006), and of the Local Plan (Submission Version), 2017 and, the guidance as set out in the National Planning Policy Framework, 2021. In the light of the above considerations it is recommended that planning permission is approve subject to conditions.

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

Planning Application Case Officer: Caroline Brown

Direct Line Telephone Number: 01992 564182 or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk