

Committee Agenda



Epping Forest District Council

Area Planning Sub-Committee South Wednesday, 26th April, 2023

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, 26th April, 2023
at 7.00 pm.**

**Georgina Blakemore
Chief Executive**

**Democratic Services
Officer:**

V Messenger, Democratic Services Tel: (01992) 564243
Email: democraticservices@eppingforestdc.gov.uk

Members:

Councillors K Williamson (Chairman), S Patel (Vice-Chairman), I Allgood, R Baldwin, D Barlow, P Bhanot, R Brookes, E Gabbett, S Heap, R Jennings, J Jennings, J Jogia, H Kauffman, A Lion, L Mead, S Murray, C Nweke, M Owen, A Patel, Caroline Pond, C C Pond, S Rackham, K Rizvi, 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 lower 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 sit in the upper council chamber public gallery area 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 564542.

1. WEBCASTING INTRODUCTION

This meeting is to be webcast and the Chairman will read the following announcement:

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

Therefore, by participating in this meeting, you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes. If any public speakers on Zoom do not wish to have their image captured, they should ensure that their video setting throughout the meeting is turned off and set to audio only.

Please also be aware that if technical difficulties interrupt the meeting that cannot be overcome, I may need to adjourn the meeting.

Members are reminded to activate their microphones before speaking”.

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. 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/>

4. DECLARATIONS OF INTEREST

To declare interests in any item on this agenda.

5. MINUTES (Pages 9 - 10)

To confirm the minutes of the last meeting of the Sub-Committee held on 29 March 2023.

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/2475/22 - 40 CHURCH LANE, LOUGHTON IG10 1PD (Pages 11 - 20)

To consider the attached report on the demolition of existing Bungalow and the erection of 2No Detached Dwelling Houses.

10. PLANNING APPLICATION - EPF/2933/22 - 35 LOWER PARK ROAD, LOUGHTON IG10 4NB (Pages 21 - 26)

To consider the attached report on the conversion of garage into living accommodation, Ground & first floor front, rear & side extensions, loft conversion with a rear dormer & front porch extension.

11. PLANNING APPLICATION - EPF/0030/23 - 7 BROOK ROAD, LOUGHTON IG10 1BW (Pages 27 - 32)

To consider the attached report on the construction of a single-storey ground floor infill extension, new front window dormer to the main roof with the reconfiguration of the main roof and the first-floor front and rear gable roofs.

12. PLANNING APPLICATION - EPF/0074/23 - 6 LYNDHURST RISE, CHIGWELL IG7 5BA (Pages 33 - 38)

To consider the attached report for a retrospective application - detached rear garden room to be used as a home office/ hobby room.

13. PLANNING APPLICATION - EPF/0377/23 - 5 NAFFERTON RISE, LOUGHTON IG10 1UB (Pages 39 - 46)

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

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 2022-23
 Members of the Committee and Wards Represented:

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

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EPPING FOREST DISTRICT COUNCIL AREA PLANNING SUB-COMMITTEE SOUTH MEETING MINUTES

Wednesday, 29 March 2023, 7.00 pm – 8.45 pm
Council Chamber, Civic Offices, High Street, Epping

Members Present: Councillors K Williamson (Chairman), S Patel, I Allgood, R Baldwin, R Brookes, S Heap, H Kauffman, S Murray, C Nweke, A Patel, Caroline Pond, C C Pond, K Rizvi and D Wixley

Members Present (Virtually): Councillors A Lion

Apologies: Councillors P Bhanot, R Jennings, J Jennings, J Jogia, L Mead, M Owen and D Sunger

Officers In Attendance: Robin Hellier, Pat Seager, James Rogers and Laura Kirman

Officers In Attendance (Virtually): Andrew Marx and Vivienne Messenger

THIS MEETING WAS RECORDED LIVE AND CAN BE VIEWED [HERE](#)

116 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.

117 DECLARATIONS OF INTEREST

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

- Item 9 EPF/0563/22 95 TYCEHURST HILL, LOUGHTON IG10 1BZ, and
- Item 12 EPF/0144/23, 7 BROOKLYN AVENUE, LOUGHTON IG10 1BL

118 MINUTES

RESOLVED:

That the minutes of the Sub-Committee held on 22 February 2023 be taken as read and signed by the Chairman as a correct record.

119 ANY OTHER BUSINESS

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

120 EPPING FOREST DISTRICT COUNCIL PLANNING POLICY BRIEFING NOTE (OCTOBER 2021)

It was noted that the Epping Forest District Council Planning Policy Briefing note was available at:

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

121 SITE VISITS

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

122 PLANNING APPLICATION - EPF/0563/22 95 TYCEHURST HILL, LOUGHTON IG10 1BZ

RESOLVED:

The application was [approved with conditions](#).

123 PLANNING APPLICATION - EPF/1905/22 142 MANOR ROAD, CHIGWELL IG7 5PR

RESOLVED:

The application was [approved with conditions \(Subject to s106 Legal Agreement\)](#).

124 PLANNING APPLICATION - EPF/2453/22 47 HILLCREST ROAD, LOUGHTON IG10 4QH

RESOLVED:

The application was [approved with conditions](#).

125 PLANNING APPLICATION - EPF/0144/23 7 BROOKLYN AVENUE, LOUGHTON IG10 1BL

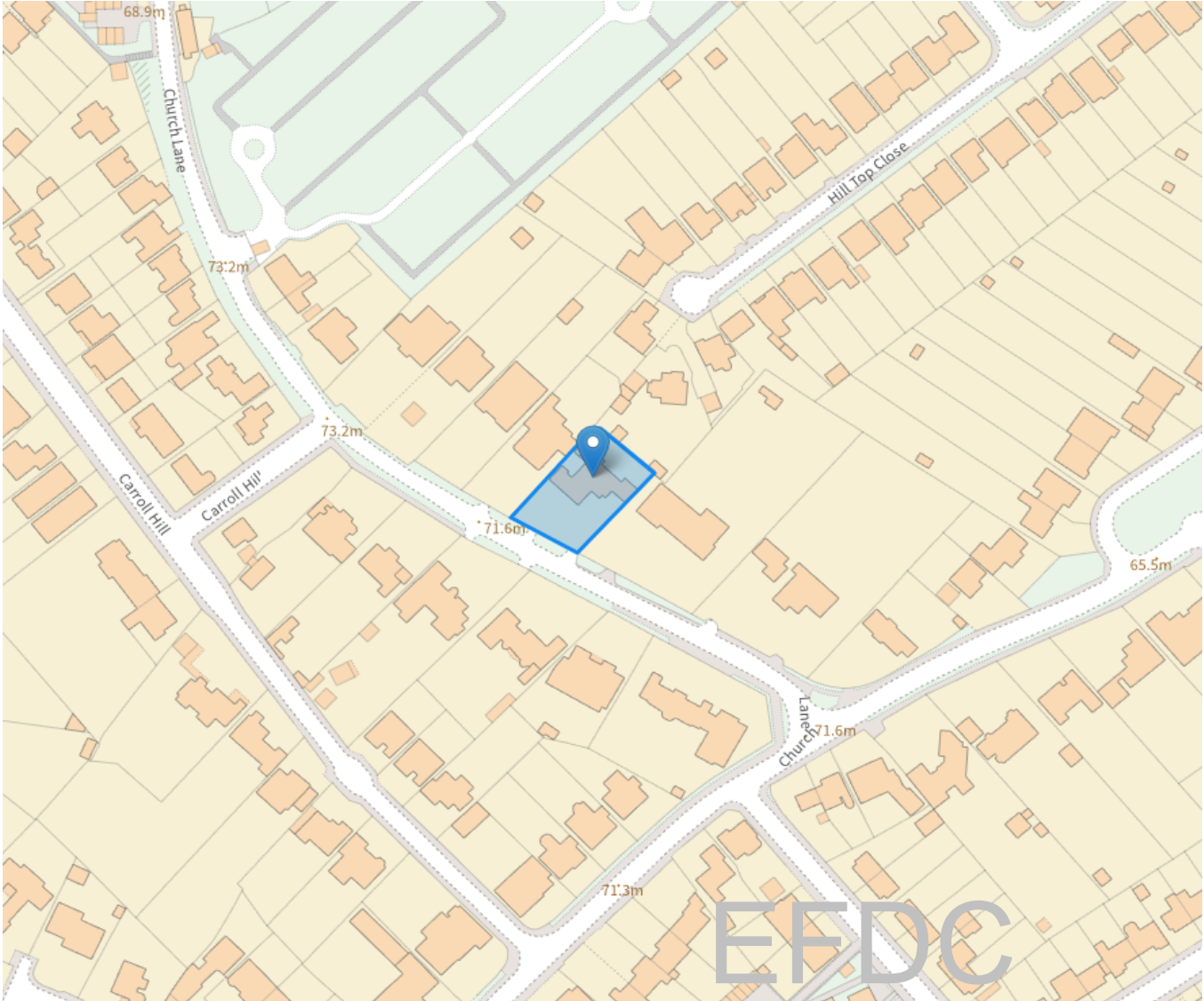
RESOLVED:

The application was [refused](#).



