

# **Committee Agenda**



**Epping Forest  
District Council**

## **AREA PLANNING SUB-COMMITTEE SOUTH Wednesday, 21st February, 2018**

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, 21st February, 2018  
at 7.00 pm .**

**Glen Chipp  
Chief Executive**

**Democratic Services  
Officer**

A. Hendry Tel: (01992) 564243  
Email: [democraticservices@eppingforestdc.gov.uk](mailto:democraticservices@eppingforestdc.gov.uk)

### **Members:**

Councillors G Chambers (Chairman), A Patel (Vice-Chairman), R Baldwin, A Beales, K Chana, L Girling, S Heap, R Jennings, J Jennings, H Kauffman, J Knapman, A Lion, L Mead, G Mohindra, S Neville, C P Pond, C C Pond, C Roberts, D Roberts, B Sandler, D Sunger and D Wixley

### **WEBCASTING/FILMING NOTICE**

**Please note: this meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed. The meeting may also be otherwise filmed by third parties with the Chairman's permission.**

**You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Council's published policy.**

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

**If you have any queries regarding this, please contact the Public Relations Manager on 01992 564039.**

**1. WEBCASTING INTRODUCTION**

1. This meeting is to be webcast;
2. Members are reminded of the need to activate their microphones before speaking; and
3. the Chairman will read the following announcement:

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

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

This may infringe your human and data protection rights and if you wish to avoid this you should speak the webcasting officer."

**2. ADVICE TO PUBLIC AND SPEAKERS ATTENDING THE COUNCIL PLANNING SUB-COMMITTEES (Pages 5 - 8)**

General advice to people attending the meeting is attached.

**3. MINUTES (Pages 9 - 28)**

To confirm the minutes of the last meeting of the Sub-Committee held on 24 January 2018.

**4. APOLOGIES FOR ABSENCE****5. DECLARATIONS OF INTEREST**

(Director of Governance) To declare interests in any item on this agenda.

**6. ANY OTHER BUSINESS**

Section 100B(4)(b) of the Local Government Act 1972, requires that the permission of the Chairman be obtained, after prior notice to the Chief Executive, before urgent business not specified in the agenda (including a supplementary agenda of which the statutory period of notice has been given) may be transacted.

**7. DEVELOPMENT CONTROL (Pages 29 - 110)**

(Director of Governance) To consider planning applications as set out in the attached schedule

**Background Papers:** (i) Applications for determination – applications listed on the schedule, letters of representation received regarding the applications which are summarised on the schedule. (ii) Enforcement of Planning Control – the reports of officers inspecting the properties listed on the schedule in respect of which consideration is to be given to the enforcement of planning control.

**8. 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):

<b>Agenda Item No</b>	<b>Subject</b>	<b>Exempt Information Paragraph Number</b>
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.

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# Agenda Item 2

## **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.

### **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. Speaking to a Planning Officer will not register you to speak; you must register with Democratic Service. Speakers are not permitted on Planning Enforcement or legal issues.

### **Who can speak?**

Three classes of speakers are generally allowed: One objector (maybe on behalf of a group), the local Parish or Town Council and the applicant or his/her agent. In some cases, a representative of another authority consulted on the application may also be allowed to speak.

### **What can I say?**

You will be allowed to have your say about the application but you must bear in mind that you are limited to three minutes. At the discretion of the Chairman, speakers may clarify matters relating to their presentation and answer questions from Committee members.

If you 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 West or Area Plans Sub-Committee South you will address the Committee from within the Council Chamber at the Civic Offices. If you simply wish to attend a meeting of any of these Committees to observe the proceedings, you will be seated in the public gallery of the Council Chamber.

### **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 [www.eppingforestdc.gov.uk](http://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 or through our leaflet 'Your Choice, Your Voice'.

## Area Planning Subcommittee South 2017-18

Members of the Committee and Wards Represented:

					
<b>Chairman</b> Cllr Chambers Buckhurst Hill West	<b>Vice-Chairman</b> Cllr Patel Buckhurst Hill West	Cllr Baldwin Loughton Forest	Cllr Beales Loughton Forest	Cllr Chana Grange Hill	Cllr Girling Loughton Broadway
					
Cllr Heap Buckhurst Hill East	Cllr B Jennings Loughton St	Cllr J Jennings Loughton St Mary's	Cllr Kauffman Loughton St Mary's	Cllr Knapman Chigwell Village	Cllr Lion Grange Hill
					
Cllr Mead Loughton Fairmead	Cllr Mohindra Grange Hill	Cllr Neville Buckhurst Hill East	Cllr C C Pond Loughton Broadway	Cllr C P Pond Loughton St John's	Cllr C Roberts Loughton Alderton
					
Cllr D Roberts Loughton Alderton	Cllr Sandler Chigwell Row	Cllr Sunger Chigwell Village	Cllr Wixley Loughton Fairmead		

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# Agenda Item 3

## EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

**Committee:** Area Planning Sub-Committee    **Date:** 24 January 2018  
South

**Place:** Council Chamber, Civic Offices,    **Time:** 7.30 - 9.15 pm  
High Street, Epping

**Members Present:** G Chambers (Chairman), A Patel (Vice-Chairman), R Baldwin, A Beales, S Heap, R Jennings, J Jennings, H Kauffman, J Knapman, A Lion, L Mead, S Neville, C P Pond, C C Pond, C Roberts, D Roberts, B Sandler, D Sunger and D Wixley

**Other Councillors:**

**Apologies:** K Chana, L Girling and G Mohindra

**Officers Present:** S Solon (Principal Planning Officer), A Hendry (Senior Democratic Services Officer) and G J Woodhall (Senior Democratic Services Officer)

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### 45. 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.

### 46. MINUTES

#### RESOLVED:

That the minutes of the meeting of the Sub-Committee held on 20 December 2017 be taken as read and signed by the Chairman as a correct record, subject to Minute Item 44 (9) the decision should read it was "referred to be reviewed by the District Development Management Committee"; and minute item 44 (10) should have a wheel washing condition put in.

### 47. DECLARATIONS OF INTEREST

- (a) Pursuant to the Council's Code of Member Conduct, Councillors G Chambers, S Neville and S Heap declared a non-pecuniary interest in the following item of the agenda by virtue of the applicant being a fellow parish Councillor. The Councillors had determined that their interest were non-pecuniary and they would remain in the meeting for the consideration of the application and voting thereon:
  - EPF/2751/17 – 37 Loughton Way, Buckhurst Hill.
- (b) Pursuant to the Council's Code of Member Conduct, Councillor A Patel declared a non-pecuniary interest in the following item of the agenda by virtue

of the applicant being a fellow Parish Councillor and friend. The Councillor had determined that his interest was non-pecuniary but he would leave the meeting for the consideration of the application and voting thereon:

- EPF/2751/17 – 37 Loughton Way, Buckhurst Hill.

#### 48. DEVELOPMENT CONTROL

The Sub-Committee considered a schedule of applications for planning permission.

**RESOLVED:**

That the planning applications numbered 1 – 6 be determined as set out in the attached schedule to these minutes.

#### 49. ANY OTHER BUSINESS

The Committee discussed the recent move they made from Roding Valley High School, Loughton to the Civic Offices in the spring of last year. The Chairman noted that it was initially for security reasons that a move was asked for. The Chairman had agreed to give the Committee, at the start of the new year, a chance to discuss the move and to bring up any issues they would like to talk over.

Councillors made the following points:

- Councillor Lion noted that there was a potential problem in the Council Chamber of people coming into the meeting after the start of the meeting and not knowing where to sit and sitting in the wrong place;
- Councillor Chris Pond said that he did not feel safer here than he did at Loughton and that they had not gained very much in moving here;
- Councillor Beales noted that the general public and registered speakers had been mixed in together at Loughton, which she thought was a benefit. Perhaps they should not be separated here. He noted that the Chamber had an element of security as it was a more formal setting and maybe this acted as a restraint on people;
- Councillor Kaufman noted that they had lost a percentage of public attendance. They had a higher turnout at Loughton;
- Councillor C Roberts noted that it was more comfortable here. He asked that now the Local Plan was nearly finished, had any thought been given to carrying out a risk assessment for future, potentially larger meetings?
- Councillor Knapman noted that this building was not really secure as he had made it to the members room without his security card;
- Councillor Wixley raised concerns about security in the public gallery and that things could be thrown down. Also it was more difficult for people to get to Epping, both for Councillors and members of the public;
- Councillor Neville also noted a trailing off in the attendance of the public. Also he would like a clear separation between the Councillors and the public, as they had at the school;

- Councillor Sunger agreed that the old venue had a lot of the public there, but this new venue had the benefit of a live webcast so people could watch it from home. Also he suggested that maybe people could sign in so that we knew who was in the building;
- Councillor Patel suggested having some sort of separation down the centre of the chamber;
- Councillor Sandler agreed that as this meeting was webcast live, people stayed at home and watched the meeting. The Committee was better off here, it was also easier for the officers and less expensive for the Council as they did not have to take the webcast equipment there;
- Councillor R Jennings said that it had been cold and noisy in the school and it was much better here. As it was a live webcast, could the viewing figures for the webcast be reported to us? Also was it possible to have the public speakers facing the committee on the opposite seats and to somehow move the large TV that was in the way. He also like the fact that the majority of the public was upstairs;
- Councillor Heap said that he had never felt intimidated either her or at Loughton;
- Councillor Wixley commented that they needed the big TV where it was; and
- Councillor C Roberts said that he could not clearly see the image on the large projector screen. That needed improving. The Chairman noted that officers were looking into getting a better projector installed.

The Chairman thanked the Committee for their views and said that he would take their comments back to the next Development Management Chairs and Vice Chairs meeting.

**CHAIRMAN**

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# Minute Item 48

## **Report Item No: 1**

<b>APPLICATION No:</b>	EPF/2499/17
<b>SITE ADDRESS:</b>	13 -15A Alderton Hill Loughton Essex IG10 3JD
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Alderton  Loughton St Marys
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of houses at 13, 15 and 15a, Alderton Hill, and the erection of linked blocks of elderly persons apartments, with integrated care facilities (Use Class C2) with supporting amenity facilities, landscaping, 64 car spaces in undercroft parking at the rear and south side of the block, and associated ground works.
<b>DECISION:</b>	Withdrawn from agenda

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=599913](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=599913)

This application was withdrawn from the agenda and consequently was not considered.

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/3078/17
<b>SITE ADDRESS:</b>	2 Connaught Avenue Loughton Essex IG10 4DP
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Forest
<b>DESCRIPTION OF PROPOSAL:</b>	Conversion of existing house (plus previously approved extensions) to 5 flats, together with provision of 5 car spaces at the rear, alterations to boundary enclosures, and provision of amenity space.
<b>DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=602316](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=602316)

**CONDITIONS**

- 1      The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
  
- 2      The development hereby permitted will be completed strictly in accordance with the approved drawings nos:  
MA10-2145-100  
MA10-2145-101  
MA10-2145-200  
MA10-2145-201  
MA10-2145-202  
MA10-2145-200  
MA10-2145-250  
MA10-2145-205  
MA10-2145-203  
MA10-2145-102  
MA10-2145-204  
Open Spaces Tree Protection Plan drawing number OS 1209-16.3 Rev B dated 01/06/2016  
Open Spaces drawing numbers OS1209.16.1 Rev B and OS1209.16.2 Rev B dated 05/05/2016  
2145-SK01  
2145-SK02  
Specification for Soft Landscape Works dated May 2016  
Arboricultural Impact Assessment dated June 2016

- 3 Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 4 The development hereby approved shall not be commenced until details of proposed boundary treatment for the site are submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter permanently retained unless otherwise agreed in writing by the Local Planning Authority.
- 5 Tree protection shall be implemented prior to the commencement of development activities (including demolition) in accordance with the submitted Tree Survey/ Arboricultural Method Statement reports unless the Local Planning Authority gives its prior written approval to any alterations. Tree protection shall be installed as shown on Open Spaces Tree Protection Plan drawing number OS 1209-16.3 Rev B dated 01/06/2016
- 6 Hard and soft landscaping shall be implemented as shown on Open Spaces drawing numbers OS1209.16.1 Rev B and OS1209.16.2 Rev B dated 05/05/2016 and the accompanying planting schedule unless the Local Planning Authority gives its prior written approval to any alterations
- 7 Prior to the first occupation of the development the access arrangements, vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The access, parking and turning areas shall be retained in perpetuity for their intended purpose.
- 8 Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation, per dwelling, of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council.
- 9 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 10 The development hereby approved shall not be commenced until details of proposals to restore, upgrade if necessary, and retain existing windows and external doors of the existing house have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 11 The bottom half of the proposed rear facing gable window and dormer window shall be obscure glazed and permanently maintained as such.

- 12 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed at the site. The installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/1536/17
<b>SITE ADDRESS:</b>	Albany Stud Farm Epping New Road Buckhurst Hill Essex IG9 5UA
<b>PARISH:</b>	Buckhurst Hill
<b>WARD:</b>	Buckhurst Hill West
<b>DESCRIPTION OF PROPOSAL:</b>	Redevelopment of site by erection of a single family dwelling house and replacement of stables and stores in association with the established stud farm.
<b>DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=595434](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=595434)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: FPL\_ 100, 101, 199\_2, 200, 201, 202, 203, 204, 205, 210 and 220
- 3 Prior to the commencement of the development, dusk and dawn surveys for bats undertaken in accordance with guidelines from Natural England shall be submitted to and approved by the Local Planning Authority, accompanied by (should the surveys reveal the presence of bats, or their breeding sites or resting places) an appropriate and proportionate detailed mitigation and compensation strategy written in accordance with any guidelines available from Natural England (or other relevant body). All works required by the said mitigation strategy shall be fully implemented in accordance with the approved strategy, unless otherwise agreed in writing by the Local Planning Authority, and a compliance report by a recognised practitioner shall be submitted prior to first occupation of the dwelling.
- 4 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets,

woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]

- 5 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.  
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows]
- 6 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.  
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows]
- 7 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.

- 8 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.
- 9 No development shall take place until details of levels including internal finished floor level and ground levels of the external areas within 15metres of the building have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 10 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 11 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 12 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
1. The parking of vehicles of site operatives and visitors
  2. Loading and unloading of plant and materials

3. Storage of plant and materials used in constructing the development
  4. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
  5. Measures to control the emission of dust and dirt during construction,
- 13 No development shall take place until details of surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 14 No construction works above ground level shall take place until documentary and photographic details, including samples where required, of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 15 Prior to the commencement of development other than groundworks, details of all walls, fences, gates and other means of enclosure shall be submitted to and approved by the Local Planning Authority. the works as agreed shall be fully implemented prior to first occupation of the dwelling, unless otherwise agreed by the Local Planning Authority.
- 16 Prior to the commencement of the development, other than groundworks, details of all external lighting within the site shall be submitted to and approved by the Local Planning Authority. All lighting shall thereafter be fully implemented solely in accordance with the agreed details. Any alteration to the agreed details, or additional lighting, shall be subject to further application for approval from the Local Planning Authority prior to such works being undertaken.
- 17 Notwithstanding the requirements of condition 3 above, prior to the commencement of development other than groundworks, details of provisions within the buildings for bat bricks shall be submitted to and approved by the Local Planning Authority. The works as agreed shall be fully implemented during construction and prior to first occupation of the buildings they are located within.
- 18 Prior to the commencement of the development other than groundworks, details of proposals for the extent of any managed domestic garden to the new dwelling shall be submitted to and approved by the Local Planning Authority. There shall be no subsequent change in the boundaries and extent of the garden area without prior consent from the Local Planning Authority.
- 19 All material excavated from below ground level shall be removed from the site, unless otherwise agreed in writing by the Local Planning Authority.
- 20 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank

Holidays unless otherwise agreed in writing by the Local Planning Authority.

- 21 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed at the site. The installed cleaning facilities shall be used to clean vehicles wheels immediately before leaving the site.
- 22 If any tree, shrub or hedge shown to be retained in the submitted Arboricultural reports is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased during development activities, or within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.
- 23 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Class A - E inclusive of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 24 Any external lighting to the menage area shall not be used after 21.00hrs Mondays to Fridays or after 20.00hrs on Saturdays and Sundays.

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/2751/17
<b>SITE ADDRESS:</b>	37 Loughton Way Buckhurst Hill Essex IG9 6AS
<b>PARISH:</b>	Buckhurst Hill
<b>WARD:</b>	Buckhurst Hill East
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of a first floor side and rear extension and loft conversion including 2 Juliet balconies.
<b>DECISION:</b>	Refuse Permission (Householder)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=601016](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=601016)

**REASON FOR REFUSAL**

- 1 The proposed dormer windows, by virtue of their prominent siting, size and bulk would appear out of scale and poorly related to the size of the existing dwelling resulting in an over-dominant and incongruous feature on the roof. As a consequence, they would harm the appearance of the dwellings' roof and the pattern of roof form within this stretch of Loughton Way, which is also visible from public views within River Road. Furthermore, the proposed first floor rear extension, due to its size, bulk and flat roof design abutting the walls the proposed dormer windows, would appear over-dominant on the rear and side elevation of the dwelling.

For the reasons stated, the proposed dormer windows and first floor rear extension would fail to complement the appearance of the dwelling, causing significant harm to its appearance and the character and appearance of the locality. The proposal is therefore contrary to Chapter 7 of the NPPF and policies CP2 and DBE10 of the Local Plan and Alterations together with policy DM9 of the Submission Version Local Plan 2017.

**Way Forward**

Members agreed a way forward for the proposal could be as follows: that the dormer within the side extension be omitted, the rear dormer within the main roof be reduced to comply with permitted development standards and the first floor rear extension be omitted. Alternatively, the rear dormer and first floor rear extension may be significantly reduced in size in order to better complement the appearance of the application building and wider row of houses within which it is situated.

**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/2803/17
<b>SITE ADDRESS:</b>	72 Princes Road Buckhurst Hill Essex IG9 5DZ
<b>PARISH:</b>	Buckhurst Hill
<b>WARD:</b>	Buckhurst Hill West
<b>DESCRIPTION OF PROPOSAL:</b>	To erect a first floor rear extension. To extend the existing ground floor by 2m.
<b>DECISION:</b>	Refuse Permission

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=601238](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=601238)

**REASON FOR REFUSAL**

- 1 By reason of its bulk, height and siting at higher level in close proximity to the site boundary with 74 Princes Road, the proposed extension would be likely to cause an excessive loss of light to ground floor windows in the flank of 74 Princes Road. As a consequence, the proposal would cause excessive harm to the living conditions of 74 Princes Road, contrary to Local Plan and Alteration Policy DBE9, policy DM9 of the submission version of the Draft Local Plan and the policies of the National Planning Policy Framework.

Amplification of Reason for Refusal

Members had no objection to the proposed enlargement of the existing ground floor extension at 72 Princes Road. Their objection relates to the proposed first floor extension and it's consequence for the living conditions of the detached neighbour, 74 Princes Road.

74 Princes Road is a semi-detached house to the east of the application site that has a single-storey extension to the rear elevation. Unusually, its internal arrangement is such that it relies upon a number of windows in its flank elevation for light to habitable rooms. Towards the rear of the original flank elevation at ground floor is a pair of windows separated by a door. The window to the left of the door serves the dining room of the house and the window to the right serves a lounge. They are the only windows serving those rooms.

Members were aware the proposal included the construction of a first floor extension whose western flank would align with the western flank of the original house and existing ground floor extension. As a consequence, the proposal would result in a two-storey flank wall extending 5 metres beyond the original first floor rear elevation of 72 Princes Road, adjacent to the site boundary with 74 Princes Road. The rear elevation of the first floor extension would be set approximately 800mm beyond the ground floor rear elevation of 74 Princes Road. The flank

elevation would have an eaves height of 5 metres and be set 4 metres away from the flank of 74. The ridge height of the first floor extension would be approximately 6.5 metres, but set 3 metres away from the flank.

Given the 4 metre flank to flank separation between the proposed first floor extension and 74 Princes Road, the 5 metre high eaves of the proposed first floor extension would break an imaginary 25 degree line taken from the flank of 74 Princes Road to the eaves of the proposal starting at a height of 2 metres above ground level. The eaves would in fact be set at an angle of 37 degrees above the same point on the flank of 74. Having regard to the Building Research Establishment (BRE) document 'Site Layout Planning for Daylight and Sunlight: A guide to good practice (BR 209), 2011, that relationship is considered to be highly indicative of a loss of light to windows serving two ground floor rooms at 74 Princes Road. The windows particularly affected are those that serve the dining room and adjacent lounge. As stated above, those rooms are not served by any other windows.

Having regard to the relationship described above and awareness of the BRE guide to good practice, Members concluded the proposed first floor extension would be very likely to cause an excessive loss of light to important habitable rooms of 74 Princes Road and, as a consequence, cause an excessive degree of harm to the living conditions of that dwelling. Members did not consider that the harm could be mitigated by planning conditions. They also did not consider it likely any alternative proposal for a first floor extension larger than that which presently exists at the application site would overcome their objections.

#### Way Forward

Following consideration Members concluded there is no way forward for the proposal.

**Report Item No: 6**

<b>APPLICATION No:</b>	EPF/3133/17
<b>SITE ADDRESS:</b>	83 Grange Crescent Chigwell Essex IG7 5JD
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Grange Hill
<b>DESCRIPTION OF PROPOSAL:</b>	Residential redevelopment to create 2 new 5 bed dwellings
<b>DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=602558](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=602558)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
  
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos:  
2222.1 A  
2222.2 A  
2222.3 A  
2222.4  
2222.5  
Design and Access Statement
  
- 3 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
  
- 4 Prior to first occupation of the development hereby approved, the proposed window openings in the northern flank elevations, to the en-suite facilities to bedroom 2, shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
  
- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no window, roof light or other opening shall be installed in a side elevation above ground floor level without the

prior written permission of the Local Planning Authority.

- 6 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 7 Gates shall not be erected on the vehicular access to the site without the prior written approval of the Local Planning Authority.
- 8 The parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents (staff) and visitors vehicles.
- 9 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tools. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.
- 10 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.  
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]

- 11 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.  
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows]
- 12 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.  
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows]
- 13 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
- 14 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation

scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.

- 15 Both houses hereby permitted shall be constructed with double glazing to the fenestration to the rear elevations. Double glazed window units shall be installed and in place prior to first occupation of either house. The rear windows shall be retained as such unless the prior written consent of the local planning authority is given for any alteration.
- 16 The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground) for demolition, all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the local planning authority which:
  - provide details on all structures
  - provide details on the use of tall plant/scaffolding
  - accommodate the location of the existing London Underground structures
  - demonstrate access to elevations of the building adjacent to the property boundary with London Underground can be undertaken without recourse to entering London Underground land
  - demonstrate that there would at no time be any potential security risk to London Underground railway, property or structures
  - accommodate ground movement arising from the construction thereof
  - mitigate the effects of noise and vibration arising from the adjoining operations within the structuresThe development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.
- 17 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

# Agenda Item 7

## AREA PLANS SUB-COMMITTEE SOUTH

21 February 2018

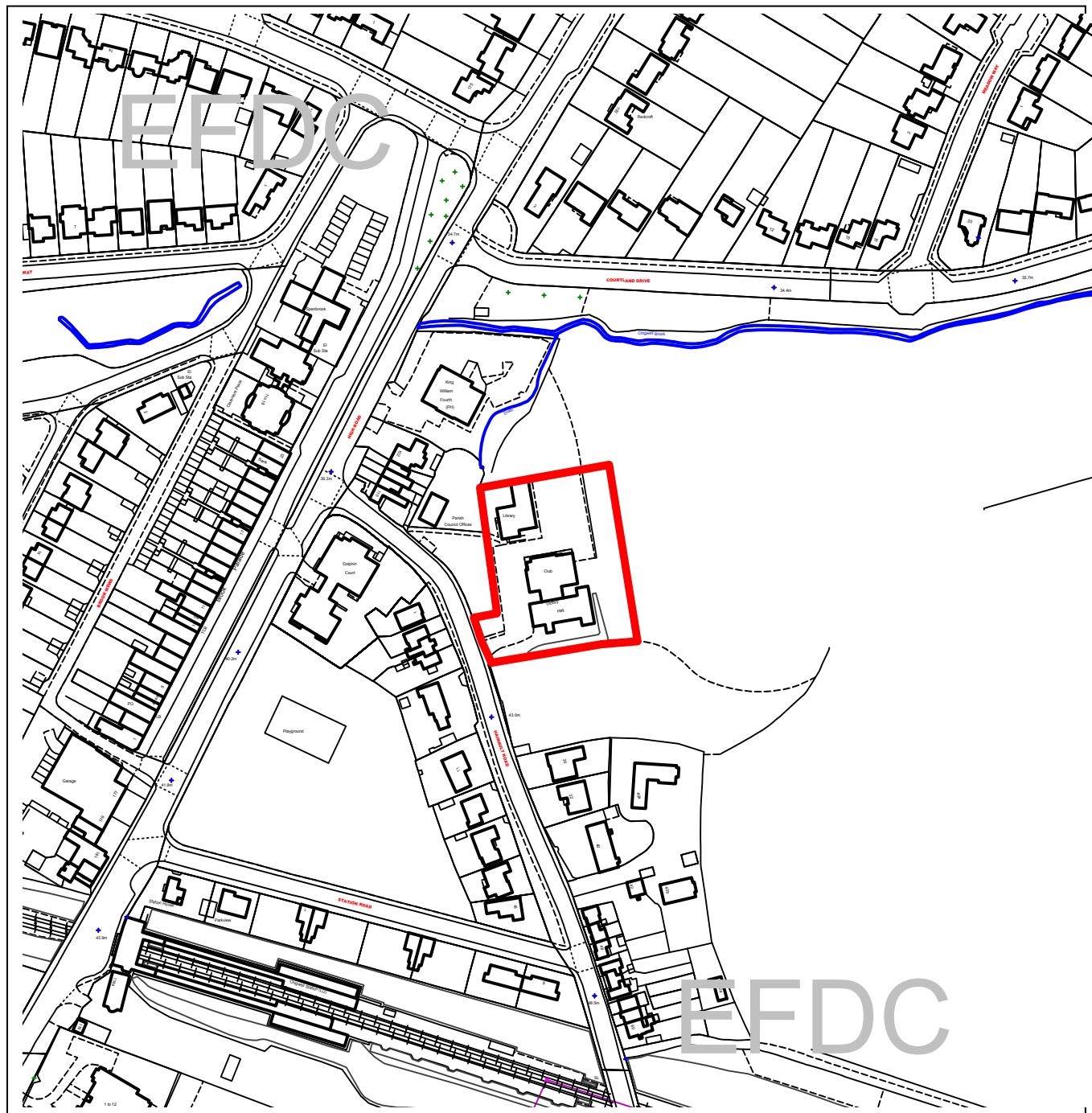
### INDEX OF PLANNING APPLICATIONS/ENFORCEMENT CASES

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
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2.	EPF/1893/17	60 Traps Hill Loughton IG10 1TD	Grant Permission (With Conditions)	44
3.	EPF/3438/17	160 Manor Road Chigwell IG7 5PX	Grant Permission (With Conditions)	54
4.	EPF/3397/17	2 Glenside Chigwell IG7 5RE	Grant Permission (With Conditions)	64
5.	EPF/2954/17	17 Tomswood Road Chigwell IG7 5QP	Grant Permission (With Conditions)	74
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7.	EPF/3005/17	7 Briar Close Buckhurst Hill IG9 5EF	Grant Permission (With Conditions)	86
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# Epping Forest District Council

## Agenda Item Number 1



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Application Number:	EPF/2662/17
Site Name:	Chigwell Library, Victory Hall, Chigwell Parish Offices, Chigwell Members Club, Hainault Road, Chigwell, IG7 6QX
Scale of Plot:	1/2500

**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/2662/17
<b>SITE ADDRESS:</b>	Chigwell Library, Victory Hall, Chigwell Parish Offices Chigwell Members Club Hainault Road Chigwell Essex IG7 6QX
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Chigwell Village
<b>APPLICANT:</b>	Chigwell Parish Council
<b>DESCRIPTION OF PROPOSAL:</b>	Outline application (All Matters Reserved) for the demolition of existing Victory Hall, Chigwell Members Club and Library. Construction of relocated Parish Offices, multi use (Victory Hall) hall, Chigwell Members Club and Public Library.
<b>RECOMMENDED DECISION:</b>	Refuse Permission

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=600594](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=600594)

**REASON FOR REFUSAL**

- 1 The site is located within land designated as Metropolitan Green Belt where there is presumption against inappropriate development. A Community Right to Build Order was not obtained prior to the submission of this application. The proposal also falls outside of all other exceptions to inappropriate development listed within paragraphs 89 and 90 of the NPPF. It is therefore inappropriate development in the Green Belt. In addition the proposal would result in a significant reduction in the openness of the Green Belt and would undermine the purpose of including land within it. No very special circumstances or other considerations have been advanced that would outweigh the harm caused by the inappropriateness and other harm identified. The development would therefore conflict with Chapter 9 of the National Planning Policy Framework and policy GB2A of the Combined Policies of Epping Forest District Local Plan and Alterations and policies SP6 and DM4 of the Submission Version.
  
- 2 The proposal is an incongruous and dominant feature which will be visible from a number of long views of the site. It will therefore seriously undermine the distinctive natural landscape character of this edge of settlement location and is incompatible with the character and low density of development in close proximity to the site. It will therefore have a serious detrimental impact on the character and amenity of the surrounding area and as such is contrary to chapter 11 of the NPPF along with LL1, LL12 and CP2 of the Combined Policies of Epping Forest District Local Plan and Alterations and DM3 of the Submission Version.

*This application is before this Committee since it is an application that is considered by the Director of Governance as appropriate to be presented for a Committee decision (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3).*

**Description of Site:**

The application site covers an area of approximately 0.67 hectares of which 0.306 hectares falls within land designated as Green Belt. It is roughly rectangular in shape excluding the access area. It bounds both the built up area of Chigwell and extends into open fields designated as being within Green Belt.

The section of the site within the built up area of Chigwell includes 3 buildings. To the north of this area is Chigwell Library which is housed in a pre-fabricated single storey building. Centrally located within the site is the flat roofed Chigwell Members Club extension attached to the southern flank of the single storey double barrel roofed 'Victory Hall'. The existing buildings have a floorspace of 932m2.

Access to the site is via the eastern side of Hainault Road on the edge of the built up area of Chigwell.

**Description of Proposal:**

Outline application (All matters reserved except for impact on trees) for the demolition of the existing Victory Hall, Chigwell Members Club and Library. Construction of new Parish Offices, multi use hall, Chigwell Members Club and Public Library.

The demolished buildings will be replaced with 86 car parking spaces and planting. The new building will be constructed further eastwards on land which is currently an open field. It would have a maximum width of 49.8m, a maximum depth of 41m and a maximum height of 11.4m. Total floor space proposed is 2509m2.

The Design and Access Statement indicates that the building:

*"Will be a two storey building with projecting glazed windows and a clay plain tiled roof, and will be designed to continue with the architectural style of the buildings in the surrounding area in terms of materials and elevation design."*

*The new building is split down into three distinct sections, a central reception area, a new village multi-use hall and village café to the north and the Public Library and Chigwell Members Club to the South. The Parish Offices and meeting chamber are located on the first floor at the front of the building."*

All the uses within the proposed building would be accessed independently off the main entrance and foyer. Hours of use are proposed to remain as existing. These are as follows:

Use	Monday to Friday	Saturday	Sunday and Bank Holiday
Parish Office	09:30 until 16:30	Closed	Closed
Library	09:00 until 18:00	09:00 until 12:00	Closed
Chigwell Men's Club	18:00 until 23:00	Functions Varies	Closed
Victory Hall	09:00 until 15:30	Bookings Varies	Closed

The Village Hall is a two storey space with a balcony and tiered retractable seating area designed for drama and musical performances. The seating will be retractable in order to allow for this area to also be used as a function room or recreational room. It also includes a foyer and bar area.

Although the application form also indicates that the existing Parish Council building will be reused as a doctor's surgery, since this building is outside of the application site, any proposal relating to it falls outside of the scope of this application. For that reason reference to the re-use of the Parish Council building was deleted from the description of development.