Epping Forest District Council

EFDC



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Application Number:	EPF/2475/22
Site Name:	40 Church Lane Loughton IG10 1PD

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OFFICER REPORT

Application Ref: EPF/2475/22
Application Type: Full planning permission
Applicant: Mrs R Chohan
Case Officer: Muhammad Rahman
Site Address: 40, Church Lane, Loughton, IG10 1PD
Proposal: Demolition of existing Bungalow and the erection of 2 No Detached Dwelling Houses
Ward: Loughton St. John's; Loughton St. Mary's
Parish: Loughton
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000001UUd5>
Recommendation: Refuse

This application is before this Committee since the application is objected to by Councillor Howard Kauffman in a purely personal capacity; (Pursuant to The Constitution, Article 10 District Development Management Committee and Area Plans Sub-Committees)

Site and Surroundings

The site comprises of a detached bungalow located within a built-up area of Loughton. It is not listed nor in a conservation area or a flood zone. There are no protected trees on site. The site also lies some 685m away from the Epping Forest.

Proposal

The proposal is for the demolition of existing bungalow and the erection of 2 Detached Dwelling Houses.

Relevant Planning History

None relevant, most recent dates back to 1976.

Development Plan Context

Epping Forest Local Plan 2011-2033 (2023):

On 9 February 2023, the council received the Inspector's Report on the Examination of the Epping Forest District Local Plan 2011 to 2033. The Inspector's Report concludes that subject to the Main Modifications set out in the appendix to the report, the Epping Forest District Local Plan 2011 to 2033 satisfies the requirements of Section 20(5) of the Planning and Compulsory Purchase Act 2004 and meets the criteria for soundness as set out in the National Planning Policy Framework and is capable of adoption. The proposed adoption of the Epping Forest District Local Plan 2011 to 2033 was considered at an Extraordinary Meeting of the Council held on 6 March 2023 and formally adopted by the Council.

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

SP1 Spatial Development Strategy 2011-2033
H1 Housing Mix and Accommodation Types
T1 Sustainable Transport Choices

DM2 Epping Forest SAC and the Lee Valley SPA
DM3 Landscape Character, Ancient Landscapes and Geodiversity
DM5 Green and Blue Infrastructure
DM9 High Quality Design
DM10 Housing Design and Quality
DM11 Waste Recycling Facilities on New Development
DM15 Managing and Reducing Flood Risk
DM16 Sustainable Drainage Systems
DM17 Protecting and Enhancing Watercourses and Flood Defences
DM18 On Site Management of Wastewater and Water Supply
DM19 Sustainable Water Use
DM21 Local Environmental Impacts, Pollution and Land Contamination
DM22 Air Quality

Epping Forest Local Plan (1998) and Alterations (2006):

On the 06 March 2023 at an Extraordinary Council meeting, it was agreed that 'on adoption of the Epping Forest District Local Plan 2011–2033 and following the end of the six-week period for legal challenge that the following Development Plan Documents and associated Proposals Maps are revoked and should not be used for decision-making:

- a) Those policies of the Epping Forest District Local Plan adopted January 1998 that had not previously been replaced; and
- b) Epping Forest District Local Plan Alterations adopted July 2006'.

The relevant policies from these documents are listed below:

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

National Planning Policy Framework 2021 (Framework)

The Framework is a material consideration in determining planning applications. The following paragraphs are considered to be of relevance to this application:

Paragraphs 126 & 130
Paragraph 180

Summary of Representations

Number of neighbours Consulted: 10. 7 response(s) received.
Site notice posted: Yes.

1 & 2 HILLTOP PLACE, 11 HILLTOP CLOSE, 11 PRIORY ROAD, 38, 39 & 40 CHURCH LANE & LRA
PLANS GROUP – Objections – Summarised as;

- Overshadowing;
- Cramped development/Overdevelopment;
- Out of Character;
- Impact on Street Scene;
- Highway Safety/Parking Provision;
- Overlooking/Loss of privacy;
- Loss of light;
- Loss of bungalow;
- Air/noise pollution;
- Loss of green space/trees;
- Disturbance from construction phase;
- Sustainability and
- Impact on EFSAC.

LOUGHTON TOWN COUNCIL – The Committee NOTED the contents of three letters of objection. A member of the public with an interest in this application addressed the meeting.

The Committee OBJECTED to this application stating it would be a serious overdevelopment of the site and out of character, resulting in a negative impact on the street scene.

Members noted that no Arboricultural Impact Statement had been provided and expressed concern for the loss of the attractive trees and greenery to the frontage of this property. The Committee drew the attention of the Planning Officer to the Tree & Landscaping Officer's holding objection in respect of this application.

This part of Church Lane is characterised by large houses that are well set back with substantial gardens to the rear. The existing bungalow does not have such a large rear garden. Members understand that much of the original garden now formed part of No 2 Hill Top Place; thus, reducing the development options for the bungalow. Squeezing in two houses would be out of character with the area.

The proposed two dwellings are pushed forward of the building line, which would be unacceptable and impact heavily on the setting of No 42 Church Lane.

The loss of this bungalow would reduce housing choice, particularly for people with disabilities, which is contrary to the council's policy on mixed and balanced communities.

The proposed houses were poorly designed, lacking character, and were much inferior to the adjacent residences. They would be out of keeping and detrimental to the special character and architectural interest of Church Lane. The proposed three storey houses would result in direct overlooking into the garden and rear windows to No 2 Hill Top Place, which sits to the rear, much closer than any of the other dwellings to this part of the rear of Church Lane. Their privacy and setting are protected by reason of the existing building being a bungalow. The proposal would be overpowering to the occupiers of No 2 Hill Top Place.

The proposed extra property on this site would place extra stress on the EF SAC. Natural England and Loughton Town Council have both advised in their main modifications responses to the Inspector (autumn 2021) that the LPSV cannot yet be considered justified, effective, or consistent with national policy in relation to detriment to the SAC. Therefore, we object to Loughton Town Council Planning & Licensing Committee – 21 November 2022 this application because of the urbanisation effect, burden on recreational pressure, and damage to air quality in the SAC that the application, alone or with other projects, will engender.

Finally, the Committee supported the comments of the LRA Plans Group regarding the “principle of demolishing the dwelling and embedded carbon”, and the effects on climate change that result.

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) Standard of Accommodation;
- e) The impact to the living conditions of neighbours;
- f) The impact on trees and landscaping; and
- g) The impact on the Epping Forest Special Area of Conservation.

Loss of Bungalow

The West Essex and East Hertfordshire Strategic Housing Market Assessment (2015) recognises that there is an ageing profile of the district’s population over the Plan period as set out in the preamble to Policy H1 (E) of the LP. Policy H1 (E) of the LP seeks to protect the loss of bungalows. This is so that those with accessibility needs can continue to be supported by bungalow accommodation. The Council considers that bungalows can play an important role in their potential ease of adaptation such that they can provide choice for people with accessibility needs, including current and future needs of older people. The loss of bungalows is therefore not supported by the Council. This is consistent with the Framework’s aim of delivering housing of differing sizes and types to meet the needs of different groups in the community, including older people as set out in Para. 62 of the Framework.