### **Relevant History:**

Reference	Description	Decision
CHI/0206/54	Erection of Victory Hall and Mens Club	Granted
CHI/0048/57	ERECT PUBLIC HALL & ANCILLARY ROOMS	Granted
CHI/0010/65	ADDITIONAL ROOM	Granted
CHI/0071/69	PUBLIC LIBRARY	Granted
CHI/0067/71	SINGLE STOREY EXTN	Granted
EPF/0284/88	Extension to snooker room.	Granted
EPF/0016/97	Outline application for the erection of single storey building for use as Parish Council offices.	Granted
EPF/0257/97	Offices for Chigwell Parish Council. ** AMENDED PLANS **	Granted
EPF/1841/03	Extension to council offices to provide additional facilities and public access.	Granted
EPF/1571/13	Single storey front extension.	Granted
EPF/0561/14	Single storey rear extension for toilet block.	Granted

### **Policies Applied:**

#### *Adopted Local Plan:*

CP1	Achieving Sustainable Development Object	
CP2	Protecting the Quality of the Rural and Built Environment	
CP3	New Development	
GB2A	Development in the Green Belt	GB7A
	Conspicuous Development	
RP3	Water Quality	
RST19	Design, Layout and Landscaping of Golf Courses	
DBE4	Design in the Green Belt	
LL1	Rural Landscape	
LL2	Inappropriate Rural Development	
LL10	Provision for Landscape Retention	
LL11	Landscaping Scheme	
ST1	Location of Development	
NC3	Replacement of Lost Habitat	
NC4	Protection of Established Habitat	
NC5	Promotion of Nature Conservation Schemes	

#### *NPPF:*

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 215 states that due weight should be given to relevant policies in existing plans

according to their degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

### *Epping Forest District Local Plan Submission Version 2017*

The Epping Forest District Local Plan (Submission Version) 2017 has been approved for publication and is the Plan the Council intend to submit for independent examination. The policies in the Plan are considered to be up to date and accord with national policy and therefore should be given substantial weight in the consideration of planning applications in accordance with the Council's decision on 14 December 2017 and paragraph 217 of the NPPF. The policies and the Plan are supported by up to date and robust evidence – the evidence should also be treated as a material consideration. The relevant policies in the context of the proposed development are:

- SP1 - Presumption in Favour of Sustainable Development
- SP2 - Spatial Development Strategy 2011-2033
- SP3 - Place Shaping
- SP6 - Green Belt and District Open Land
- SP7 - The Natural Environment, Landscape Character and Green and Blue Infrastructure
- T1 - Sustainable Transport Choices
- T2 - Safeguarding of Routes and Facilities
- DM1 - Habitat Protection and Improving Biodiversity
- DM3 - Landscape Character, Ancient Landscapes and Geodiversity
- DM4 - Green Belt
- DM9 - High Quality Design
- DM11 - Waste Recycling Facilities on New Development
- DM15 - Managing and Reducing Flood Risk
- DM16 - Sustainable Drainage Systems
- DM18 - On Site Management of Waste Water and Water Supply
- DM19 - Sustainable Water Use
- DM20 - Low Carbon and Renewable Energy
- DM21 - Local Environmental Impacts, Pollution and Land Contamination
- DM22 - Air Quality

### **Consultation Carried Out and Summary of Representations Received**

Number of neighbours consulted: 71

Site notices posted: Yes – One outside entrance of site and two on Courtland Drive.

Responses received: as follows:-

*(More than one letter of objection was received from many of the addresses listed). Pettitts Hall Pudding Lane, 65 High Road Chigwell, 18 Courtland Drive, 3 Barton Close, Flat 5 Barton Friars Barton Close, 40 Chigwell Rise, 12 Parklands, 12 Parklands, 9 Parklands, 7 Parklands, 5 Parklands, 3 Parklands, 2 Parklands, 48 Millwell Crescent Lougton, 35 St Nicholas Place, The Moorings North Road, Havering Atte Bower, Puckridge House Vicarage Lane, 33 Turpins Lane Woodford Green, 5 Burnt House, Pudding Lane, 12 Meadow Way, 134 High Road Chigwell, Hunters Green Lane, 40 Chigwell Rise, 3 Coolgardie Avenue, 14 Courtland Drive, 20 Courtland Drive, 22 Courtland Drive, 26 Courtland Drive, 251 Fencepiece Road, 94 High Road Chigwell, 2 Meadow Way, 2 Meadow Way, 27 Lyndhurst Rise, 12 Courtland Drive and Flat 16 Claremont Place, 3 Meadow Way, 4 Meadow Way, 16 Courtland Drive, 16 Courtland Drive, 34 Courtland Drive, 9 Barton Friars Barton Close and 4 Puckridge Cottages.*

who collectively **OBJECTED** and raised the following concerns which are reproduced verbatim below:-

This site is Grade 1 agricultural land within the Green Belt therefore any development is inappropriate as defined in the EFDC Local Plan (Policy GB2A) and the NPPF section 9 o which paragraph 89 refers to 'Protecting Green Belt Land'. Retaining the feel of openness across the Green Belt is a fundamental concept of the Green Belt and the development as proposed would result in a permanent change to this. It is noted from the Draft Local Plan Consultation 2016 that there are no proposed alterations to the existing Green Belt boundaries in this location.

*No 'very special circumstances' exist as suggested by Parish Councillors.*

Given the large scale, bulk and height of the building, I conclude that this proposal would have a detrimental impact on the landscape – contrary to Local Plan policies LL1, and LL2.

*The Parish Council propose building on Green Belt Grade 1 arable farm land running alongside Courtland Drive and behind Victory Hall Chigwell which the Planning Inspectorate has recognised as a strategically important green corridor running through Chigwell and reaching into Grange Hill.*

*After these plans were originally drawn up, an article written by Councillor John Knapman appeared in the Spring 2015 edition of the Chigwell Residents Association (CRA) newsletter and he described in general terms what was being proposed.*

*He finished with the words "Residents will be consulted throughout the process.*

No proper consultation has happened and the first few residents knew about the plans was when the planning application appeared in the Agenda for the Parish Planning Committee meeting held on 26 October 2017.

Residents of Courtland estate which overlooks the site attended that meeting and a spokesman read out a statement objecting to the application.

Little further information was given to residents who attended the meeting as Councillors present felt unable to discuss the plans as they were the applicants.

Furthermore we can find no mention of the Community Hub Proposal in the EFDC Local Plan released by the Council on 14 December 2017 and Pre submission Chigwell Neighbourhood Plan (CNP) only contains three lines on the subject:-

"Provide a new Community Hub replacing Victory Hall site on Hainault Road will be supported."

Beneath the last two lines above, is paragraph which says:-

"Proposals to establish a new doctor's surgery or a new dentist facility will be supported provided they are located outside of the Green Belt and have sufficient off street parking spaces".

This last statement is clearly at odds with the application now submitted.

In summarising the feedback from residents on the draft CNP, Councillors wrote:-

"The proposed Community Hub on the "Victory Hall" site at Hainault Road would allow a library, multi – purpose hall, café and theatre to be located within a single building".

None of the above reference to a new Community Hub or indeed elsewhere, make reference to any building being required on Green Belt land as now proposed.

To grant this application, even as an outline building permission, would be a gross error of judgement as it would open the doors for the submission of other Green Belt development proposals in the crescent to the North East of the Courtlands estate.

Returning to the question of proper consultation it must be pointed out that Chigwell Parish has over 8500 residents which possibly equates to about 3,000 households.

The CRA sends out approximately 360 newsletters to households every 6 months which means that only 10% of the Parish households have had a chance to read anything about the Community Hub proposal. Little other information has been circulated and CPC minutes seem to be silent on this.

Furthermore the Business case paper attached to the planning application is a flawed document as it completely fails to identify 'need' for the hub which is the foundation stone of building a Business plan which would demonstrate the financial viability of the project and show how it would be delivered. A Business Plan is completely absent from the application.

It should be pointed out that the core bookings for Victory Hall (excluding weekend functions etc.) are running at under 40% of available booking times.

We also have considerable concerns about the source of the Section 106 agreement monies needed to undertake the Hub construction as the proposed site, which is also on Green Belt, has no link with the Community Hub site, construction as the proposed site, which is also on Green Belt, has no link with the Community Hub site as recommended in HMG's Guidance Notes on Section 106 agreements, does not feature in the Local Plan and where a planning application has yet to be submitted.

Residents agree that the Victory Hall site generally needs to be brought up to modern standards but plans attached to the application far exceed the footprint required for that to be achieved. A complete redesign is required.

Chigwell Members Club Secretary: SUPPORT: The existing Victory Hall and Chigwell Member's Club has been leased for over 50 years to the Lewis Foundation and has provided facilities for the community. It has been clearly stated by Chigwell Parish officials that nothing will change in this respect. "You will stay who you are and what you are simply not where you are"

**3 Dolphin Court: SUPPORT:** I am in favour of the development, will give an improved library and community hall and council offices with much parking which will need to be monitored to avoid abuse.

**CHIGWELL PARISH COUNCIL:** All members of the Planning Committee declared a personal and prejudicial interest in this application, on the grounds that Chigwell Parish Council as a corporate body is the planning applicant. Accordingly, the outline planning application was neither considered nor voted upon by the committee.

**CHIGWELL RESIDENTS ASSOCIATION:** Comment: Whilst the Chigwell Residents Association do not object to the application and welcome redevelopment of the above site. We do have a number of concerns we would like to raise:-

- Funding - Residents need to know exactly how this development is going to be funded. We would not want it to be approved as an enabling development for a scheme which is obviously not supported by residents.
- Consultation - Our members feel they have not been fully consulted on what is to be provided. We understand this is only an outline application but when this goes through reserved matters residents should be fully abreast of all proposals and able to comment.

- Development - it should be noted that residents would not support any form of residential accommodation on this site.

As stated above we do not object this application but the above points should be considered carefully when members make their decision.

### **Main Issues and Considerations:**

Paragraph 79 of the National Planning Policy Framework (the Framework) says that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Paragraph 87 says that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. This is broadly restated in Policies GB2A of the Local Plan. Paragraph 89 of the Framework states that the Council should regard the construction of new buildings as inappropriate in the Green Belt unless they fall within the 6 item list of exceptions. The proposal as submitted falls outside of all the exceptions within this list.

Paragraph 90 allows other forms of development provided that they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. This includes development brought forward by a “Community Right to Build Order”. However the Applicant has not undertaken the steps necessary to obtain this Order. (See way forward). Furthermore the consultation carried out by the applicant in relation to the proposal falls short of the requirements of this exception.

This lack of consultation is confirmed by a report carried out by the Rural Community Council of Essex (RCCE) and submitted by the Applicant as a supporting document for this application. The report concludes that insufficient consultation for this project was carried out. It therefore recommends that the Parish Council *“engage more fully with the public specifically on this major project and to undertake further investigations.”* This view is also supported by the large number of objections received in response to the consultation of this application compared with 1 letter of support.

At this stage since no Community Right to Build Order has been obtained, and the proposal does not meet the criteria for other exceptions to inappropriate development, it is in principle inappropriate development which can only be approved if there are very special circumstances which clearly outweigh the harm to the Green Belt and all other harm.

### **Impact on openness**

The buildings will be relocated from land within the built up area to land which is currently an open field within Green Belt. As a starting point the development is inappropriate development within the Green Belt. The height, bulk, massing, associated signage and intensity of use proposed in a location where there is currently only open fields would seriously detract from the openness of this site. This proposal is therefore spreading urban sprawl into to the Green Belt.

This harm is increased by the fact that the proposal is on higher land than its surroundings. Land around and behind Hainault Road is lower than the application site and the building is also one storey (plus roof) higher than the buildings it would replace, therefore the proposal will even with natural screening dominate northern views to this location. It would also be very prominent from views within Courtland Drive and further east from the site. It is noted that there are an existing tree screen between Courtland Drive and the application site which will partially screen the development during the spring and summer months. However this partial screening will be insufficient to overcome loss of openness as a result of building's presence and loss of natural landscape and encroachment into the countryside.

### Whether very special circumstances exist

Paragraph 87 of the NPPF requires that inappropriate development is by definition harmful to the Green Belt and will result in serious loss of openness. In this circumstance, it would need to be demonstrated that very special circumstances exist in this application which would clearly outweigh the harm to the Green Belt as a result of inappropriateness of the development.

The Parish Council are promoting this application on the grounds that this site is allocated within the Chigwell Neighbourhood Plan 2015-2030 (Submission Plan). However policy CHG2 of this document does not conform to planning legislation, national policy and both the adopted and submission versions of the District Local Plan. This is because they require changes to the Green Belt boundary which are inconsistent with site allocations within the Submission Plan and can only be funded through "enabling development".

The Neighbourhood Plan (Submission Version) and RCCE report indicate that the proposal will cost £6.5 million. The RCCE report says this funding has:-

*"been earmarked for the construction of the Community Hub via a proposed enabling agreement with the developer of the Rolls Park development. The Rolls Park development consists of 45 homes with 40% of these designated as 'affordable' with the rent set by the developer for 20 years. The enabling agreement will also fund the cost of the other onsite community works."*

The requirement of an "enabling agreement" of this sort would be contrary to Section 106 of the Town and Country Planning Act 1990 (as amended) and paragraph 204 of the NPPF as this type of agreement would not meet the criteria for when a planning obligation can be required. Any private agreement between the Local Authority and developers must be:-

- **necessary to make the development acceptable in planning terms**
- **directly related to the development; and**
- **fairly and reasonably related in scale and kind to the development."**

The proposal at Rolls Park is not directly related to the proposal, it would not overcome the above harm identified to the aims and purposes of the Green Belt and any future Rolls Park development proposal would need to fairly and reasonably relate in scale and kind to the submitted application. Further concern is raised at the fact that currently no application has been submitted for the Rolls Park site and that it sits within land designated as Green Belt where the development is required to be restricted.

The requirement for this type of planning obligation would therefore be beyond the powers of planning legislation. It is for this reason that officers raise concern about the validity of policy CHG2 of the Submission Version of the Chigwell Neighbourhood Plan.

Given this circumstance, further concern is raised in regards to the fact that, if planning permission were to be given, there would be high probability that the scheme could not be funded since the Council would have no powers to enforce this type of agreement and instead an extant permission could open the gateway for other more profitable uses.

These circumstances therefore do not clearly outweigh the harm to the aims and purposes of the Green Belt and to the rural character of this site.

The proposal is therefore contrary to chapter 9 of the NPPF and policies GB2A and GB7 of the Local Plan as well as SP6 and DM4 of the Submission Plan.

## Sustainability

The site is in close proximity to sustainable modes of transport which include Chigwell Station and bus links. It is also close to other public facilities and amenities. The site could also accommodate the provision of cycle parking on the site. It is for this reason considered to accord with ST2 of the Local Plan.

## Landscape and Trees

The Trees and Landscape team object to the proposal on the grounds that

*"This site is agricultural land within the Green Belt therefore any development is inappropriate as defined in the EFDC Local Plan (Policy GB2A) and the NPPF section 9 in which paragraph 89 refers to 'Protecting Green Belt Land'. Retaining the feel of openness across the Green Belt is a fundamental concept of the Green Belt, and the development as proposed would result in a permanent change to this. It is noted from the Draft Local Plan Consultation 2016 that there are no proposed alterations to the existing green belt boundaries in this location."*

We object to the proposal on the grounds of its impact in the landscape –  
Within the EFDC Landscape Character Assessment (Chris Blandford Associates 2010) Chigwell's overall landscape character is described as –

- "...encompassing a gently undulating patchwork or predominantly arable fields. Mature hedgerows line field boundaries and often contain trees, which are key landscape features within views across the area.
- In terms of the landscapes sensitivity to change, the assessment states that 'Framed views across this area are visually sensitive to potential new development, particularly large-scale or tall vertical elements.'
- The suggested landscape planning guidelines are that, "...any new development within the farmland is small scale, responding to historic settlement pattern, landscape setting and local distinctive building styles." Also that characteristic framed views across the area maintained."

The EFDC Settlement Edge Landscape Sensitivity Study (Chris Blanford Associates 2010) places the area (including this site) within Chigwell / Chigwell Row'.

- This describes the landscape setting (between Chigwell and Chigwell Row) as comprising of "a gently undulating patchwork of small fields delineated by



*I have highlighted in red the area of the existing buildings on the site. It should be noted that their presence / impact within the landscape is negligible. The tree screen that is present along the rear boundary consists of trees estimated to be between 30-50 years in age. They adequately screen the existing single storey buildings on the site. The submitted plans show the removal of this rear screen, and the construction of a large 2 storey building with pitched roof. It is accepted that the plans indicate that planting will be undertaken along the rear boundary. However, given the large scale , bulk and height of the building, landscaping can reasonably be expected to take 20 -30 years to achieve a satisfactory screen to allow the building to sit congruously within this setting. We consider this to be an unacceptable time period.*

*We therefore conclude that this proposal would have a detrimental impact on the landscape.”*

Whilst it is noted that a Tree Report was submitted as part of this application, the Landscape Team did not consider the details that it contained were sufficient to overcome the harms they identified.

The proposal fails to conserve or enhance the character and appearance of the existing natural landscape and as a result will have a detrimental effect on the enjoyment of the countryside by the public. The proposal is therefore contrary to policies CP2, LL1 and LL2 of the Local Plan as well as SP7 and DM3 of the Submission Version.

#### Ecology

The application site is surrounded by open countryside and therefore there is a high likelihood that protected species' could be using the site for foraging or as a commuting habitat. The Countryside team recommend that additional conditions be attached to any permission which are require biodiversity enhancement schemes, new native planting and bat sensitive lighting scheme. It is on this basis that the proposal is consistent with the requirements of Chapter 11 of the NPPF and policy NC4 of the Local Plan as well as DM1 of the Submission Version.

#### Design

Whilst the number of uses within the mixed use site ensures that it is an efficient use of the land. The height, bulk, likely intensity of use and institutional appearance of the building is very urban in character. The proposal will also appear incongruous and conspicuous in comparison to the existing low density of development which surrounds the site. The proposal is therefore harmful to the distinctive local character of the locality and as such is contrary to the requirements of DBE1,

DBE4 and GB7A of the Local Plan as well DM9 of the Submission Version. The use and building would therefore be better suited to a more town centre location.

#### Impact on neighbouring residential amenity

Paragraph 17 of the NPPF requires that planning decisions should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. This stance is reiterated within policy DBE9 which requires that new development should not result in an excessive loss of amenity to neighbouring properties. The factors which will be taken into account include noise, smell or other disturbance.

The nearest residential properties are 50m away. As this is an outline application, conditions could be imposed requiring further details on how the building will be ventilated, noise mitigated against and how refuse will be stored and collected.

The application proposes 86 car parking spaces and a function hall with a bar. It could result in a significant increase in noise and disturbance during the evening outside of the site after 21:00 hours when there is an expectation that surrounding background noise and disturbance will remain low in this predominately residential suburban area. However these issues could be controlled by hours of use and sound insulation conditions. It is for these reasons that the proposal complies with the requirements of policy DBE 9 of the Local Plan and DM9 of the Submission Version.

#### Highways

The Highways Authority is satisfied that the details contained within the Transport Statement have robustly demonstrated that the proposal will not be detrimental to highway safety, efficiency or capacity at this location or the wider network. The proposal therefore accords with the requirements of policies ST3 and ST4 of the Local Plan as well T1of the Submission Version.

#### Contaminated land

The Land Contamination Officer has reviewed the application and due the proposed uses not being of a sensitive nature, it is not necessary to attach conditions related to remediation of the land.

#### Land Drainage

The Land Drainage Officer finds the details of the proposal acceptable subject to conditions relating to a flood risk assessment and foul and surface water drainage details. It is on this basis that the proposal complies with the requirements of with Utilities chapter of the Local Plan and policy DM16 of the Submission Version.

#### Green Belt Balance / Conclusion

The proposal due to its additional height, bulk, massing design, presence and intensity of use on the undeveloped part of the application site which is designated as Green Belt and which is in close proximity to the urban fringe boundary of Chigwell is inappropriate development. This is because it seeks permission to spread development into the countryside which would seriously detract from the open sylvan character of this site and as a result would fail to protect the countryside from encroachment through urban sprawl. The proposal therefore is contrary to this fundamental aim of Green Belt policy.

Whilst it is appreciated that the Parish Council is a voluntary body with limited funds and the proposal has the potential to achieve many positive social and economic benefits for the local

community. The justification for what is being proposed has not been given in sufficient precise detail to allow the Council to quantify the proposed benefits against the harms. The way it will be financed is also contrary to planning legislation and therefore could not be enforced. Questions are therefore raised as to the realistic deliverability of the proposal. . Nor has evidence been provided as to why other sites within the urban area of Chigwell were not considered. These unquantified benefits therefore do not clearly outweigh the serious harm caused by this development to aims and purposes of the Green Belt in this local area and to the character of the landscape in this location.

National and Local policy therefore deem this type of proposal to be unsustainable and as a result both national and local policy require that it be restricted.

### **Way Forward**

Going forward three options are recommended:-

- (1) Any future proposal remains in the built up area of the site. (This is the preferred option).
- (2) As stated above, one of the exceptions to inappropriate development brought forward under a Community Right to Build Order. It is recommended that the Parish Council consider going through the process of obtaining this Order. This type of Order is one of the neighbourhood planning tools introduced in the Localism Act 2011. It can be used to grant outline or full planning permission for this type of development as long as it complies with the order.

A Community Right to Build Order is put together by local people who can decide on the type, quantity and design of buildings they want and in the locations they want them. Once an Order has been drawn up with the involvement of local people, it is publicised and consulted on before being submitted to the Council. The Council is then required to arrange for an independent examiner (paid for by the Council) to test whether the order meets the relevant legal tests, such as ensuring it is in line with national planning policies and certain basic conditions. (This includes ensuring that the recommendations made by the RCCE report are fully adhered to). If the independent examiner gives their approval, the Order is put to a local referendum.

If more than 50 per cent of those who vote in the referendum are in favour of the Community Right to Build Order, it will be made and planning permission will have to be granted.

- (3) Or alternatively prior to the submission any future application representations should be made through the Local Plan Review requesting that the boundary of the Green Belt designation be changed in this location to allow for this development. (This option would be the most difficult and lengthy given that the Local Plan Review process is in the final stages before adoption).

It is also strongly recommended that an alternative more robust funding mechanism is put in place prior to any further submissions of this type of proposal.

If however members still determine to recommend approval, the application would need to be referred to the District Development Management Committee for final determination as approval would be contrary to the provisions of both the Adopted Development Plan Submission Version Plan.

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

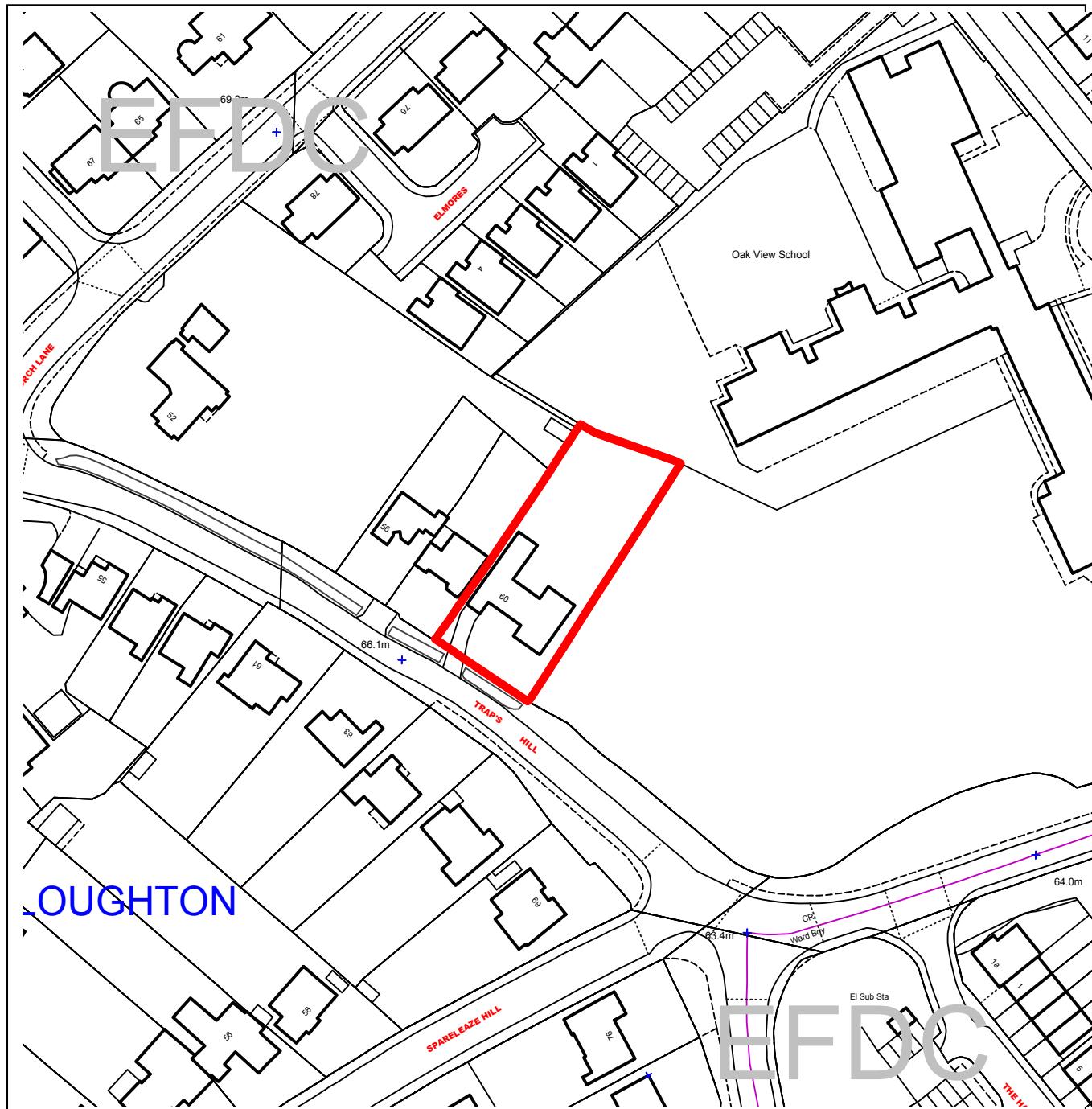
***Planning Application Case Officer: Sukhi Dhadwar***  
***Direct Line Telephone Number: 01992 564597***

***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***



# Epping Forest District Council

## Agenda Item Number 2



**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/1893/17
<b>SITE ADDRESS:</b>	60 Traps Hill Loughton Essex IG10 1TD
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Marys
<b>APPLICANT:</b>	Mr Carlton James
<b>DESCRIPTION OF PROPOSAL:</b>	The demolition of an existing 2-3 storey detached house and the development of a new 2-3 storey building consisting of 7 flats (2 x 1 bed, 5 x 3 bed) and including 9 no. car parking spaces, cycle stores and bin stores.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=597095](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=597095)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
  
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 320.PA.01, 02, 03E, 04, 05B, 06E, 07E, 08E, 09E, 10A, 11A, 12A, 13A, 14A, 15A, 16A, 18C, 19C, 20A, 22C, 23A, 24B, Arbtech TPP01 and Arbtech AIA 01
  
- 3 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tools. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.
  
- 4 No development shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.

- 5 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 6 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 7 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 8 Prior to the commencement of development other than groundworks, details of the design of the cycles stores including security measures shall be submitted to and approved by the Local Planning Authority. The works as agreed shall be fully implemented prior to first occupation of any of the dwellings and thereafter permanently retained.
- 9 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
1. The parking of vehicles of site operatives and visitors
  2. Loading and unloading of plant and materials
  3. Storage of plant and materials used in constructing the development
  4. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
  5. Measures to control the emission of dust and dirt during construction, including wheel washing.
  6. A scheme for recycling/disposing of waste resulting from demolition and construction works.

- 10 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 11 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed at the site. The installed cleaning facilities shall be used to clean vehicles wheels immediately before leaving the site.
- 12 All material excavated from the below ground works hereby approved shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.
- 13 If any tree, shrub or hedge shown to be retained in the submitted Arboricultural reports is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased during development activities or within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.
- 14 Prior to first occupation of the development, the access at its centre line shall be provided with a clear to ground visibility splay with dimensions of 2.4 metres by 30 metres to the east, as measured from and along the nearside edge of the carriageway. This splay shall be retained free of any obstruction in perpetuity.
- 15 Prior to the first occupation of the development the proposed private drive shall be constructed to a minimum width of 5.5 metres for at least the first 6 metres from the back edge of the carriageway and provided with an appropriate dropped kerb crossing of the verge.
- 16 Prior to the first occupation of the development the vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The parking and turning areas shall be retained in perpetuity for their intended purpose.
- 17 Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation, per dwelling, of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council.

*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. In addition, the application is for a type of development that cannot be determined by Officers if more than two objections material to the planning merits of the proposal to be approved are received (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)*

#### **Description of Site:**

The application relates to a site of around 0.13 hectares located on the north-east side of the road. The existing building is a part single, part two storey house occupied as a single dwelling. Part of the building is cut into the site to provide a garage at street level and the remainder sits in an elevated position above the road level, behind an area of mature landscape forming a highway maintained verge.

The site lies in a predominantly residential area, at this location mostly detached family homes. The application site is one of three adjoining plots on this part of the road, to the east of which lies a further dwelling at the corner of Church Lane on a substantially larger plot. To the east of the application site lies a playing field to Oak View Primary School.

#### **Description of Proposal:**

The application proposes redevelopment of the site described as a part two, part three storey building comprising of seven flats with an integral car park for 8 vehicles. The building takes some design cues from the existing building, proposing gabled roofed elements to the two main wings with a lower central element between.

The building is set off the shared boundary with no.58 Traps Hill by 2 metres and the lower gabled element is located on this side. This element includes the car park entrance with two floors above comprising a duplex 3 bed unit to the front and two x one bedroom units behind. The eastern taller gabled element proposes three floors above ground level, with a part single, part two storey flat roof element at the side set back from the front to provide consistency with the central entrance. This element houses 2 x 3 bed flats at ground floor and lower ground floor and two x 3 bed units above. Primary materials are indicated as red brick to the gabled elements and timber cladding as a contrast on the front of the central core and on the side addition. All units with have private terraces or courtyards as well as access to the shared rear garden from the central core.

The vehicle crossover is increased from single to double width and provides access to a car park under the building comprising 8 parking spaces and a turning area. Separate cycle storage is indicated in two buildings in the shared rear garden. Refuse storage is located adjacent to the vehicle access on an area already hard surfaced part of the site.

#### **Relevant History:**

The existing building on the site dates from the 1950's and was extended with the two storey side element abutting the school gaining permission in 1981.

#### **Policies Applied:**

##### *Adopted Local Plan:*

- CP2              Protecting the quality of the rural and built environment
- CP3              New development

CP7	Urban form and quality
DBE1	Design of new buildings
DBE2	Effect on neighbouring properties
DBE3	Design in urban areas
DBE6	Car parking in new development
DBE8	Private amenity space
DBE9	Loss of Amenity
DBE10	Residential extensions
LL10	Adequacy of provision for landscape retention
ST1	Location of development
ST2	Accessibility of development
ST4	Road safety
ST6	Vehicle parking

*NPPF:*

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 215 states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

*Draft Local Plan:*

The Epping Forest District Local Plan (Submission Version) 2017 has been approved for publication and is the Plan the Council intend to submit for independent examination. The policies in the Plan are considered to be up to date and accord with national policy and therefore should be given substantial weight in the consideration of planning applications in accordance with the Council's decision on 14 December 2017 and paragraph 217 of the NPPF. The policies and the Plan are supported by up to date and robust evidence – the evidence should also be treated as a material consideration. The relevant policies in the context of the proposed development are:

SP1	Presumption in favour of sustainable development
SP7	The Natural Environment, landscape character and green and blue Infrastructure
H1	Housing mix and accommodation types
T1	Sustainable transport choices
DM9	High Quality Design
DM10	Housing design and quality
DM16	Sustainable drainage systems

**Consultation Carried Out and Summary of Representations Received**

Number of neighbours consulted: 13

Site notice posted: Yes

Responses received: Representations raising objection to the proposal have been received from 40 properties, as under:

ALDERTON HILL	17, 31, 38, 75
CHURCH LANE	49, 55, 70, 78
ELEVEN ACRE RISE	3, 19
ROWANS WAY	1, 3, 4, 5
SPARELEAZE HILL	2, 4A, 19, 27, 31, 37, 58
TRAPS HILL	36, 46, 51, 53, 55, 56, 59, 61, 63, 65, 67, 69
TYCEHURST HILL	36, 37, 46, 50, 54, 63
WESTVIEW	5

The LOUGHTON RESIDENTS ASSOCIATION PLANS GROUP have also submitted their objection.