The Council accepts that the proposal would be accessible and would probably comply with Part M of the building regulations. However, this is a requirement for all new homes as set out in Policy H1 of the LP. Therefore, this is a general requirement of new development and is not in any way unique to this proposal. Furthermore, the retention of bungalows is not simply about ensuring a supply of accessible homes, but also a mix of different size and types of dwellings. The cumulative loss of bungalows would, over time, harm the Council’s objectives of maintaining and increasing the supply of units that are suitable for older residents.

Whilst the Town and Country Planning (General Permitted Development) (England) (Amendment) (No.2) Order 2020 (GDPO) is acknowledged to provide scope to add an additional storey under Class AA this is subject to a process which requires prior approval as to the matters set out in AA.2(3)(a)(i) to (iv) which includes an assessment as to impact upon the amenity of any adjoining premises as well as external appearance. Such matters should be formally determined in the prior approval route. However, please note that the Council will not accept an academic Prior Approval for Class AA as a fallback position, unless it is fully implemented.

For these reasons, the proposal would adversely affect the supply of housing for older residents. It would therefore conflict with Policy H4A of the adopted Local Plan, and Policy H1 of the Epping LP 2023. The scheme would also conflict with the Framework’s aim of providing a range of housing to meet the needs of the community as per Para. 62.

Character & Appearance

Housing along this wider locality varies in terms of plot sizes, building types, designs and materials. However the immediate stretch of Church Lane in which the application site resides is characterised by large detached dwellings in large plots.

The proposed development is of a simple design however would introduce two significantly smaller dwellings onto this site. Due to this, and given the restricted size depth of the site (due to the rear part being previously sold off for development), the proposal would result in a cramped overdevelopment of the site with insufficient spacing and dwellings positioned significantly forward of the building line. This would be harmful to the character and appearance of the street scene and wider area.

Highway Safety

With regards to the parking arrangements for the proposed dwelling, 2 car parking spaces are required for a 2 bed+ dwelling in line with the Councils adopted parking standards (Essex Parking Standards 2009), which the proposal would meet. It is also noted that no objection has been received from the highways officer, so it is considered that there would be no detrimental impact to the safety operation of the highway network. Accordingly, the proposal complies with Policies ST4 and ST6 of the LP, Policy T1 of the LPSV, and Paragraphs 110 and 111 of the Framework.

Standard of Accommodation

The proposal would exceed the National Described Space Standards for a 4 bed-7/8-person dwelling (124m²) at some 260m² and have a functional external amenity space of approx. 150m² with a reasonable outlook for future users of the dwellings, and light levels given its orientation towards the southwest.

Living Conditions

Both dwellings would be sited some 12m away from the rear garden to No. 2 Hilltop Place. This is further than the existing building which sits some 7m at its closest point. Officers note the concerns raised re potential overlooking to the rear garden, however, this an urban area where most rear gardens are overlooked. As such, there would be insufficient grounds to refuse in this regard. Too add the proposed dwellings would be sited further away from the rear garden of No. 2 and given its orientation toward the southwest any overshadowing or loss of daylight to the rear garden would be of limited impact.

With regards to the impact on No's 38 & 42, the proposed dwellings would be sited in front of No. 42 and closer to the footprint of No. 38. Both these dwellings are of substantial construction heavily extended. As such, it is not considered that there would be any material harm to their living conditions, in terms of loss of light, overshadowing, loss of privacy, overbearing and visual impact.

Trees and Landscaping

The Councils Tree officer has raised an objection as it has not been demonstrated that the proposal could be implemented without a detrimental impact on the existing trees on or adjacent to the site. This matter cannot be overcome by way of a condition.

Epping Forest Special Area of Conservation (EFSAC)

A significant proportion of 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 LPSV.

The Council published a Habitats Regulations Assessment in January 2019 (the HRA 2019) to support the examination of the LPSV. The screening stage of the HRA 2019 concluded that there are two Impact Pathways whereby development within the Epping Forest District is likely to result in significant

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

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

Stage 1: Screening Assessment

This application has been screened in relation to both the recreational pressures and air quality Impact Pathways and concludes as follows:

- 1) The site lies within the 0-6.2km zone of Influence as identified in the adopted Interim Approach to Managing Recreational Pressure on the Epping Forest Special Area of Conservation' (the Interim Approach). In addition, the site lies within the parish of Loughton. Consequently, the development would result in a likely significant effect on the integrity of the EFSAC as a result of recreational pressures.
- 2) The development would 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 and air quality.

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 the above.

Stage 2: 'Appropriate Assessment'

Recreational Pressure

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. The applicant has agreed to make a financial contribution in accordance with the Interim Approach and the Green Infrastructure Strategy. Consequently, the Council is satisfied that the application proposal would not have an adverse effect on the integrity of the EFSAC subject to the satisfactory completion of a Section 106 planning obligation.

Atmospheric Pollution

The application proposal has the potential to result in a net increase in traffic using roads through the EFSAC. However, the Council, through the development of an Interim Air Pollution Mitigation Strategy (IAPMS), has provided a strategic, district wide approach to mitigating air quality impacts on the EFSAC through the imposition of planning conditions and securing of financial contributions for the implementation of strategic mitigation measures and monitoring activities. Consequently, this application

can be assessed within the context of the IAPMS. The applicant has agreed to make a financial contribution in accordance with the IAPMS. In addition, the application will be subject to planning conditions to secure measures as identified in the IAPMS. Consequently, the Council is satisfied that the application proposal would not have an adverse impact on the integrity of the EFSAC subject to the satisfactory completion of a Section 106 planning obligation and the imposition of relevant planning conditions.

Notwithstanding the above, in the absence of a completed s106, the Council are unable to secure the required mitigation measures.

Conclusion

The Epping Forest District Local Plan 2011–2033 was adopted on the 06 March 2023. As agreed by the Local Plan Inspector, when considered against the stepped trajectory the latest 5-year housing land supply, including a 20% buffer, stands at 5.4 years. Therefore, the plan makes sufficient provision for housing over the plan period and takes a practical and sound approach towards housing delivery and the housing trajectory. There is adequate evidence to indicate that a 5-year supply of housing will be maintained. The plan delivers an appropriate provision for affordable housing, older people, specialist housing, Gypsy and Traveller accommodation and accessible homes to meet the identified needs of different groups.

As such, the Council can demonstrate a five-year supply of land for housing and therefore the ‘tilted balance’ as set out in paragraph 11 of the NPPF is not engaged.

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

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 | 01992 564415

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

Refusal Reason(s): (4)

- 1 The proposed development would result in the demolition of the existing bungalow and creation of 2 two-storey dwellings with roof accommodation. The proposal by reason of the loss of the bungalow fails to comply with the requirements of Policy H4A of the Local Plan 1998 & 2006, Policy H1 (e) of the Epping Forest District Local Plan 2011 – 2033 (2023), and Paragraph 62 of the NPPF 2021. These policies seek mixed and balanced communities, which the proposed development would conflict with.
- 2 The application has failed to demonstrate that the proposal can be implemented without a detrimental impact on the existing trees/on adjacent to the site. The proposal is therefore contrary to Policies DM3 & DM5 of the Epping Forest District Local Plan 2023, and Paragraph 180 of the NPPF 2021.

- 3 In the absence of a completed Section 106 planning obligation the proposed development fails to mitigate against the adverse impact that it will have on the Epping Forest Special Area for Conservation in terms of recreational pressure and air pollution. Failure to secure such mitigation is contrary to Policies DM2 and DM22 of the Epping Forest District Local Plan 2023, Paragraph 180 of the NPPF 2021, and the requirements of the Habitats Regulations 2017.
- 4 The proposed development would result in a cramped overdevelopment of the site with insufficient spacing and dwellings positioned significantly forward of the building line, which be harmful to the character and appearance of the street scene and wider area contrary to Policies CP2 and DBE1 of the Local Plan 1998 & 2006, policies DM9 and DM10 of the Epping Forest District Local Plan 2011 – 2033 (2023), and the guidance contained within the NPPF 2021.