Objectors refer to the following concerns:

- Impact on local character – concerns that a flatted development is inappropriate in the context of the surroundings which comprise family home which give a distinctiveness to the location.
- Form and intensity of development – the scheme is considered over development on the site in terms of built form, density and intensity of future use.
- Design and appearance – the building is considered inappropriate in its design, scale and mass, the three storey element is considered excessive and the eastern elevation in particular bulky.
- Parking and highway matters – parking provision is viewed as inadequate leading to potential overspill into surrounding roads. Concern is also raised at the adequacy of the access, potential risks to road safety, pedestrian safety exiting the site where no footway exists, the potential obstruction of the road by refuse vehicles, and the general increase in road traffic resulting.
- Direct amenity impacts – in terms of daylight and sunlight, overlooking and loss of privacy etc.
- Loss of green frontage from removal of the highway verge (it should be noted this comment was made before it was established that the highway land was not within the applicants control).
- Impact on local school places.
- Precedent for future similar proposals.
- A number of comments related to matters not relevant to the consideration of the application including the possibility of covenants preventing the development, impact on property values and local service infrastructure capacity (water and drainage)

LOUGHTON TOWN COUNCIL:: Loughton Town Council OBJECTED to the application on the following grounds:

The proposal was out of character with this road and area, which was characterised by single occupation houses. This development would create an undesirable precedent. The site was positioned on a dangerous blind bend, which was also a pinch-point in the road, and emphasis was expressed on the traffic problems this would create being a major constraint. The development was considered overbearing and an overdevelopment of the site which would dominate the street scene. The proposal offered very little amenity space and insufficient parking. This was contrary to policies CP2(iv), CP7, ST4(iii) and DBE9(i) of Epping Forest District Council's adopted Local Plan & Alterations, which were consistent with the National Planning Policy Framework.

#### **Main Issues and Considerations:**

In considering the principle of a flatted development in this location, a number of factors need to be considered. Objectors, including the Town Council, attach considerable weight to the character of the area being defined by single dwellings on spacious plots. While this is the case in Traps Hill, the wider area is more mixed, within 100 metres of the site for example lies Borders Lane where a different form of development prevails. The site does not lie in or near a Conservation Area, nor within an area of special control and there are no historic and listed buildings which the site and surroundings create a setting for. That does not suggest that there is not a form or character to the immediately locality, only that Officers view is that it is not so unique or distinctive that other forms of development would be inappropriate in principle.

In design terms, the proposals demonstrate sound urban design principles. The building takes some cues from the existing building in the use of two gabled elements to the frontage. The building has been amended to increase the separation with the immediate neighbour and in townscape terms the stepping up reads more logically with the two storey house adjacent the bungalow further to the west. The main mass of the building is on the eastern elevation adjacent to the school. The relationship to it has been softened by reducing the height of the roof and introducing a contrast material into the recessed side projection. In general architectural terms therefore the building of itself is of a good standard of design.

Consultees have raised concerns at the height and form of the building in particular. Notwithstanding the elevated position of the building, the Applicant's have cited the wide variety of buildings in the area that include three storey or higher elements, including a number in Alderton Hill and Church Lane, of substantial width with roof extensions. Reference is made to the property on the corner of Church Lane which includes a crown roof, the substantial property at 1a West View built under a 2002 permission, and a number of examples of third storeys in gables to houses on Traps Hill. There is great variety in the local built form and Officers consider that the proposal would not be wholly inappropriate in this context.

In highway terms, the key issues relate to the safety of the access and the level of parking. The access has been re-sited following alterations to move it further to the east and away from the oak tree adjacent to no.58. Following this revision, the Highway Authority advises:

*The Highway Authority has made several site visits and has thoroughly assessed the additional submitted transport information. The applicant has demonstrated to the satisfaction of the Highway Authority that appropriate visibility splays can be achieved for the actual speed of the road, past the existing oak tree to the west. Indeed, given the speed data, and the widening of the access, the actual achievable splays are slightly in excess of the minimum required.*

*The parking and turning issues have been previously overcome.*

*Consequently the Highway Authority is satisfied that the proposal will not be detrimental to highway safety or efficiency at this location.*

Objectors concerns at the narrow width of the road at this point are noted, however this is a common issue to all properties in the vicinity and the access has been widened to allow in and out access to the required design.

The scheme incorporates 8 parking spaces in the car park, an additional visitor space is indicated on the driveway although officers do not consider this can reasonably be considered as permanently available. The Highway Authority has not objected to the overall level of parking provision. Cycle parking is proposed within the site and occupiers will have access to bus services on Traps Hill to the east. Loughton Railway Station however is in excess of 1,300 metres away and would not therefore be considered within walking distance when assessing public transport accessibility levels.

Direct harm to the immediate neighbour has been considered in the design of the proposal. The proposed building extends to the same depth as the existing building where it adjoins no. 58 Traps Hill, the most affected neighbouring property. Owing to the excavations, the part of the building is around half a floor taller at eaves level but the distance between the buildings has been increased to around 3 metres. This element is not seen as having a substantially increased impact on the neighbour, particularly in the context of the rear of the properties facing north. It is noted that no representations have been received from 58 Traps Hill.

Impact on wider residential amenity is more subjective. No substantive overlooking arises from the building or the terraces as a result of substantial mature landscaping. Comments in this regard emphasise occupation of the building at its maximum capacity but a more balanced position needs to be considered in determining whether general activity will be so significant as to materially affect general amenity, evidence to support such a contention is limited.

Other comments around the theme of over intensive development refer specifically to density and amenity space. It should be noted that the Submission Version of the Local Plan refer to both in broad terms only. However, in broad density terms, the scheme produces 54 dwellings per hectare. All units have private terraces and access to the shared rear garden of around 400 sq.m, within which a children's play area has been indicated (although Officers would not in this location consider this essential). All units also comfortably meet National Prescribed Space Standards for new dwellings. As such, the issues on the intensity of development in this case are finely balanced.

Policy H1 in the Submission Version of the Local Plan contains commitment to protect bungalows and specialist housing in order to meet such specific need. Officers have considered this policy in the context of the existing building but having regard to the extensions previously built are of the view that the policy does not apply to a building that has been so substantially altered to become a larger general needs dwelling.

### **Conclusion:**

It is acknowledged that the issues are finely balanced in this case, and assessment of what weight to give to the various issues is not straightforward.

The character of the immediate surroundings is evidently as described by consultees primarily detached family houses on spacious plots. This however is not so unique as to suggest it should be retained – it is not a conservation area – and while national and local policy recognises the value of local distinctiveness it does not suggest that alternative forms of development should not be considered. The area could also be seen as being characterised by a wide variety of built forms and heights into which the development can be fitted, particularly in the context of the short group of buildings in which it lies.

Highway and traffic issues around site access have been resolved with the access designed to meet sight lines to allow safe access and egress to the Highway Authority's satisfaction. The scheme does fail to meet full parking standards and the applicant argues that this is an appropriate response in a reasonably accessible and sustainable location.

The scheme proposes dwellings which meet appropriate space standards and provides both private terraces and a communal garden. In this context the level of development does not appear overly intensive.

Officers acknowledge the concerns raised, but in the context of national and emerging local policy consider the proposals to be broadly acceptable.

***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: Ian Ansell  
Direct Line Telephone Number: 01992 564481***

***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***

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# Epping Forest District Council

## Agenda Item Number 3



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Application Number:	EPF/3438/17
Site Name:	160 Manor Road, Chigwell, IG7 5PX
Scale of Plot:	1/1250

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**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/3438/17
<b>SITE ADDRESS:</b>	160 Manor Road Chigwell Essex IG7 5PX
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Grange Hill
<b>APPLICANT:</b>	Mr Raheel Akhtar
<b>DESCRIPTION OF PROPOSAL:</b>	Change to consented application EPF/0385/17. Building slightly extended and internal layouts change to allow for 9 flats. Rear extension at basement level. Compliant parking. Updated landscape.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=603656](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=603656)

**CONDITIONS**

- 1      The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
  
- 2      The development hereby permitted will be completed strictly in accordance with the approved drawings nos:  
CB/17/12, site location plan/existing block plan  
NMEF/14/20, existing ground floor plan  
NMEF/14/21, existing first floor plan  
NMEF/14/22, existing elevations  
CB/17/08, street scene  
CB/17/10, proposed block plan  
CB/17/10A, landscaping plan and section  
CB/17/01, lower ground floor  
CB/17/02, ground floor  
CB/17/03, first floor  
CB/17/04, second floor  
CB/17/05, front and rear elevations  
CB/17/06, side elevation to Millbrook  
CB/17/07, side elevation to 158  
CB/17/09A, section  
CB/17/09B, section  
Computer generated image of front elevation received 2 February 2018  
Design & Access Statement

- 3 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.
- 4 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 5 The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site.

Should any discoloured or odorous soils be encountered during development works or should any hazardous materials or significant quantities of non-soil forming materials be found, then all development works should be stopped, the Local Planning Authority contacted and a scheme to investigate the risks and / or the adoption of any required remedial measures be submitted to, agreed and approved in writing by the Local Planning Authority prior to the recommencement of development works.

Following the completion of development works and prior to the first occupation of the site, sufficient information must be submitted to demonstrate that any required remedial measures were satisfactorily implemented or confirmation provided that no unexpected contamination was encountered.
- 6 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 7 All material excavated from the below ground works hereby approved shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.

- 8 Access to the rearmost 5m of the built form, the flat roof over the rearmost 5m of the lower ground floor as 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.
- 9 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tools. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.
- 10 Prior to first occupation of the development, the developer shall be responsible for the provision - per dwelling - and implementation of a Residential Travel Information Pack for sustainable transport, approved by the local planning authority.
- 11 Gates shall not be erected on the vehicular access to the site without the prior written approval of the Local Planning Authority.
- 12 The parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents (staff) and visitors vehicles.
- 13 Prior to demolition of the existing bungalow on the site, full written details of a permeable surface to the parking area outside the building shall be submitted to and approved in writing by the local planning authority. Such surface treatment as approved shall be implemented concurrently with the construction of the flats hereby approved and made available for use prior to first occupation of any flat hereby approved and be retained thereafter.

*This application is before this Committee since it is an application for residential development consisting of 5 dwellings or more (unless approval of reserved matters only) and is recommended for approval (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3) and is for a type of development that cannot be determined by Officers if more than four objections material to the planning merits of the proposal to be approved are received (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)*

#### **Description of Site:**

Detached bungalow with front dormer. It is not Listed, nor in a Conservation Area.

The bungalow is set between a two-storey house to the left hand side when viewing the site from Manor Road and a three-storey building with roof accommodation to the right hand side. The front boundary of the site has a brick wall with railings above. The site has a vehicular access to the left hand side of the plot. The bungalow is set on ground somewhat higher than the level of Manor Road. To the rear of the bungalow the ground level falls.

#### **Description of Proposal:**

Change to consented application EPF/0385/17. Building slightly extended and internal layouts change to allow for 9 flats. Rear extension at basement level. Compliant parking. Updated landscape.

The proposal is to demolish the existing bungalow and erect a building, of two full storeys plus accommodation in the mansard type roof, to accommodate nine flats. The new building would have basement parking.

9 parking spaces would be provided in the basement and 4 parking spaces would be set in front of the new building.

Two one-bedroom flats would be at basement level. However, these flats would be set to the rear of the building where, due to falling ground levels to the rear of the site, windows would effectively be at a ground floor level. Three flats would be on the ground floor; two one-bedroom flats and a two-bedroom flat. Two two-bedroom flats would be on the first floor. A two-bedroom flat and a one-bedroom flat would be set on the second floor, within the mansard roof.

The dimensions of the built form of the current proposal are the same as those for the design previously approved.

#### **Relevant History:**

EPF/0385/17 - Amendment to consented application EPF/0679/15 as well as non-material application EPF/1644/16. Internal layouts changed to allow for 5 flats instead of 4. Rear extension at basement level. Compliant parking. Updated landscape. – Granted 03/05/2017

#### **Policies Applied:**

##### *Adopted Local Plan:*

CP2	Quality of Rural and Built Environment
H2A	Previously Developed Land
H3A	Housing Density
DBE1	Design of New Buildings
DBE2	Effect on Neighbouring Properties
DBE6	Car parking in New Development

DBE8	Private Amenity Space
DBE9	Loss of Amenity
LL11	Landscaping Schemes
ST4	Road Safety
ST6	Vehicle Parking

*NPPF:*

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 215 states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

*Epping Forest District Local Plan (Submission Version) 2017:*

The Epping Forest District Local Plan (Submission Version) 2017 has been approved for publication and is the Plan the Council intends to submit for independent examination. The policies in the Plan are considered to be up to date and accord with national policy and therefore should be given substantial weight in the consideration of planning applications in accordance with the Council's decision on 14 December 2017 and paragraph 217 of the NPPF. The policies and the Plan are supported by up to date and robust evidence – the evidence should also be treated as a material consideration. The relevant policies in the context of the proposed development are:

- SP1 - Presumption in Favour of Sustainable Development
- H1 - Housing Mix and Accommodation Types
- DM9 - High Quality Design
- DM10 - Housing Design and Quality
- DM11 - Waste Recycling Facilities on New Development
- DM12 - Subterranean, Basement Development and Lightwells

**Consultation Carried Out and Summary of Representations Received**

Number of neighbours consulted: 43

Site notice posted: Yes

Responses received:

FLAT 1, MILLBROOK, 164 MANOR ROAD – Object, loss of sunlight to patio, basement could cause flooding, number of flats excessive for the size of the plot, inadequate parking, waste storage inadequate, previous applications for flats were refused at appeal, inappropriate overcrowding, cramming a quart into a pint pot, overdevelopment.

FLAT 6, MILLBROOK, 164 MANOR ROAD – Object, will have serious repercussions on parking in an already congested area, provision to store waste material before collection unclear and may cause a health hazard.

FLAT 8, MILLBROOK, 164 MANOR ROAD – Object, over-development, greater vehicular movement, lack of beneficial amenity area, excavation of basement construction may result in flooding to adjacent properties, overbearing and dominating side elevations, overlooking, disturbance of neighbouring properties, lack of dimensional information on the revised drawings.  
10 MILLBROOK, 164 MANOR ROAD – Object, 9 flats is excessive for this small plot of land, flood risk from likely disturbance of the adjacent underground brook, planning approval should be conditional upon double yellow lines being applied to Manor Road in between Stanwyck Drive and Mount Pleasant Road.

13 MILLBROOK, 164 MANOR ROAD – Object, there are trees and hedges on both sides of the front and rear boundaries, a plan showing a bin store contradicts an answer on the application form, insufficient parking provision.

CHIGWELL PARISH COUNCIL: No objection

## **Main Issues and Considerations:**

The main issues are considered to be, as with previous applications, impact to neighbours and appearance within the streetscene. This latest proposal for the site has increased the density of accommodation and the residential amenity of future occupiers of the nine flats is considered below. The history of the site is a consideration though the policy context has changed since the emergence of the Epping Forest District Local Plan Submission Version 2017.

### **General impact to neighbours**

The second floor glazing on the rear elevation would be some 35m from the rear boundary of the application site, which adjoins the rear gardens of properties on Dacre Close. Notwithstanding that ground levels fall to the rear of the site, this distance is considered sufficient such that no material adverse impact would result in terms of loss of privacy to neighbours. Furthermore, the building to the east of the application site, Millbrook, has glazing and balcony areas at the same height, or possibly slightly higher than, the height of the rear elevation to the top floor flat.

The basement floor, what would appear as a ground floor at the rear of the building, would be 5m deep. This is effectively a 5m deep flat roofed rear extension but the roof of this element would be level with the ground levels of properties on both adjoining sites to the sides and accordingly is acceptable with regard to daylight and sunlight to neighbours.

An open rear amenity area some 35m in depth would be retained between the proposed building and the rear boundary with properties on Dacre Close. The proposal would safeguard the living conditions of neighbours.

### **Amenity Impact – 158 Manor Road**

With regard to the living conditions of neighbours, 158 Manor Road is to the west by southwest of the proposed flats. The principal windows of the house at 158 are to the front and to the rear. At the rear, both the proposed building and 158 would be 1m from their common side boundary which is marked by a close boarded fence some 2m in height. The lower ground floor, despite extending rearwards by 9.6m beyond the main wall of no.158, will be directly below the bottom of the dividing fence and therefore not visible from no.158.

The ground floor at the rear (level in height to the ground floor of no.158) would be 6.5 m deeper into the plot than the main rearmost ground floor wall of no. 158 but set some 2.5m inside of the side boundary fence and therefore 4.5m in from their nearest ground floor rear facing window. This separation distance and the fact there is a 2m boundary screen, will safeguard the amenity of no.158.

The proposed first floor will be at the same height of the first floor of no.158 and project 3.6m beyond but at a distance of 5.5m from their first floor window. The arrangement is such that the first floor rear windows of no. 158 would not cut a 45 degree line, which is a rule of thumb in respect of impact on outlook from neighbours. The proposed mansard shape second floor would be the same depth beyond no.158's roof (which has rear facing dormers) and also not cause harm to light or outlook. .

Proposed sight screens, of opaque glass, will prevent overlooking from the proposed terraces and the first floor balcony at the rear. Whilst the new building will visually project rearwards at first and second floor level as viewed from no.158, the 45 degree rule of thumb measure will be maintained. This neighbour will not be significantly overlooked, particularly given the existing and proposed screening. It is therefore considered that the amenity of no.158 will not be unduly harmed.

### Amenity Impact – Millbrook Court

To the east, the four storey flatted development at Millbrook Court is set 5m from the side boundary. The proposed built form above the ground floor storey would not cut into a line drawn at 45 degrees from the face of the windows at ground and first floors on the rear of Millbrook Court. Notwithstanding an objection from a neighbour regarding loss of sunlight to a patio, it is considered that there will be no loss of light or outlook of a sufficient degree to reasonably justify refusal.

### Design and Appearance

The existing bungalow on the site would appear to date from the 1950's and now appears as a somewhat incongruous building set between the two-storey with hipped roof built form at 158 and the substantial built form at Millbrook Court, of three full storeys and roof with front dormers. The front wall of the proposed building would be slightly forward of the front wall of the house at 158 Manor Road but not as far forward into its plot as the nearest front wall of Millbrook Court. The appearance of the building would fit well between built forms on adjoining plots and whilst this is a proposal of some depth, it is masked by the presence of the buildings on either side and therefore will have little visual impact. The building will in fact visually enhance this part of the street scene. At the rear, the visual impact will be similar to the large flat development next door at Millbrook, however, there are no public views of it and the houses in Dacre Gardens to the north are a significant distance away.

The proposal, in design and scale, conforms to the character of the area and improves on the appearance of the current building on the site, complying with policy requirements.

### Other Matters

The local highway authority has no objection subject to the imposition of conditions to any planning permission.

The trees and landscaping team has no objection subject to the imposition of conditions to any planning permission.

The site is situated within a sustainable urban location, with Grange Hill station less than 500m away to the east, close to local services, facilities and public transport and would make more efficient use of this site.

Land drainage has recommended that a subterranean development informative be attached to any planning permission. The basement is of one storey and would take up less than 50% of the garden.

The proposal represents a material increase in the intensity of use as compared to the previously approved design; from 5 flats to 9. However, the size of the site is such that the density of use is considered acceptable. The open area, the communal amenity area, to the rear of the proposed built form would have an area of 300 sq m. Applying a standard of 25 sq m communal area for each flat would result in a figure of 225 sq m (in addition, all the flats to the rear of the building, 5 of the 9 flats, have a private terrace or balcony). Car parking is 13 spaces for the 9 flats, arguably one space short of the standard but, given that the site is some 440 m from Grange Hill Underground Station, this could not form a reasonable reason for refusal.

The previously approved design was for five 2-bedroom flats. The design the subject of this application is for four 2-bedroom flats and five 1-bedroom flats. The widening of accommodation offered by the current proposal, extending to some properties that seem likely to be more affordable is welcomed in that it facilitates the creation of mixed and balanced communities.

**Conclusion:**

The design has of the built form has retained the dimensions, the “external shell” to that previously approved and accordingly no material adverse impact would result to neighbours. The appearance would harmonise with the streetscene, offering some enhancement. The proposal, though for markedly more units than approved previously, still conforms to the thrust of adopted and emerging policy. Furthermore there are advantages to the current design of the efficient use of land and a widening of accommodation towards more affordable properties.

***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: Jonathan Doe  
Direct Line Telephone Number: 01992 564103***

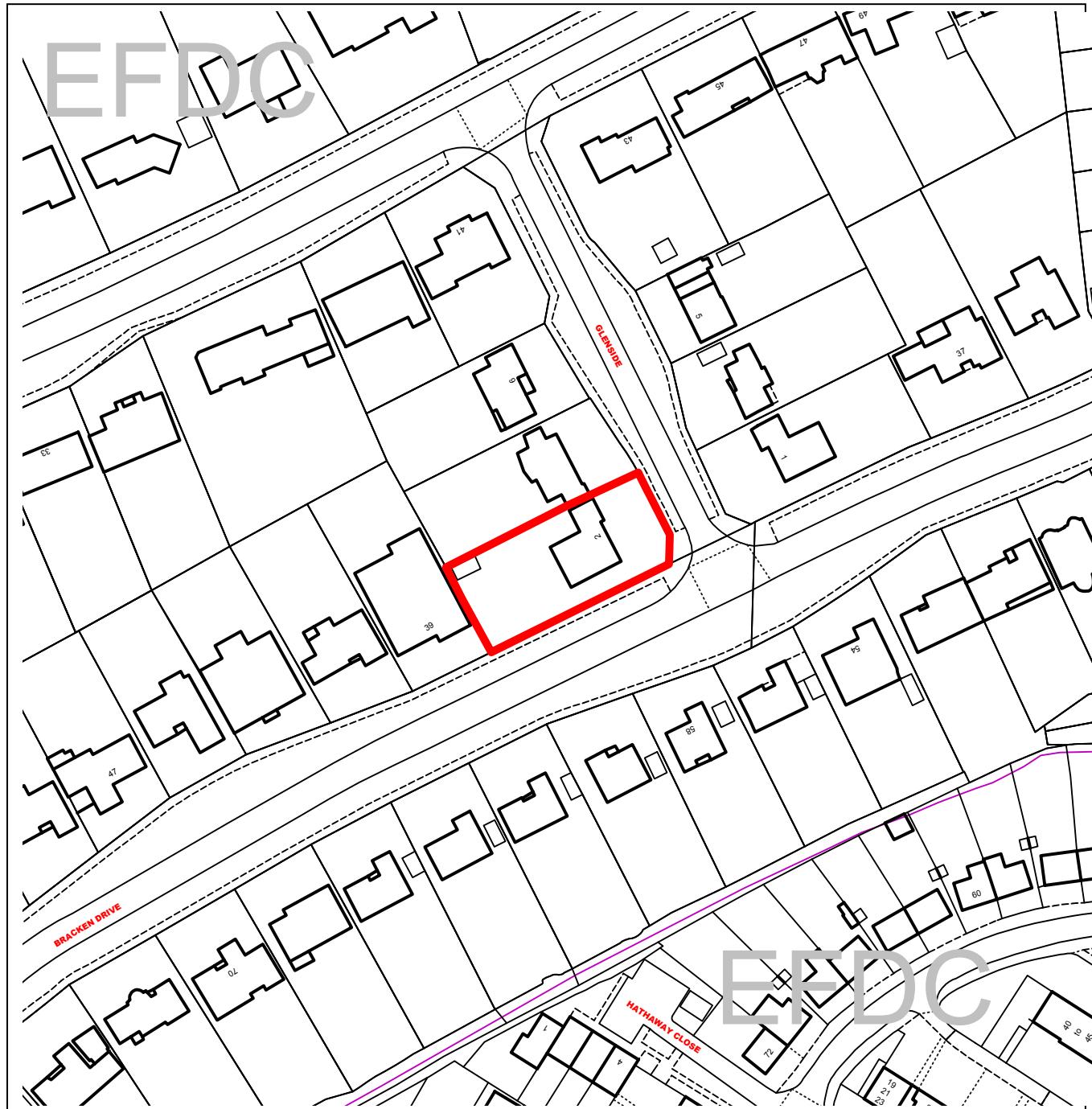
***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***

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# Epping Forest District Council

## Agenda Item Number 4



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Application Number:	EPF/3397/17
Site Name:	2 Glenside, Chigwell, IG7 5RE
Scale of Plot:	1/1250

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/3397/17
<b>SITE ADDRESS:</b>	2 Glenside Chigwell Essex IG7 5RE
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Grange Hill
<b>APPLICANT:</b>	Mr Petrit Marku
<b>DESCRIPTION OF PROPOSAL:</b>	Application for variation of condition 2 'plan numbers' on planning application EPF/3036/16 (Demolition of an existing 3 bed/2 storey home and construction of a 6 bed/4 storey (including basement) house).
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=603475](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=603475)

- 1 The development hereby permitted must be begun not later than 1 February 2020.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 4.9 A, 4.8 A, 4.7 A, 4.6 A, 4.5 A, 4.4 A, 4.3 A, 4.2A, 4.2 A, 4.10 A
- 3 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 4 No development shall take place until details of surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Class A and E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.

- 6 All material excavated from the below ground works hereby approved shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.
- 7 The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site.  
Should any discoloured or odorous soils be encountered during development works or should any hazardous materials or significant quantities of non-soil forming materials be found, then all development works should be stopped, the Local Planning Authority contacted and a scheme to investigate the risks and / or the adoption of any required remedial measures be submitted to, agreed and approved in writing by the Local Planning Authority prior to the recommencement of development works.  
Following the completion of development works and prior to the first occupation of the site, sufficient information must be submitted to demonstrate that any required remedial measures were satisfactorily implemented or confirmation provided that no unexpected contamination was encountered.
- 8 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 9 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 10 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank

Holidays unless otherwise agreed in writing by the Local Planning Authority.

- 11 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
  1. The parking of vehicles of site operatives and visitors
  2. Loading and unloading of plant and materials
  3. Storage of plant and materials used in constructing the development
  4. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
  5. Measures to control the emission of dust and dirt during construction, including wheel washing.
  6. A scheme for recycling/disposing of waste resulting from demolition and construction works.
- 12 No trenches, foundations or pipe runs for services and drains required to service the development shall be installed within the root protection areas of the two oaks (T5 and T6 of the submitted tree report) unless the Local Planning Authority gives its prior written approval.
- 13 No levels changes shall be undertaken within the root protection areas of the two oaks (T5 and T6 of the submitted tree report) unless the Local Planning Authority gives its prior written approval.
- 14 Prior to the commencement of the development herby approved, and notwithstanding the details shown on the submitted drawings, further details of the outbuilding proposed in the rear garden, including floor plans and elevation drawings, shall be submitted to and approved in writing by the Local Planning Authority. The outbuilding shall be constructed in accordance with the approved details and shall not subsequently be enlarged without the written approval of the Local Planning Authority.
- 15 No development shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 16 Prior to the commencement of the development a detailed land drainage assessment of the impact of the proposal, particularly its basement, shall be submitted to and approved by the Local Planning Authority in writing. The assessment shall include details of proposals to mitigate any drainage and localised flooding consequence of the development. The approved mitigation proposals shall be carried out in accordance with the approved details and completed prior to the first occupation of the development.

*This application is before this Committee since the recommendation is for approval contrary to an objection from three or more neighbours which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(g)*

**Description of Site:**

The application site comprises of an existing two storey detached dwelling built on a generous plot. It is not within a Conservation area nor is it a Listed building. The site is within the built up area of Grange Hill, Chigwell. A large number of dwellings on this street and surrounding streets have been significantly altered and extended over the years.

**Description of Proposal:**

Application for variation of condition 2 'plan numbers' on planning application EPF/3036/16 (Demolition of an existing 3 bed/2storey home and construction of 6 bed/4 storey house (including basement).

**Relevant History:**

EPF/3396/17 Application for approval of details reserved by conditions 3 'materials', 4 'drainage details', 8 'tree protection', 9 'landscaping', 11 'construction method statement', 14 'proposed outbuilding', 15 'site levels', 16 'boundary treatment' and 17 'land drainage assessment' on planning application EPF/3036/16 (Demolition of an existing 3 bed/2 storey home and construction of a 6 bed/4 storey (including basement) house) REGISTERED 03-01-2018

EPF/3036/16 Demolition of an existing 3 bed/2 storey home and construction of a 6 bed/4 storey (including basement) house. Approved (Not Implemented).

CHI/0080A/59 ERECTION OF DETACHED CHALET BUNGALOW AND GARAGE. Approved and Implemented.

CHI/0080/59 ERECTION OF DETACHED BUNGALOW. Refuse Permission

**Policies Applied:**

*Adopted Local Plan:*

CP1	Achieving Sustainable Development Objectives
CP2	Quality of Rural and Built Environment
CP3	New Development
GB15A	Replacement Dwellings
RP5A	Adverse Environmental Impacts
DBE1	Design of New Buildings
DBE2	Effect on Neighbouring Properties
DBE6	Car Parking in New Developments
DBE8	Private Amenity Space
DBE9	Loss of amenity
U3B	Sustainable Drainage Systems
H2A	Previously Developed Land
LL10	Adequacy of Provision for Landscape Retention
LL11	Landscaping Schemes
ST1	Location of development

ST6	Vehicle Parking
ST4	Road Safety

NPPF:

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 215 states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

Epping Forest District Local Plan (Submission Version) 2017:

The Epping Forest District Local Plan (Submission Version) 2017 has been approved for publication and is the Plan the Council intend to submit for independent examination. The policies in the Plan are considered to be up to date and accord with national policy and therefore should be given substantial weight in the consideration of planning applications in accordance with the Council's decision on 14 December 2017 and paragraph 217 of the NPPF. The policies and the Plan are supported by up to date and robust evidence – the evidence should also be treated as a material consideration. The relevant policies in the context of the proposed development are:

- DM5: Green Infrastructure
- DM9: High Quality Design.
- DM10: Housing Design and Quality
- DM11: Waste Recycling Facilities
- DM12: Subterranean, Basement Development and Light-wells
- DM15: Managing and Reducing Flood Risk
- DM16: Sustainable Drainage Systems
- DM17: Protecting and Enhancing Watercourses and Flood Defences
- T1: Sustainable Transport Choices

**Summary of Representations Received**

12 Neighbours consulted:

**CHIGWELL PARISH COUNCIL – NO OBJECTION**

3 GLENSEIDE – OBJECTED to the proposal on grounds of overdevelopment of existing plot, out of character with locality, concerned about basement development and any surface water issues that could arise from the development proposal particularly basement development and that have already arisen from similar developments within the locality.

52 BRACKEN DRIVE – OBJECT to proposal as it is excessive, not in keeping with bungalows on Bracken Drive or houses along Glenside.

54 BRACKEN DRIVE- OBJECT to the proposed as they are concerned that including a basement will affect the water level which is likely to cause flooding as they have been told they have a very high underground level.

**Officer Comments on neighbour representations**

The approved proposed for the demolition of existing dwelling and replacement dwelling with basement has been approved as part of decision reference EPF/3036/16. This application is for alterations/amendments to the approved plans for that planning application. This application is not for approval of the demolition of existing dwelling and replacement with new dwelling. It is seeking approval for alterations to the approved drawings. The neighbour objections largely relate to the principle of the development which has already been granted approval as part of decision reference EPF/3036/16. This Officer's report below, only assesses the impact of these

amendments on living conditions, neighbour amenity , land drainage and trees. It is not an assessment for the already approved scheme. It is noted that that application reference EPF/3036/16 was approved by Plans South.

### **Main Issues and Considerations:**

The main issues with this application relate to design, impact on amenity, land drainage and trees.

#### **Design**

##### *Basement rear walls*

The extent of the previously approved basement is maintained but the internal layout has been reconfigured to make way for attenuation tanks. Retaining walls have been introduced directly below the ground floor walls to accommodate to the structural proposal and to reduce extent of waterproofing required. By reason of its nature, siting and size, it would not adversely affect the design of the proposed dwelling or character of the locality.

##### *Ground floor walls*

The ground floor external wall on the south side has been extended out to the same level as the wall on the north side. This would create a more symmetrical façade and would not cause harm to the character of the proposed building or locality. It would complement design of proposed dwelling.

##### *Rear hip roof*

The hip roof at the rear extends out to follow the line of the external walls on the ground floor. The proposed change is a minor material change that would not significantly alter the design of the proposal and would not adversely affect the character of the proposed dwelling or wider area. It would not be readily visible from the general street scene and is considered acceptable.

##### *Front porch roof*

The sloped front porch as part of the previously approved plans has been replaced with a balcony. Balcony would have a varnished timber balustrade with finish to match timber panels. It would not be dissimilar to front balconies along some dwellings neighbouring Stradbroke and Bracken Drive. It would not by reason of its size and scale, appear subservient to the approved dwelling and would not appear adversely out of character with the locality.

##### *Front elevation windows*

The single front door on the ground floor has been replaced with double doors. The front windows on the first floor have been enlarged and the central window has been replaced with a door to enable access to the balcony. The middle skylight has been moved to the centre of the roof.