Informatives: (2)

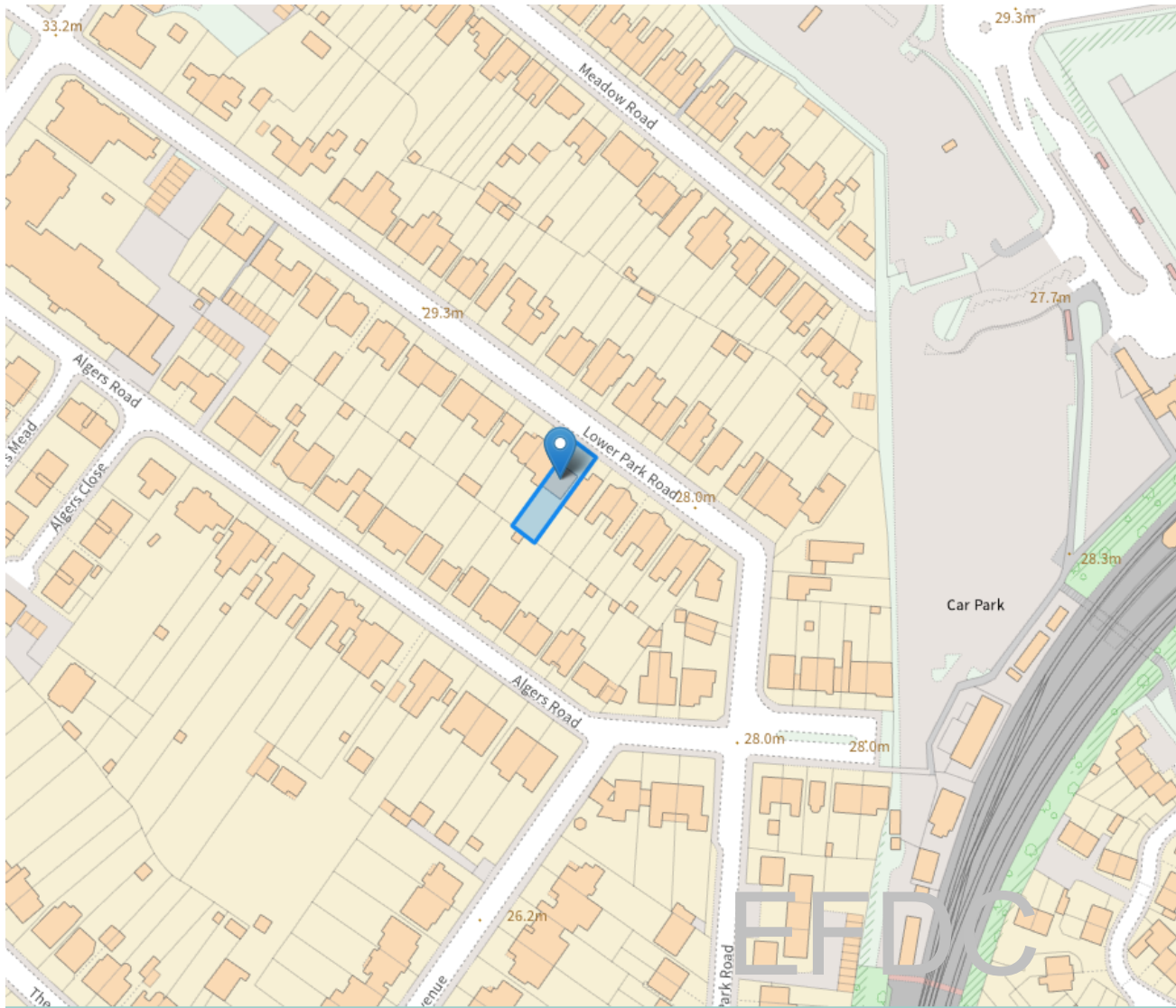
- 5 The Local Planning Authority has identified matters of concern within the officer's report and clearly set out the reason(s) for refusal within the decision notice. The Local Planning Authority has a formal post-application advice service. Please see the Councils website for guidance and fees for this service - <https://www.eppingforestdc.gov.uk/planning-and-building/apply-for-pre-application-advice/>. If appropriate, the Local Planning Authority is willing to provide post-application advice in respect of any future application for a revised development through this service.
- 6 This decision is made with reference to the following plan numbers: Location Plan, Proposed Block Plan, 6489/1, 6489/2, 6489/3, 6489/4, 6489/10, and 6489/20.

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Epping Forest District Council

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Application Number:	EPF/2933/22
Site Name:	35, Lower Park Road, Loughton, IG10 4NB

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OFFICER REPORT

Application Ref: EPF/2933/22
Application Type: Householder planning permission
Applicant: Anuradha Rupel
Case Officer: Caroline Brown
Site Address: 35, Lower Park Road, Loughton, IG10 4NB
Proposal: Conversion of garage into living accommodation, Ground & first floor front, rear & side extensions, loft conversion with a rear dormer & front porch extension.
Ward: Loughton Forest
Parish: Loughton
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000001V08e>
Recommendation: Approve with Conditions

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

Site and Surroundings

No. 35 is a 2-storey gable roof semi-detached dwellinghouse with a brick and pebbledash finish, located to the south of Lower Park Road in a residential built-up area in Loughton. The property has been extended with a 2- storey (half depth) side extension with integral garage and front hardstanding for a car space and has a single storey rear extension.

The properties in Lower Park Road vary in design and scale. No.37 Lower Park Road is sited immediately to the east of no. 35 comprising of a detached, shallow gable roof dwelling sited forward of no. 35 with a front flat roof garage and porch.

The property lies outside of a conservation area and is not listed.

Proposed Development

The proposal seeks planning consent for the conversion of the existing garage into a habitable room, a single storey 1m deep front extension, an infill 2-storey side addition with a roof extension, single and first floor rear extension, rear dormer to provide second floor habitable room accommodation.

Materials are to match the existing property.

Relevant History

EPF/1424/84- Single storey rear extension- Approved 0052/21- 18/01/85

CHI/0676/73 - 2 storey Extension - Approved -12/12/73.

DEVELOPMENT PLAN

Section 38(6) Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

Epping Forest District Local Plan (2011-2033) (March 2023)

On 9 February 2023, the council received the Inspector's Report on the Examination of the Epping Forest District Local Plan 2011 to 2033. The Inspector's Report concludes that subject to the Main Modifications set out in the appendix to the report, the Epping Forest District Local Plan 2011 to 2033 satisfies the requirements of Section 20(5) of the Planning and Compulsory Purchase Act 2004 and meets the criteria for soundness as set out in the National Planning Policy Framework and is capable of adoption.

The proposed adoption of the Epping Forest District Local Plan 2011 to 2033 was considered at an Extraordinary Meeting of the Council held on 6 March 2023 and formally adopted by the Council.

The following table lists the relevant policies to the determination of this application.

DM9 - High Quality Design
DM10 - Housing Design and Quality.

Local Plan (1998) and Alterations (2006)

CP1- Achieving sustainable development objectives.
CP2 - Protecting the quality of the rural and built environment.
DBE2 - Impact on Neighbouring Properties
DBE3 - Design in Urban Areas
DBE9 - Loss of Amenity
DBE10 - Residential Extensions

NPPF, 2021

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

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

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

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

Paragraph 126-7 - Achieving well designed Places.

CONSULTATIONS CARRIED OUT & SUMMARY OF REPRESENTATIONS RECEIVED:

Loughton Town Council: - Objection
- Incongruous of keeping with the existing extension

- Overdevelopment of the site

9 adjoining neighbours were notified, and 2 objections have been received that raise the following concerns:

33 Lower Park Road:

- the ground floor rear extension: due to its position and size will result in loss of daylight into our rear living space.

37 Lower Park Road:

- may be a concern over the proposed application overshadowing and affecting the daylight received by the two adjacent properties.

Main Issues & Considerations:

The main issues relate to Character and Appearance and Residential Amenity.

Impact on the character and appearance of the property and the surrounding area

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

There is no objection to the conversion of the existing garage into a habitable space. the 1m deep ground floor front extension is an existing feature in Lower Park Road with the immediate neighbouring property no. 37 that has a deeper front ground floor extension.

The property has an existing approved 2-storey side extension that is half the depth of the main house. The proposed infilling to the rear of the existing 2-storey side extension and roof extension is considered of a satisfactory design and siting.

The property has an existing 2.1m deep rear extension and the additional flat roof rear extension would increase the depth to a maximum of 5.1m. No. 33 has a rear extension and the property at no. 37 extends deeper beyond no. 35 and therefore the scale and siting of the extension is considered satisfactory.

The proposed first floor rear extension with a shallow pitched roof and rear dormer is somewhat jarring, however is not of a dissatisfactory design. The overall scale is in keeping with the character and appearance of the property and surrounding area. Furthermore, a large rear dormer and roof extension could be erected without the need for planning consent. Such a permitted development fallback option should be given some weight when considering the proposal.

Overall, the design and scale of the development is acceptable and responds to the character and appearance of the existing property and surrounding area and complies with policy DM10 of the Local Plan (2011-2033) and policy DBE10 of the Local Plan & Alterations (1998-2006).

Impact on Neighbours' Amenities

In terms of amenity, the proposed ground floor rear extension extends a depth of 3m beyond no. 33, who have a single storey rear extension. The west flank of the proposed first floor rear extension is to be set in over 3m from the shared boundary with no. 33.

No. 37 comprises of a 2-storey detached dwellinghouse that is of a different design to no. 35 and extends further forward and to the rear and therefore would not suffer any demonstrable harm from the

proposal, subject to the proposed first floor east flank elevation window being conditioned to be obscure glazed to prevent overlooking and a loss of privacy.

It is considered that the amenity of the adjoining occupiers would be maintained to an acceptable level and accords with the requirements of policy DM9 of the adopted Local Plan (2011-2033) and policy DBE9 of the Local Plan & Alterations (1998-2006).

The comments made by the Town Council and neighbouring properties are noted. The design, scale and siting of the proposed extensions are considered proportionate additions that would not result in any harm to the amenity of adjoining properties.

Conclusion

The development is 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 policies of the adopted Local Plan (2011-2033) and the Local Plan & Alterations (1998-2006) and the NPPF, 2021. In the light of the above considerations, it is recommended that planning permission is approved 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

Conditions: (7)

- 1 The development hereby permitted shall begin not later than three years from the date of this decision.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans: 4092-01A; 4092-02

Reason: For the avoidance of doubt and to ensure the proposal is built in accordance with the approved plans.

- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing dwellinghouse.

Reason: To ensure a satisfactory appearance in the interests of visual amenity of the area, in accordance with policy DME10 of the Local Plan (2011-2033), 2023 and Policy DBE9 of the Local Plan and Alterations, (1998-2006) and the NPPF.

- 4 No deliveries, external running of plant and equipment or demolition and construction works, other than internal works not audible outside the site boundary, shall take place on the site other than between the hours of 08:00 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.

Reason: To ensure that the proposed construction work does not cause undue nuisance and disturbance to neighbouring properties at unreasonable hours and in accordance with policies DM9 and DM21 of the Local Plan 2011-2033, 2023 and policy RP5A and DBE9 of the adopted Local Plan 1998 & 2006, and the NPPF.

- 5 Prior to first occupation of the building/extension hereby permitted the window(s) in the East flank elevation(s) at first floor level and above, shall have been fitted with obscure glass with a minimum privacy level 3 obscurity, and no part of that window 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.

Reason: To prevent overlooking and loss of privacy to the occupants of neighbouring properties, in accordance with policy DM9 of the Local Plan (2011-2033), 2023 policy DBE9 of the Local Plan and Alterations (1998 & 2006), and the NPPF.

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

Reason: To safeguard the privacy of adjacent properties, in accordance with policy DBE9 of the adopted Local Plan and Alterations 1998 & 2006, policy DM9 of the Local Plan Submission Version 2017, and the NPPF.

- 7 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed and utilised to clean vehicles immediately before leaving the site. Any mud or other material deposited on nearby roads as a result of the development shall be removed.

Reason: To avoid the deposit of material on the public highway in the interests of highway safety, in accordance with policy T1 of the Local Plan 2011-2033, 2023 and policy ST4 of the Local Plan and Alterations 1998 & 2006, and the NPPF.

Informatives: (1)

- 8 The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.



Epping Forest District Council

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Application Number:	EPF/0030/23
Site Name:	7 Brook Road Loughton IG10 1BW

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OFFICER REPORT

Application Ref: EPF/0030/23
Application Type: Householder planning permission
Applicant: Mr Bernard Singer
Case Officer: Kie Farrell
Site Address: 7, Brook Road, Loughton, IG10 1BW
Proposal: Construction of a single-storey ground floor infill extension, new front window dormer to the main roof with the reconfiguration of the main roof and the first-floor front and rear gable roofs
Ward: Loughton St. Mary's
Parish: Loughton
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000001V4dq>
Recommendation: Approve with Conditions

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:

Brook Road is located within the built up area of Loughton. The existing building is a two storey detached property situated within a long plot. The neighbours are either detached or semi detached properties, some of which have been extended to the side and rear elevations.

The application site is not located within the Metropolitan Green Belt and it is not in a conservation area.

Description of Proposal:

Construction of a single-storey ground floor infill extension, new front window dormer to the main roof with the reconfiguration of the main roof and the first-floor front and rear gable roofs.

Single storey rear infill extension 2.7m deep and 4.7m wide with a flat roof with a maximum height of 3.0m (and increased depth of existing ground floor extension)

Roof extension including front dormer, rear gable features formed from existing hipped roofs and crown roof.

Relevant Planning History:

PRE/0112/22

Pre application for a proposed single story rear extension and a loft conversion.
Advice given 15.11.2022.

EPF/1312/14

Part single, part two storey rear extension. Alteration to front of property and pitched roof over existing porch.
Approved 13.08.2014.

Policies Applied:

Adopted Plan (March 2023):

SP1: Presumption in Favour of Sustainable Development.
DM9: High Quality Design.

Adopted Plan (1998):

CP2 Protecting the quality of the built environment
DBE 9 Loss of amenity
DBE10 Residential Extensions

Consultation Carried Out and Summary of Representations Received:

Loughton Town Council: Objection:

“The Committee NOTED the contents of a letter of objection.

The Committee OBJECTED to this application on the grounds that the proposed raising of the roof was out of keeping with the street scene. The two upper most rear windows were incongruous, large, and out of proportion.”

Number of neighbours consulted: 9. 1 objection received:

18 Station Road:

The proposed windows on the rear elevation top storey will overlook our garden and reduce our privacy. We would have no objection to velux windows but these windows are large and face towards our garden and house.

An Objection was also received from the Loughton Residents Association Plans Group:

We object to this application. There are 19 houses on this part of Loughton Brook. 14 of the 19 houses have original roof features projecting over a second storey window and the other five have none. The application includes a front dormer high in the roof. There aren't any front dormers nearby on Brook Road. The proposed dormer on No 7 will be out-of-keeping with its surroundings and harmful to the streetscape.

Main Issues and Considerations:

The main issues in this case are:

- Design, Character and Appearance
- Residential Amenity

Design, Character and Appearance:

The application proposes:

Single storey rear infill extension 2.7m deep and 4.7m wide with a flat roof with a maximum height of 3.0m (and increased depth of existing ground floor extension)

Roof extension including front dormer, rear gable features formed from existing hipped roofs and crown roof.

The single storey rear extension is an acceptable addition in design, character and appearance terms.

The proposed roof extension element would introduce a crown roof and front dormer to an area where these are not predominant features.

The submitted Design and Access Statement provides examples of other crown roofs and front dormers found on other dwellings in Loughton.

The proposed crown roof would have limited impact in terms of its appearance in the street scene, appearing as a hipped roof form.

Whilst front dormers are not a feature found on immediate neighbouring dwellings there are some examples in the wider Loughton area and the design of the proposed dormer is such that it would not have a harmful impact on the appearance of the existing dwelling or immediate surrounding area.

The proposed development is considered to be acceptable in design, character and appearance terms.

Residential Amenity:

The proposed development would not have a harmful impact on the residential amenity of the occupiers of No. 5 Brook Road.

The proposed rear extension would be set 0.8m off the boundary with No. 9. Whilst the land levels at No. 9 are lower than the pre-application site therefore exacerbating impact, the 2.7m depth and maximum height of 3m will ensure that there is no significant harmful impact to the occupiers of No. 9.

An objection has been received from the occupier of 18 Station Road stating that the proposed windows on the rear elevation top storey will overlook their house and garden, reducing privacy.