The above changes to the glazing of the approved dwelling would appear subservient in size, scale and design to the approved dwellinghouse and would not appear visually obtrusive when viewed from the general street scene as a result.

##### *Rear elevation windows*

The external terrace on the ground floor has been replaced with full height windows. Juliet balcony on the first floor has been replaced with 3 windows. The rear dormers on the second floor

have been slightly moved out towards the sides of the dwelling to facilitate the proposed extended hip roof.

The above changes to the rear glazing of the approved dwelling would appear subservient in size, scale and design to the approved dwellinghouse. They would not be readily visible from the street scene due to their positioning and would not cause harm to the character of the locality as a result.

#### *Minor Amendment to Roof Lights*

First floor rooflights have been removed. Two rooflights on the flat roof have been added.

The above amendments would by reason of their size, and nature would appear subservient to the approved dwelling and would not appear out of character with the locality as a result.

#### *Minor Amendments to Materials*

The colour of the timber on the facades has been darkened to match the finish on neighbouring property and to give a more traditional aesthetic appearance. The proposed amendments to the materials would not significantly alter the appearance of the approved development and would not result in significant harm to the character and appearance of the locality due to the varied architectural style and design of dwellings on Glenside, Bracken Drive and Stradbroke Drive.

#### Living Conditions

##### *Basement rear walls*

The proposed alterations would not result in excessive harm to neighbour amenity by reason of their size, nature and scale.

##### *Ground floor walls*

The small increase in the depth of the ground floor would not cause excessive harm to neighbour amenity.

##### *Rear hip roof*

Due to the small increase in depth the proposed increased would not result in excessive harm to neighbour amenity.

##### *Front elevation windows*

Changes to the front elevation glazing would not result in increased overlooking compared with the existing situation.

##### *Rear elevation windows*

Changes to the rear elevation glazing would not result in increased overlooking compared with the existing situation.

#### *Minor Amendment to rooflights*

Proposed rooflights would face the sky and not result in direct overlooking into neighbouring dwellings and rear gardens,

*Minor Amendments to Materials*

By the nature of this design change, it would not result in excessive harm to neighbour living conditions.

**Conclusion:**

The proposal by reason of the small scale nature of the amendments proposed would not result in excessive harm to neighbour amenity and would appear subservient in size, scale and design to the approved dwellinghouse.

***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: Sukhdeep Jhooti  
Direct Line Telephone Number: 01992 564298***

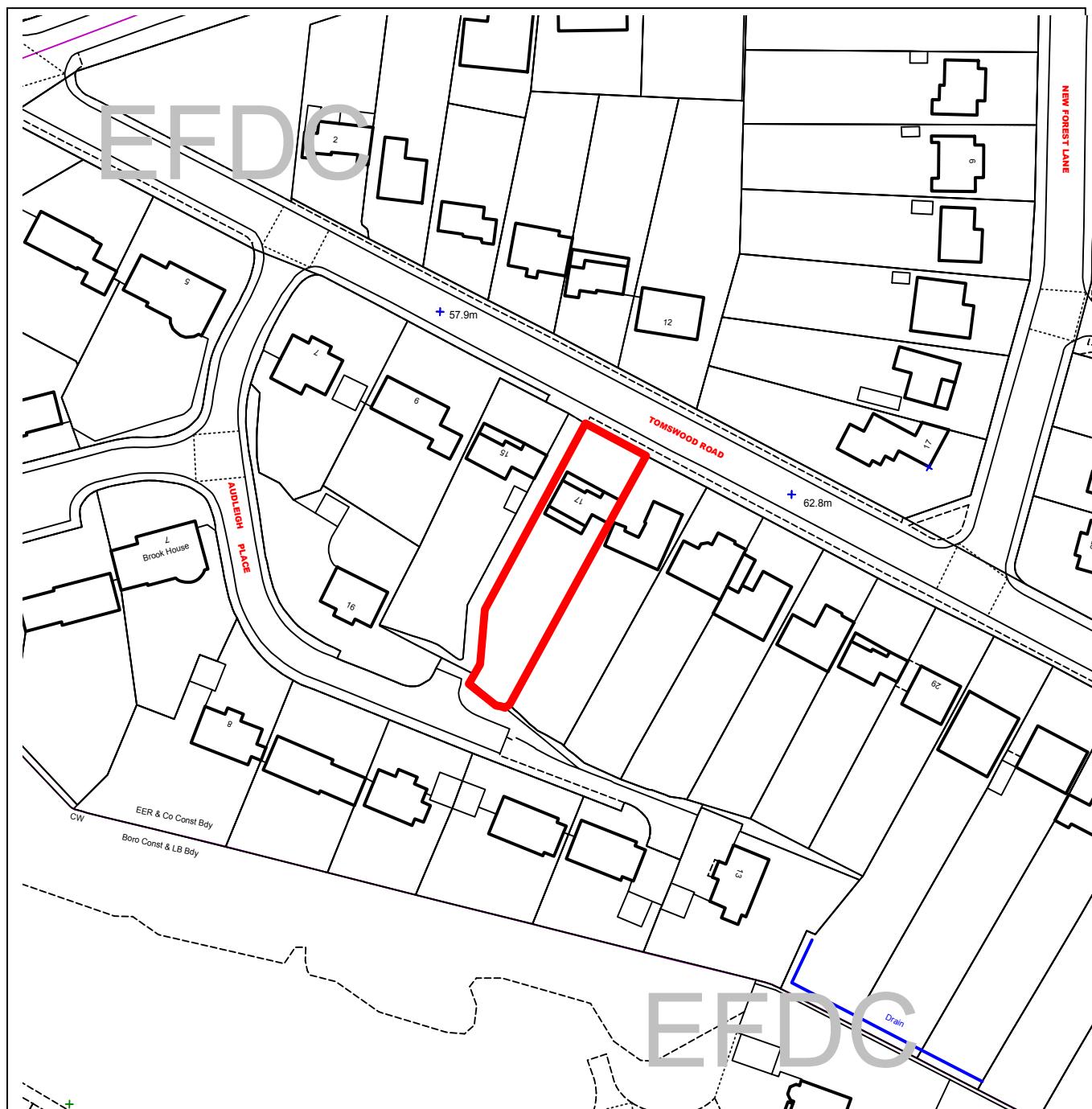
***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***

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# Epping Forest District Council

## Agenda Item Number 5



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Application Number:	EPF/2954/17
Site Name:	17 Tomswood Road, Chigwell, IG7 5QP
Scale of Plot:	1/1250

**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/2954/17
<b>SITE ADDRESS:</b>	17 Tomswood Road Chigwell Essex IG7 5QP
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Grange Hill
<b>APPLICANT:</b>	Mr & Mrs Gopal/Sarika Mehta/Tibrewal
<b>DESCRIPTION OF PROPOSAL:</b>	Demolish the existing house and erect new 2 storey house with rooms in the loft and front and rear dormers with sloping windows to the sides
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM\\_websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=601877](http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=601877)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: C17/01/NH01, C17/01/NH02, C17/01/NH03, C17/01/NH04, C17/01/NH05, C17/01/NH06, C17/01/NH07, C17/01/NH08, C17/01/NH09
- 3 If any tree, shrub or hedge shown to be retained in the submitted Arboricultural reports is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased during development activities or within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.
- 4 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed

finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 5 The tree protection, methodology for construction adjacent to trees and Arb site supervision shall be undertaken in accordance with the submitted Tree Survey/Arboricultural Method Statement unless the Local Planning Authority gives its prior written approval to any alterations. Tree protection shall be implemented as shown on Moore Partners Ltd, Tree Constraints and Protection Plan dated 7th December 2017 (drawing number CDS/TOM/01).
- 6 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed. The installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.
- 7 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

*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 (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)*

**Description of Site:**

The application site comprises of a two storey detached dwelling. The site slopes steeply up hill towards the east, with the adjacent single storey dwelling at no.19 Tomswood Road sitting well above the application property. The application site is not listed nor is it within a conservation area. The application site is not situated within the Metropolitan Green Belt.

**Description of Proposal:**

Demolition of existing detached house and erection of a 5 bedroomed detached house. The proposal is similar to proposed extensions to the existing dwelling approved under permission reference EPF/1067/17. The main difference with the approved development is it extends further towards 15 Tomswood Road and would have a front to back depth 1m less.

## **Relevant History:**

EPF/1067/17 – Two Storey Side and Rear Extensions - Approved

## **Policies Applied:**

*Adopted Local Plan:*

CP2	Protecting the quality of the rural and built environment
DBE1	Design of New Buildings
DBE2	Effect on Neighbouring Properties
DBE9	Loss of Amenity
ST1	Vehicle Parking

*NPPF:*

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 215 states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

## **Epping Forest Draft Local Plan consultation document (2016)**

The Epping Forest District Local Plan (Submission Version) 2017 has been approved for publication and is the Plan the Council intend to submit for independent examination. The policies in the Plan are considered to be up to date and accord with national policy and therefore should be given substantial weight in the consideration of planning applications in accordance with the Council's decision on 14 December 2017 and paragraph 217 of the NPPF. The policies and the Plan are supported by up to date and robust evidence – the evidence should also be treated as a material consideration. The relevant policies in the context of the proposed development are:

SP1	Presumption in Favour of Sustainable Development
H1	Housing Mix and Accommodation Types
DM9	High Quality Design
DM10	Housing Design and Quality
T1	Sustainable Transport Choices

## **Consultation Carried Out and Summary of Representations Received:**

Number of neighbours consulted: 5

Site notice posted: No, not required

Responses received:

15 Tomswood Road – Comment summarised as - The proposal would be built on a piece of land which contains a right of way for both properties.

Chigwell Parish Council: Objection.

The development is an overdevelopment of the site and will appear excessive within the street scene.

## **Main Issues and Considerations:**

The main issues raised by the proposal are design and consequence for living conditions. The development approved under planning permission reference EPF/1067/17 is a material consideration since it is capable of being implemented.

### **Design and character**

The proposed new dwelling is very similar in style to that which was previously approved. The existing dwelling is on a steep slope, meaning that the single storey property at no. 19 sits much higher than the host dwelling. This change in levels limits any sense of overbearing within the street scene as a step down in roof heights will be maintained and the proposal will still sit lower than no.19, with the eaves height of the proposed dwelling only being raised by 0.3 metres. Tomswood Road is varied in character, architectural design and style. The street is primarily comprised of large two storey detached dwellings built on generous plots which have been extended and altered over time. Whilst the application proposal would result in an increase in the bulk and size of the host dwelling, the proposed new dwelling would have a similar footprint to neighbouring dwellings on this street and whilst the overall design and appearance of the dwelling (particularly when viewed from the front) would significantly change under the proposals, given the significant variation in the style and design of dwellings on this street, the proposed development would appear acceptable when viewed from the streetscene.

As the application dwelling is set back by approximately 10.3m from the highway, the proposed development would not appear significantly prominent or overbearing in terms of its massing when viewed from the general street scene. Moreover, the development has a front building line which is not too dissimilar to neighbouring dwellings so would not appear significantly out of character when viewed from the frontage.

It is noted that the hipped roof form under the proposed development would be retained. The proposal is very similar to that of the previously approved extensions, albeit with an altered glazed front gable and wider crown roof. Usually such crown roofs would be considered as bulky, however the area of crown roof proposed would be similar to that of the neighbouring dwelling and number of other properties within the street scene. As such, the proposed development would not appear significantly out of character when viewed from the general street scene and the design and size of the development would complement the design and footprint of the application dwelling. The parish council state concern that the proposal would represent an overdevelopment of the site; however the proposal would be set in an appropriate distance from both shared boundaries and would be very similar in width and appearance to the dwellings at no. 15 and 19 Tomswood Road. It is noted that the materials used for the proposed development would match the existing appearance of the application dwelling.

### **Living conditions of neighbours**

The proposed development has changed little along the boundary with no.19 Tomswood Road from the previous approval for extensions in terms of its siting, scale and massing. The main difference is it would result in a house 1m less front to back depth.

The proposed rear projection of the new dwelling would not result in a detrimental impact on the amenities of number 19 Tomswood Road. Whilst it's rear projection some 6.6m beyond the rear elevation of 19 Tomswood Road would intrude into outlook from the nearest habitable room windows of this dwelling by 51 degrees, this is not significantly more than the 45 degrees generally viewed as sufficient to ensure development does not significantly impact on neighbouring amenity. This is aided by the levels of the site which significantly reduce the impact of the development on no. 19 as the proposal would only have impacts similar to that of a single storey rear extension on a flat site. The proposed new dwelling would not intrude the first floor rear habitable room windows

of number 15 Tomswood Road to the west due to the positioning of number 15. It is therefore concluded the proposal would not cause excessive harm to either neighbour by way of loss of light, outlook or overbearing appearance when viewed from the rear elevation habitable room windows of those dwellings

The proposed glazing by reason of its height and profile would not result in increased overlooking compared with the existing situation. The proposed glass balustrades to the rear of the application dwelling would not protrude forward according to the plans submitted and would therefore not result increased overlooking compared with looking out of the existing first floor rear windows.

Overall, the proposal would safeguard the living conditions of neighbours.

#### Other Matters

The case officer notes that the proposal would affect a shared right of way between nos. 15 and 17 Tomswood Road. Whilst the case officer is sympathetic to the neighbouring property's concerns, access to and use of rights of way are considered a civil matter and cannot be given weight as a material consideration within a planning application. The Applicants will need to resolve this matter directly with the owner no no. 15 should they wish to implement any consent given.

#### Conclusion:

The proposed development will not be unduly detrimental to the character and appearance of the area or the amenities of the neighbouring residents. As such it complies with the guidance contained within the National Planning Policy Framework and the relevant Local Plan policies. Therefore the application is recommended for approval.

***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: Corey Isolda  
Direct Line Telephone Number: 01992 564380***

***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***



# Epping Forest District Council

## Agenda Item Number 6



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Application Number:	EPF/3059/17
Site Name:	Sir Winston Churchill (Now Landmark House), The Broadway, Loughton, IG10 3SP
Scale of Plot:	1/1250

**Report Item No: 6**

<b>APPLICATION No:</b>	EPF/3059/17
<b>SITE ADDRESS:</b>	Sir Winston Churchill (Now Landmark House) The Broadway Loughton Essex IG10 3SP
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Broadway
<b>APPLICANT:</b>	Co-Operative Group Foods
<b>DESCRIPTION OF PROPOSAL:</b>	Variation of condition 10 ' Hours of Use' on planning application EPF/2163/13 to be altered to 'The commercial uses hereby permitted shall not be open to customers/members outside the hours of 0730 to 2300 on Monday to Thursday, 0730 to 0000 (midnight) on Fridays and Saturdays and 0900 to 2300 on Sundays apart from the permitted Class A1 unit which shall not be open to customers/members outside the hours of 0700 to 2300 on Monday to Thursday, 0700 to 0000 (midnight) on Fridays and Saturdays and 0700 to 2300 on Sundays.(Demolition of Public House and garages and replacement with construction of a mixed use development, comprising retail and food and drink units (within classes A1, A3 and A4) at ground floor level and 64 residential units at upper floor levels (first to sixth floors), together with 64 car parking spaces, service yard, access and car parking)
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM\\_websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=602254](http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=602254)

**CONDITIONS**

- 1      The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
  
- 2      Notwithstanding any indication to the contrary on the application documentation, this permission shall relate solely to the ground floor to the east of the front entrance leading to the flats, facing The Broadway rather than Rectory Lane. Notwithstanding the Town and Country Planning (General Permitted Development) (England) Order 2015, such premises shall be used solely for a retail use, a use within the definition of a Class A1 use within the Town and Country Planning (Use Classes) Order 1987 and for no other purpose without the prior written consent of the local planning authority.

- 3 Prior to first use of the premises as defined by condition 2, details of the proposed shop front shall be submitted to the local planning authority for approval in writing. The development shall proceed in accordance with the agreed details.
  
- 4 No external lighting shall be erected within the car park areas without the prior written approval of the local planning authority.
  
- 5 The window openings in the section of the north west elevation referred to as Elevation 'G' on plan no. 2489 PL13C and the north east elevation referred to as Elevation 'E' on plan no. 2489 PL12C to planning permission EPF/2163/13 shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.

*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 (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)*

#### **Description of Site:**

This application relates to part of the ground floor of Landmark, also known as Landmark House, at Debden.

The site plan refers to the whole of Landmark House with its grounds and car park. However, the description makes clear that the proposal relates specifically to the A1 unit, the unit facing The Broadway rather than the units facing Rectory Lane, i.e. the part expected to be occupied by the Co-op.