Officer response: The proposed second floor rear windows are small compared to the existing first floor rear windows. It is not considered that the proposed second floor rear facing windows would have a materially greater impact in terms of overlooking / loss of privacy than the existing situation.

There is a distance of over 25m from the proposed second floor windows to the end of No.18's rear garden and approximately 60m between facing habitable room windows.

It is not considered that the proposed second floor rear facing windows would have a harmful impact on the privacy of the occupiers of 18 Station Road or any other neighbouring property.

The proposal is considered to be acceptable in terms of impact on residential amenity.

Conclusion:

Recommended for approval, 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: Kie Farrell

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

Conditions: (5)

- 1 The development hereby permitted shall begin not later than three years from the date of this decision.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans:

Drawing 22103_01 – Location Plan
Drawing 22103_02 – Existing Block Plan
Drawing 22103_03 – Existing Ground Floor Plan
Drawing 22103_04 – Existing First Floor Plan
Drawing 22103_05 – Existing Roof Plan
Drawing 22103_06 – Existing North Elevation
Drawing 22103_07 – Existing West Elevation
Drawing 22103_08 – Existing South Elevation
Drawing 22103_09 – Existing East Elevation
Drawing 22103_10 – Proposed Block Plan
Drawing 22103_11 – Proposed Ground Floor Plan
Drawing 22103_12 – Proposed First Floor Plan
Drawing 22103_13 – Proposed Loft Plan
Drawing 22103_14 – Proposed Roof Plan
Drawing 22103_15 – Proposed North Elevation (Front)
Drawing 22103_16 – Proposed West Elevation
Drawing 22103_17 – Proposed South Elevation (Rear)
Drawing 22103_18 – Proposed East Elevation
Drawing 22103_19 – Proposed Section AA
Drawing 22103_20 – Proposed Section BB
Planning Statement, October 2022
Design and Access Statement, Black Elephant, January 2023.

Reason: For the avoidance of doubt and to ensure the proposal is built in accordance with the approved plans.

- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building or those specified on the approved plans, or those specified in the submitted application form.

Reason: To ensure a satisfactory appearance in the interests of visual amenity of the area, in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF, and Policies CP2 & DBE10 of the adopted Local Plan 1998 & 2006.

- 4 Access to the flat roof(s) 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.

Reason: To safeguard the privacy of adjacent properties, in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF, and Policies CP7 & DBE9 of the adopted Local Plan 1998 & 2006.

- 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 08:00 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.

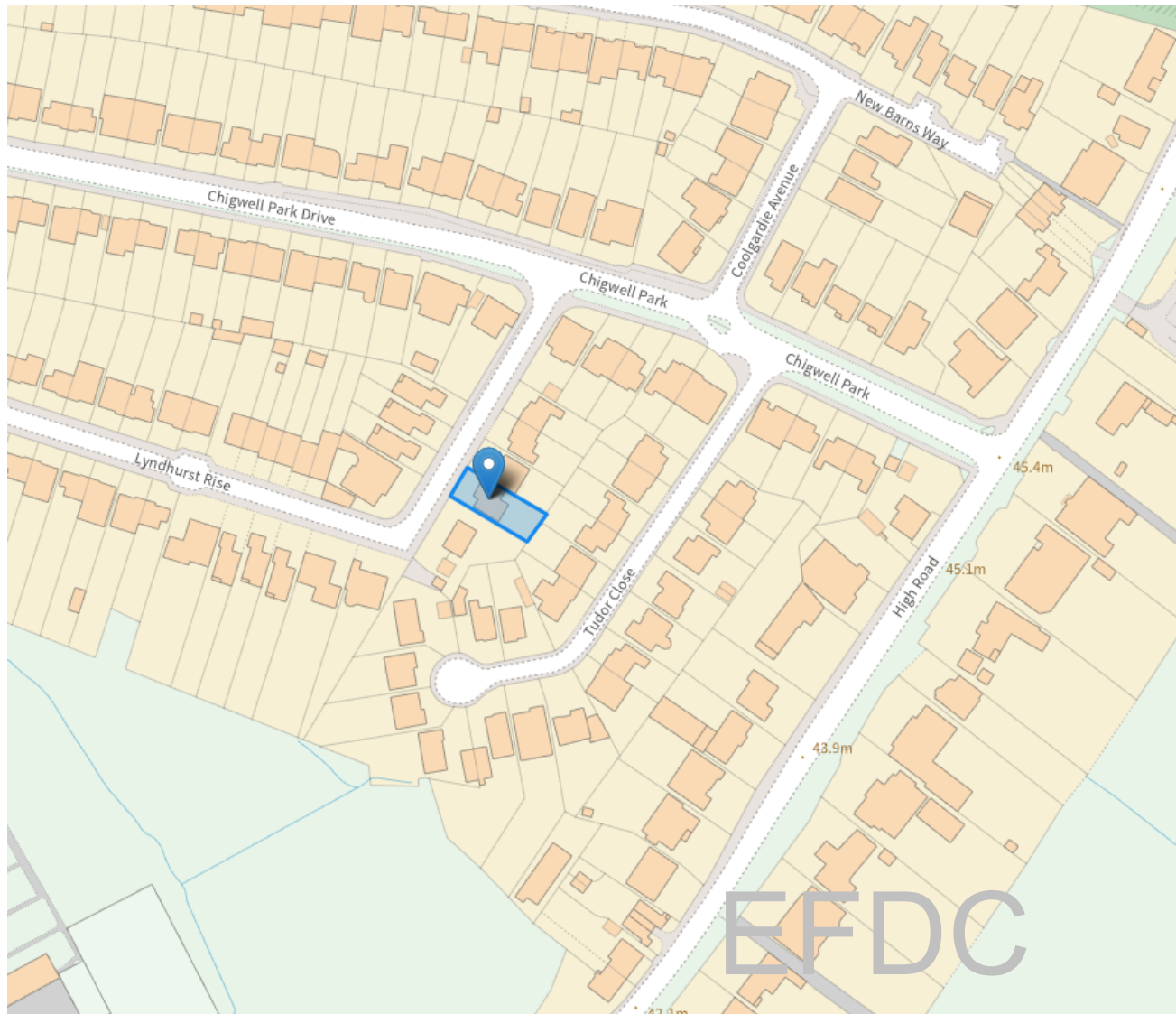
Reason: To ensure that the proposed construction work does not cause undue nuisance and disturbance to neighbouring properties at unreasonable hours, in accordance with Policies DM9 & DM21 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF, and Policies RP5A and DBE9 of the adopted Local Plan and Alterations 1998 & 2006.

Informatives: (1)

- 6 The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.



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Application Number:	EPF/0074/23
Site Name:	6, Lyndhurst Rise, Chigwell, IG7 5BA

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OFFICER REPORT

Application Ref: EPF/0074/23
Application Type: Householder planning permission
Applicant: Dr Lakhvinder Larh
Case Officer: Caroline Brown
Site Address: 6, Lyndhurst Rise, Chigwell, IG7 5BA
Proposal: Retrospective - detached rear garden room to be used as a home office/ hobby room.
Ward: Chigwell Village
Parish: Chigwell
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000001V8GO>
Recommendation: Approve with Conditions

The 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

No 6 is a 2-storey semi-detached dwellinghouse located within the built-up urban area of Chigwell and has been extended with a half width single storey addition and rear dormer extension.

Lyndhurst Rise comprises of dwellings that vary in scale and form. The property lies outside of a conservation area and is not listed.

Proposed Development

The proposal seeks part retrospective consent for a flat roof, rear outbuilding with central lantern measuring a width of 7.4m, a depth of 5m and a height of 2.6m set in 0.5m from the shared boundary with no. 4 and over 3m from the shared boundary with no. 8. The outbuilding is set in a min of 0.7m from the rear shared boundary with 18 and 19 Tudor Close and has a footprint of 30m².

Works have commenced on the development, however as of early April the building was not quite to roof level.

Relevant History

EPF/0218/09 - Single storey rear extension- Approved -11/03/2009.

EPF/1995/06 - Ground floor rear extension and first floor front extension and garage conversion- Approved - 04/12/2006.

DEVELOPMENT PLAN

Section 38(6) Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

Epping Forest District Local Plan (2011-2033) (March 2023)

On 9 February 2023, the council received the Inspector's Report on the Examination of the Epping Forest District Local Plan 2011 to 2033. The Inspector's Report concludes that subject to the Main Modifications set out in the appendix to the report, the Epping Forest District Local Plan 2011 to 2033 satisfies the requirements of Section 20(5) of the Planning and Compulsory Purchase Act 2004 and meets the criteria for soundness as set out in the National Planning Policy Framework and is capable of adoption.

The proposed adoption of the Epping Forest District Local Plan 2011 to 2033 was considered at an Extraordinary Meeting of the Council held on 6 March 2023 and formally adopted by the Council.

The following table lists the relevant policies to the determination of this application:

DM9 - High Quality Design
DM10 - Housing Design and Quality

Local Plan (1998) and Alterations (2006)

CP1- Achieving sustainable development objectives.
CP2 Protecting the quality of the rural and built environment.
DBE2 Impact on Neighbouring Properties
DBE3 Design in Urban Areas
DBE9 Loss of Amenity
DBE10 - Residential Extensions

NPPF, 2021

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

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

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

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

Paragraph 126-7 - Achieving well designed Places.

CONSULTATION CARRIED OUT & SUMMARY OF REPRESENTATIONS RECEIVED:

Chigwell Parish Council: - Objection

- The development is not adequately set back from the side boundary.

2 adjoining neighbours were notified, and 2 objections and one comment has been received that raise the following concerns:

19 Tudor Close: Object due to:

- Use of outbuilding for living accommodation.
- Trees felled contractors prior to levelling off the ground resulting in a loss of privacy.

'Insufficient details if the home office is intended for private business. House already extended. The outbuilding can be seen very clearly and is unsightly - devalue surrounding properties and deter potential buyers. Our understanding was that another larger shed was being erected in place of the small one that was torn down.

There are no weep holes in the retaining walls. This will cause structural issues as the build-up of the weight of rainwater and damp soil will apply pressure to the walls and eventually cause a collapse.

- This type of structure is not suitable for our small gardens and is overbearing. It can be seen from every window at the rear of our property.

18 Tudor Close:

- The building too high, and the roof lantern will further exacerbate this.
- The ground levels either side of the boundary fence between my rear garden and the applicants rear garden are not level and as such a retaining fence has been installed. The section drawing does not reflect the true impact of the proposed build on my property.
- Trees removed is an eyesore, devalue surrounding properties and deter potential buyers. It can be seen very clearly and is unsightly.

4 Lyndhurst Rise:

- Agree the difference in the height, but we would like a site visit to check the base has not been built up too high as it seems above ground level. The building is large and close to our boundary, and I would like it to be checked that the sizes are within the correct limits.

Main Issues & Considerations:

- Design and siting of the development to the character and appearance of the property and surrounding area.
- Impact on neighbour's amenity

Impact on the character and appearance of the property and the surrounding area

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

The rear garden to No. 6 has been lowered in height by approximately 0.5m to accommodate the outbuilding. Notwithstanding this, the proposed outbuilding does not constitute permitted development since it is situated within 2m of the boundary and at its highest point it exceeds 2.5m.

The lowering of the garden height by 0.5m, the external height of the outbuilding at 2.6m along (excluding the roof lantern), with a 1.8m high timber fencing enclosing the garden would limit the views

of the outbuilding from the neighbouring properties of no. 4 Lyndhurst Rise, and 18 and 19 Tudor Close; particularly as adjoining properties have rear gardens that are on a higher level.

Furthermore, whilst the proposal does not constitute permitted development, it is likely that a slightly lower outbuilding could be constructed without the need for planning permission. Therefore the potential for a permitted development fallback should be given due consideration.

In line with the above, the proposal is supported as it is considered a proportionate addition that preserves the character and appearance of the property and surrounding area and complies with policy DM10 of the Epping Forest Local Plan (2011-2033) and Local Plan & Alterations (1998- 2006) and of the NPPF (2021).

Impact on Neighbours' Amenities

In terms of amenity, No. 4 has a rear garden that is 0.5m higher than no. 6 and with a 1.8m high timber fence located on the shared boundary the outbuilding is obscured from view and does not result in any overlooking or loss of privacy.

The properties on Tudor Close, sited to the rear of no. 6, are also on a higher level. The separation distance, lowering of the rear garden level, and erection of a 1.8m high timber fence on top of the 0.5m high retaining wall would mean that the only view that the neighbours on Tudor Close have is the roof of the outbuilding.

The comments of the Parish Council and adjoining neighbours are noted. In response to the objections received, the design, scale and siting of the development is proportionate in scale. The lowering of the garden level to accommodate the outbuilding, the enclosed nature of the rear garden, along with the difference in garden levels of the adjoining properties would not result in any demonstrable harm to the living conditions of the adjoining properties.

No. 18 and 19 Tudor Close already had views of the rear garden to No. 6 before the siting of the outbuilding. The outbuilding would be conditioned at any approval to only be used for purposes incidental to the main dwellinghouse and, given the limited depth of the rear garden, very little else could be constructed under permitted development without contravention of the 50% area restriction.

There are no protected trees within the perimeter of the site, and it is not located in a conservation area.

Overall, it is considered that the amenity of the adjoining occupiers would be maintained to an acceptable level and accords with the requirements of policy DM9 of the adopted Local Plan (2011-2033) and policy DBE9 of the Local Plan and Alterations (1998-2006).

Conclusion

Having regard to all matters, the development is considered of an appropriate design and scale that is in keeping with the character and appearance of the dwelling and surrounding area which maintains an acceptable level of amenity to adjoining properties and is supported by the policies of the adopted Local Plan (2011-2033) and the Local Plan and Alterations (1998-2006) and the NPPF, 2021. In the light of the above considerations, it is recommended that planning permission is approved 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

Conditions: (4)

- 1 The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans: 856-200-L-X01 Rev F; 856-200-L-X00 Rev A; 856-200-L-002 Rev A; 856-200-L-003 Rev A

Reason: For the avoidance of doubt and to ensure the proposal is built in accordance with the approved plans.

- 2 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.

Reason: To ensure a satisfactory appearance in the interests of visual amenity of the area, in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF, and Policies CP2 & DBE1 [DBE10] of the adopted Local Plan 1998 & 2006.

- 3 The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the main dwelling and shall not be used for any primary residential accommodation.

Reason: The development does not satisfy the standards considered acceptable by the Local Planning Authority for a separate unit of accommodation, in accordance with Policies DM9 & DM10 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF, and Policies CP2, DBE1 and DBE10 of the adopted Local Plan and Alterations (1998 & 2006).

- 4 No deliveries, external running of plant and equipment or demolition and construction works, other than internal works not audible outside the site boundary, shall take place on the site other than between the hours of 08:00 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.

Reason: To ensure that the proposed construction work does not cause undue nuisance and disturbance to neighbouring properties at unreasonable hours, in accordance with Policies DM9 & DM21 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF, and Policies RP5A and DBE9 of the adopted Local Plan and Alterations 1998 & 2006.

Informatives: (1)

- 5 The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.



Epping Forest District Council

EFDC



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Application Number:	EPF/0377/23
Site Name:	5 Nafferton Rise Loughton IG10 1UB

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OFFICER REPORT

Application Ref: EPF/0377/23
Application Type: Householder planning permission
Applicant: Mr Nabil Dar
Case Officer: Muhammad Rahman
Site Address: 5, Nafferton Rise, Loughton, IG10 1UB
Proposal: Proposed double storey rear extension, single storey side extension & single storey front extension
Ward: Loughton Forest
Parish: Loughton
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000001VS74>
Recommendation: Approve with Conditions

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

Site and Surroundings

The site comprises of a detached house, located within a cul-de-sac on a hill. It is not listed nor in a conservation area or a flood zone. Protected trees lie within the site.

Proposal

The proposal is for a double storey rear extension, single storey side extension & single storey front extension.

This application follows on from a recent pre-application discussion and officer recommendations are present within the scheme.

Relevant Planning History

PRE/0156/22 - Pre-Application for a proposed double storey rear extension, single storey side extension & single storey front extension + Comments on revised set of plans - Advice Given

EPF/2693/21 - Loft conversion with a front dormer - Approved with Conditions

EPF/0170/22 - Application for a Lawful Development certificate for a proposed loft conversion with a rear dormer - Lawful

Development Plan Context

Epping Forest Local Plan 2011-2033 (2023):

On 9 February 2023, the council received the Inspector's Report on the Examination of the Epping Forest District Local Plan 2011 to 2033. The Inspector's Report concludes that subject to the Main Modifications set out in the appendix to the report, the Epping Forest District Local Plan 2011 to 2033 satisfies the requirements of Section 20(5) of the Planning and Compulsory Purchase Act 2004 and meets the criteria for soundness as set out in the National Planning Policy Framework and is capable of

adoption. The proposed adoption of the Epping Forest District Local Plan 2011 to 2033 was considered at an Extraordinary Meeting of the Council held on 6 March 2023 and formally adopted by the Council.

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

DM9 High Quality Design

Epping Forest Local Plan (1998) and Alterations (2006):

On the 06 March 2023 at an Extraordinary Council meeting, it was agreed that 'on adoption of the Epping Forest District Local Plan 2011–2033 and following the end of the six-week period for legal challenge that the following Development Plan Documents and associated Proposals Maps are revoked and should not be used for decision-making:

- a. Those policies of the Epping Forest District Local Plan adopted January 1998 that had not previously been replaced; and
- b. Epping Forest District Local Plan Alterations adopted July 2006'.

The relevant policies from these documents are listed below:

CP7 Urban Form & Quality
DBE9 Loss of Amenity
DBE10 Residential Extensions

National Planning Policy Framework 2021 (Framework)

The Framework is a material consideration in determining planning applications. The following paragraphs are considered to be of relevance to this application:

Paragraphs 126 & 130
Paragraph 180

Summary of Representations

Number of neighbours Consulted: 4. 3 response(s) received.
Site notice posted: No, not required.

3 & 6 NAFFERTON RISE & 12 ALBION PARK – Objections – Summarised as:

- Impact on Trees;
- Overbearing Impact;
- Out of Character;
- Loss of privacy; and
- Concerns re foul disposal.

LOUGHTON TOWN COUNCIL – The Committee NOTED the contents of a letter of objection.

The Committee OBJECTED to this application on the grounds that the proposed extension would have a negative effect on neighbouring properties, and assurances should be obtained before any application is considered.

A Tree Officers report should be requested to verify the contents of the current tree report.

A structural report regarding the retaining walls in the back garden should be prepared to ensure that before any work is started that the retaining walls or replacements are stable and able to support the slope of the hill at the rear of the property.

Planning Considerations

The main issues for consideration in this case are:

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

Character and Appearance

The group of properties in this cul-de-sac share similar design features, such as the cat-slide roofs, half-hipped roofs, two tone finish etc. which would be mostly retained on the host house to the front, so the view from the street scene would not materially change.

On this note, it is considered that the proposed works which are mostly limited to the rear and side appear subservient to the property and would complement and enhance the appearance of the existing building. The front porch extension raises no design concerns.

On balance, the proposed works would not have a harmful effect to the established character and appearance of the area.

Living Conditions

The host building is orientated towards the southeast and given its siting including that of the neighbouring buildings at a slight angle, together with the limited projection past the rear building line of both neighbouring buildings, there will be no material loss of light, overshadowing, overbearing and visual impact that warrants a reason for refusal.

Flank windows can be conditioned to be obscure glazed to prevent any harmful overlooking to neighbouring amenities on either side.

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

Other Considerations

Officers note the drainage concerns, however the Councils drainage officer has reviewed the case and concludes that there are no issues in this regard nor recommend any additional conditions.

Concern has been raised with regards to the impact on the trees located to the rear of 12 Albion Park. The Councils Tree Officer has reviewed the submitted information and is satisfied that the trees to be retained can be protected through development with the recommended tree protection measures, which can be secured via conditions. The only proposed tree works listed in their Arb Report are to trees and hedges in the front garden, well away from the trees to the rear of 12 Albion Park.

Any joint ownership or damage to the trees is ultimately a civil issue. However, in this instance those trees are protected by virtue of them being behind the trees in the applicant's garden (which are shown to be retained and protected). Given that there are two retaining walls at differing heights between the trees and the development, no separate measures should be required. The height of the retaining walls is considered to be acting as a root barrier for all the trees behind it.

Conclusion

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

If you wish to discuss the contents of this report item please contact the case officer by 2pm on the day of the meeting at the latest, or if no direct contact can be made please email:

contactplanning@eppingforestdc.gov.uk

Case Officer: Muhammad Rahman | mrahman@eppignforestdc.gov.uk

Conditions: (11)

- 1 The development hereby permitted shall begin not later than three years from the date of this decision.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans: EX000, EX001, EX002, EX003, EX004, EX005, EX006, PR100, PR101, PR102, PR103, PR104, PR105, and PR106.

Reason: For the avoidance of doubt and to ensure the proposal is built in accordance with the approved plans.

- 3 Tree protection shall be installed as shown on Hallwood Associates Ltd Tree Protection Plan, Drawing No: HWA10822-TPP dated 29/11/2022, 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.

Reason: To comply with requirements of Section 197 of the Town and Country Planning Act 1990 as well as to safeguard the amenity of the existing trees, shrubs or hedges and to ensure a satisfactory appearance to the development, in accordance with Policies DM3 & DM5 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF, and Policy LL10 of the adopted Local Plan and Alterations 1998 & 2006.

- 4 Prior to first occupation of the building/extension, all material excavated from the below ground works & the garden area hereby approved shall have been removed from the site.

Reason: In order to ensure that levels are not altered across the site as a result of deposited materials, in the interests of amenity, in accordance with Policies DM9, DM12 & DM21 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF, and Policies CP2, DEB1 & DBE9 of the adopted Local Plan 1998 & 2006.

- 5 1 replacement tree (in the front garden), sized 12-14cm girth, of a species and in a position as agreed in writing by the Local Planning Authority, shall be planted prior to the occupation of the building or completion of the development, whichever is the sooner. If within a period of five years from the date of the planting or establishment of these trees, if any of these trees are removed, uprooted, destroyed or dies or becomes seriously damaged or defective another tree of the same species and size as that originally planted shall be planted at the same place.

Reason: To comply with requirements of Section 197 of the Town and Country Planning Act 1990 as well as to safeguard the amenity of the existing trees, shrubs or hedges and to ensure a satisfactory appearance to the development, in accordance with Policies DM3 & DM5 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF, and Policy LL10 of the adopted Local Plan and Alterations 1998 & 2006.

- 6 Prior to first occupation of the building/extension hereby permitted the window(s) in the flank elevation(s) at first floor level and above, shall have been fitted with obscure glass with a minimum privacy level 3 obscurity, and no part of that/those window[s] that is less than 1.7 metres above the internal floor level of the room in which it is installed shall be capable of being opened. Once installed the obscure glass shall be retained thereafter.

Reason: To prevent overlooking and loss of privacy to the occupants of neighbouring properties, in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF, and Policies CP7 & DBE9 of the adopted Local Plan 1998 & 2006.

- 7 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.

Reason: To ensure a satisfactory appearance in the interests of visual amenity of the area, in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF, and Policies CP2 & DBE10 of the adopted Local Plan 1998 & 2006.

- 8 Access to the flat roof(s) 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.

Reason: To safeguard the privacy of adjacent properties, in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF, and Policies CP7 & DBE9 of the adopted Local Plan 1998 & 2006.

- 9 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.

Reason: To avoid the deposit of material on the public highway in the interests of highway safety, in accordance with Policy T1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF, and Policy ST4 of the adopted Local Plan and Alterations 1998 & 2006.

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

Reason: To comply with requirements of Section 197 of the Town and Country Planning Act 1990 as well as to safeguard the amenity of the existing trees, shrubs or hedges and to ensure a satisfactory appearance to the development, in accordance with Policies DM3 & DM5 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF, and Policy LL10 of the adopted Local Plan and Alterations 1998 & 2006.

- 11 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 08:00 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.

Reason: To ensure that the proposed construction work does not cause undue nuisance and disturbance to neighbouring properties at unreasonable hours, in accordance with Policies DM9 & DM21 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF, and Policies RP5A and DBE9 of the adopted Local Plan and Alterations 1998 & 2006.

Informatives: (1)

- 12 The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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