The site is next to fairly busy roads and has retail and other commercial uses to the east and to the south. The character of the setting to the site is that of a commercial centre albeit with residential development at upper levels and nearby. Debden LUL station is a short walk to the south.

The site is within the defined Town Centre of Loughton Broadway on an inset map of the adopted Local Plan. The site is part of Primary Frontage and is Primary Shopping Area for the Small District Centre of Loughton Broadway as defined in the Submission Version of the Local Plan (Map 5.5 refers).

#### **Description of Proposal:**

Variation of condition 10 ' Hours of Use' on planning application EPF/2163/13 to be altered to 'The commercial uses hereby permitted shall not be open to customers/members outside the hours of 0730 to 2300 on Monday to Thursday, 0730 to 0000 (midnight) on Fridays and Saturdays and 0900 to 2300 on Sundays apart from the permitted Class A1 unit which shall not be open to customers/members outside the hours of 0700 to 2300 on Monday to Thursday, 0700 to 0000 (midnight) on Fridays and Saturdays and 0700 to 2300 on Sundays.(Demolition of Public House and garages and replacement with construction of a mixed use development, comprising retail and food and drink units (within classes A1, A3 and A4) at ground floor level and 64 residential units at

upper floor levels (first to sixth floors), together with 64 car parking spaces, service yard, access and car parking)

The proposal is presented as a table below:

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Now	9:00 to 23:00	7:30 to midnight	7:30 to midnight				
Proposed	7:00 to 23:00	7:00 to midnight	7:00 to midnight				

It is proposed that the shop open half an hour earlier Monday to Saturday and that it open at 7am rather than 9am on Sundays.

### **Relevant History:**

EPF/2163/13 - Demolition of Public House and garages and replacement with construction of a mixed use development, comprising retail and food and drink units (within classes A1, A3 and A4) at ground floor level and 64 residential units at upper floor levels (first to sixth floors), together with 64 car parking spaces, service yard, access and car parking. – Granted subject to legal agreement 28/03/2014

EPF/2884/17 - External Plant compound including condenser, AC with acoustic enclosure and refrigerator compressor. – Undetermined

### **Policies Applied:**

#### *Adopted Local Plan:*

- CP2 Protecting the quality of the rural and built environment  
DBE9 Loss of Amenity  
RP5A Adverse Environmental Impacts  
TC3 (i) Town Centre Function

#### *NPPF:*

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 215 states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

#### *Epping Forest District Local Plan (Submission Version) 2017:*

The Epping Forest District Local Plan (Submission Version) 2017 has been approved for publication and is the Plan the Council intends to submit for independent examination. The policies in the Plan are considered to be up to date and accord with national policy and therefore should be given substantial weight in the consideration of planning applications in accordance with the Council's decision on 14 December 2017 and paragraph 217 of the NPPF. The policies and the Plan are supported by up to date and robust evidence – the evidence should also be treated as a material consideration. The relevant policies in the context of the proposed development are:

- SP1 - Presumption in Favour of Sustainable Development  
SP2 E. (i) and F. (i) - Spatial Development Strategy 2011-2033  
DM21 A. and B. (i) and (v) - Local Environmental Impacts, Pollution and Land Contamination

## **Consultation Carried Out and Summary of Representations Received**

Number of neighbours consulted: 84

Site notice posted: 13/12/2017

Responses received:

LOUGHTON RESIDENTS ASSOCIATION (Plans Group) – Object, Opening at 7am would mean noise and disturbance from 6.30am or earlier from staff arriving to open up the store, argument that nearby Sainsbury's opens at 7am and the petrol station (+ M&S) is open 24 hours invalid as neither of these has occupied flats above, residents in the flats above would have taken up occupancy in the knowledge of the planning conditions relating to the shops below.

LOUGHTON TOWN COUNCIL: The Committee OBJECTED to this application. Members felt the existing opening time of 7:30 was early enough. Extending the opening time to 7:00 would be detrimental to the amenity of residents occupying the dwellings above this retail outlet. Similar retail units in the locality that opened from 7:00 did not have residential properties attached to their sites.

### **Main Issues and Considerations:**

The main issue is considered to be whether the extended opening hours could have benefits; of residents of the locality, particularly to those who do not have access to a car, in being able to access goods throughout a greater proportion of the day together with the generalised benefit to the retail viability of the locality; which outweigh any dis-benefit of disturbance to residents of Landmark itself.

The reason for the condition in question is stated on the decision notice as being in order to minimise disturbance to local residents.

Environmental Health has commented that the proposed increase in operating hours would be likely to result in some additional noise at neighbouring noise sensitive premises, but it believed that the potential increase is not sufficient enough to warrant refusal. The comment continues that there is slight concern that the proposed increase in opening hours may generate additional deliveries of goods but this is not really controllable by the existing condition and therefore on balance Environmental Health has no objection on noise grounds.

The agent has stated in a letter forming part of the application documentation that the Co-operative is intending occupy the ground floor retail unit. However, the opening hours allowed do not offer the requisite flexibility that the Co-operative requires to provide a convenience store seven days a week. The condition would not allow Co-op the flexibility to trade within its intended A1 use unit successfully and it is required that this is amended so that the opening hours on Sundays match those permitted on the rest of the week and that the store is permitted to open from 7am daily. The hours of opening sought would allow the business to trade during its usual opening hours. The agent states that the proposed hours are reflective of typical opening hours for convenience stores which provide a top-up role in locations such as Debden. There are numerous other morning uses in close proximity to the site. These include Sainsbury's which opens from 7am and the petrol filling station opposite is open 24 hours. Buses which pass the site and commuters going to the underground station contribute to activity outside the site. The agent contends that a number of business premises along The Broadway are open from 6am.

Sales information (at refers to the flats having aluminium framed double glazed sealed units to the windows. This web site also refers to the location; the local area in terms of The Broadway being one of Loughton's two main shopping centres and forming an architecturally important parade consisting mainly of family-run shops together with a small weekly market.

The comment of the Town Council and of Loughton Residents' Association is in a similar vein; concern at adverse impact for recent occupiers of upper storeys. However, it is considered reasonable to expect that purchasers would have been aware that the residential properties were in a mixed commercial and residential setting. The proposed increase in opening hours, even on the Sunday, is relatively modest and, in the light of Government advice to ensure the vitality and viability of centres such as Debden, it is considered that approval would be reasonable.

The site is at a prominent position on a corner with falling ground to the south and set on a corner of two significant roads. The site could even be described as being at the gateway to the Debden centre. The vitality of this site could influence the perception of the Debden centre as a whole and it is considered that an active frontage in the early morning would have benefits.

**Conclusion:**

The benefit to the wider community is considered to outweigh any dis-benefit that might perhaps be experienced to the occupiers of Landmark. It is considered that no other residential properties would be affected. It is recommended that planning permission be granted.

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

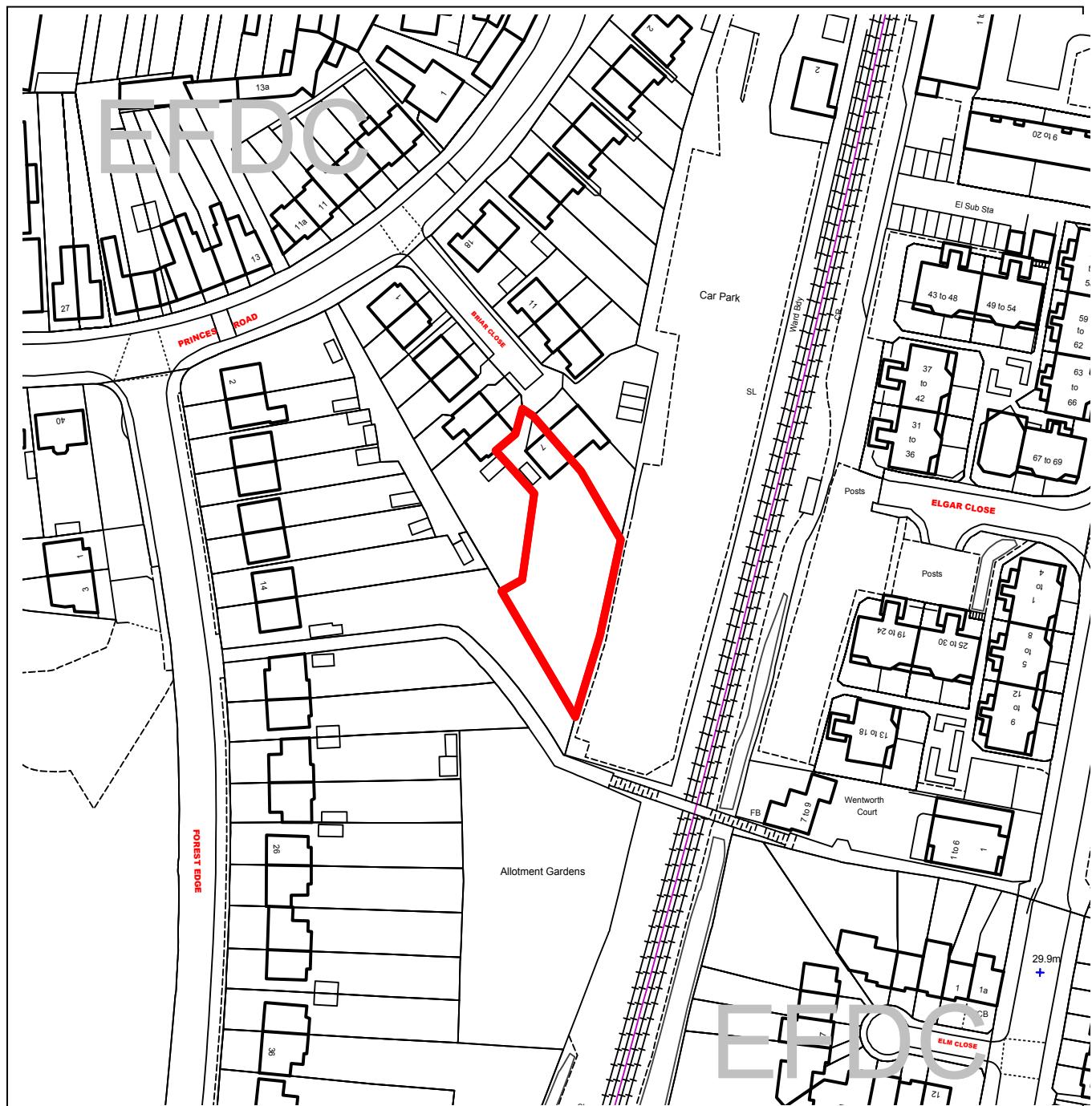
***Planning Application Case Officer: Jonathan Doe  
Direct Line Telephone Number: 01992 564103***

***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***



# Epping Forest District Council

## Agenda Item Number 7



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Application Number:	EPF/3005/17
Site Name:	7 Briar Close, Buckhurst Hill, IG9 5EF
Scale of Plot:	1/1250

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**Report Item No: 7**

<b>APPLICATION No:</b>	EPF/3005/17
<b>SITE ADDRESS:</b>	7 Briar Close Buckhurst Hill Essex IG9 5EF
<b>PARISH:</b>	Buckhurst Hill
<b>WARD:</b>	Buckhurst Hill West
<b>APPLICANT:</b>	Mr & Mrs Joseph O Donovan
<b>DESCRIPTION OF PROPOSAL:</b>	Two storey side/rear extension, staircase and rear basement.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=602053](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=602053)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
  
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 1605/ 03 revPL2, 04 rev PL2, 05 PL2, 06 PL2, 07 PL2, 08 PL2, 09 PL2 and 10 PL2
  
- 3 Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
  
- 4 Side windows above ground floor as indicated on the approved plans shall be finished in obscure glazing and fitted with opening restrictors and shall be permanently retained in that form. No further side windows shall be installed above ground floor level in any side elevation of the extensions hereby permitted without prior consent through a planning application from the Local Planning Authority.
  
- 5 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

- 6 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed. The installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.

*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 (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)*

**Description of Site:**

The application relates to a two storey semi detached house at the lower end of the road, a short cul-de sac of 11 dwellings accessed from Princes Road. The property is not previously extended other than a detached pre-cast garage located at the side.

The road comprises of dwelling houses including similar pairs on the west side and a more modern terrace on the east side. To the immediate rear lies the car park serving Buckhurst Hill Station, the well established landscaped garden screens this entirely however.

The land falls to the south and east such that the pair of houses at 7 and 8, and to a lesser extent the neighbour at 6 are built up at the rear and sit above the rear gardens with raised hard surface areas and patios and steps down to the garden level; the land continues to fall towards the car park.

**Description of Proposal:**

The application proposes extensions at the side and rear of the dwelling. The side extension reads from the front as a two storey addition replacing the existing garage. This aligns with the front wall and is a minimum of 400mm from the side boundary. The existing hipped pitched roof is continued across the extension.

The extension wraps around the corner of the property with a full width rear element at basement level. Above this, and behind the side element above, lie ground and first floor projections, the first floor set back at the rear by 1 metre. An external staircase at the side abutting no.6 Briar Close provides access from the garden to ground floor.

Main living room and kitchen are located on the lower floor and the ground floor of the side extension comprises a double garage. Matching materials are indicated, a mix of brick, render and roof tiles.

**Relevant History:**

None

**Policies Applied:**

*Adopted Local Plan:*

- CP2 Protecting the quality of the rural and built environment  
DBE2 Effect on neighbouring properties

DBE9	Loss of Amenity
DBE10	Residential extensions

*NPPF:*

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 215 states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

*Draft Local Plan:*

The Epping Forest District Local Plan (Submission Version) 2017 has been approved for publication and is the Plan the Council intend to submit for independent examination. The policies in the Plan are considered to be up to date and accord with national policy and therefore should be given substantial weight in the consideration of planning applications in accordance with the Council's decision on 14 December 2017 and paragraph 217 of the NPPF. The policies and the Plan are supported by up to date and robust evidence – the evidence should also be treated as a material consideration. The relevant policies in the context of the proposed development are:

SP7	Natural Environment, landscape character and green infrastructure
DM9	High Quality Design
DM10	Housing design and quality

**Consultation Carried Out and Summary of Representations Received**

Number of neighbours consulted: Five

Site notice posted: No, not required

Responses received: No response received from neighbours.

Buckhurst Hill Parish Council: Objection on the following grounds:

- Reduced amenity for neighbours
- Overdevelopment – size of development is not in keeping with neighbouring properties.

**Main Issues and Considerations:**

The application seeks to take advantage of the substantial change in levels at the rear of the site, most of which will be hidden from wider view by existing buildings and fencing.

In terms of direct impact, this will be limited. The attached neighbouring property at no.8 sits above the garden at the same level as the application site. The basement extension has a sloping roof with a side parapet that does not exceed the height of the existing boundary wall between the properties resulting in no additional loss of light. The rear elements at ground and first floor are located over 5 metres from the shared boundary, any limited concern at the impact of these elements has been addressed by the setting back of the first floor.

The detached neighbour at no.6 lies at right angles to the application site. There are two windows in the side elevation at ground floor towards the rear beyond the shared drive area. Historic plans indicate these serve a through lounge / diner with front and rear windows. A double garage with a gabled roof lies adjacent to the side element of the proposal. The orientation of the site suggests there will be some loss of morning light into the side windows but the main elevations are not impacted. The garage and existing fencing will screen most of the building such that the general mass will not be discernible from either the dwelling or the garden area (which is elevated in any event).

In streetscape terms, the extension is largely concealed behind No.6 when viewed from Briar Close. Notwithstanding, it will read as a traditional two storey side extension typical in the locality. The three storey appearance presented in the elevations is accurate in this two dimensional form but is a view that is not seen from anywhere other than within the application site itself. From any other visible point, the extension is proportionate to the scale and form of the visible elements of the existing building.

**Conclusion:**

The proposal seeks to take advantage of the change in levels within the site to create a living area at rear garden level in what may be considered a semi-basement. However, this is well disguised from the higher level properties that surround.

In terms of neighbour amenity, there is little direct impact on the attached neighbour where the upper levels are set away from the shared boundary, and a limited impact on side windows in the detached neighbouring property, which is screened from the main bulk of the building by a garage, and fencing to the elevated garden.

Officers have noted the Parish Council concerns but consider that this view does not take account of the levels change that facilitates the proposals. As the development has no material impact on the street scene and has only limited impact on neighbours, the application is considered acceptable in the particular circumstances at the site.

***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: Ian Ansell  
Direct Line Telephone Number: 01992 564481***

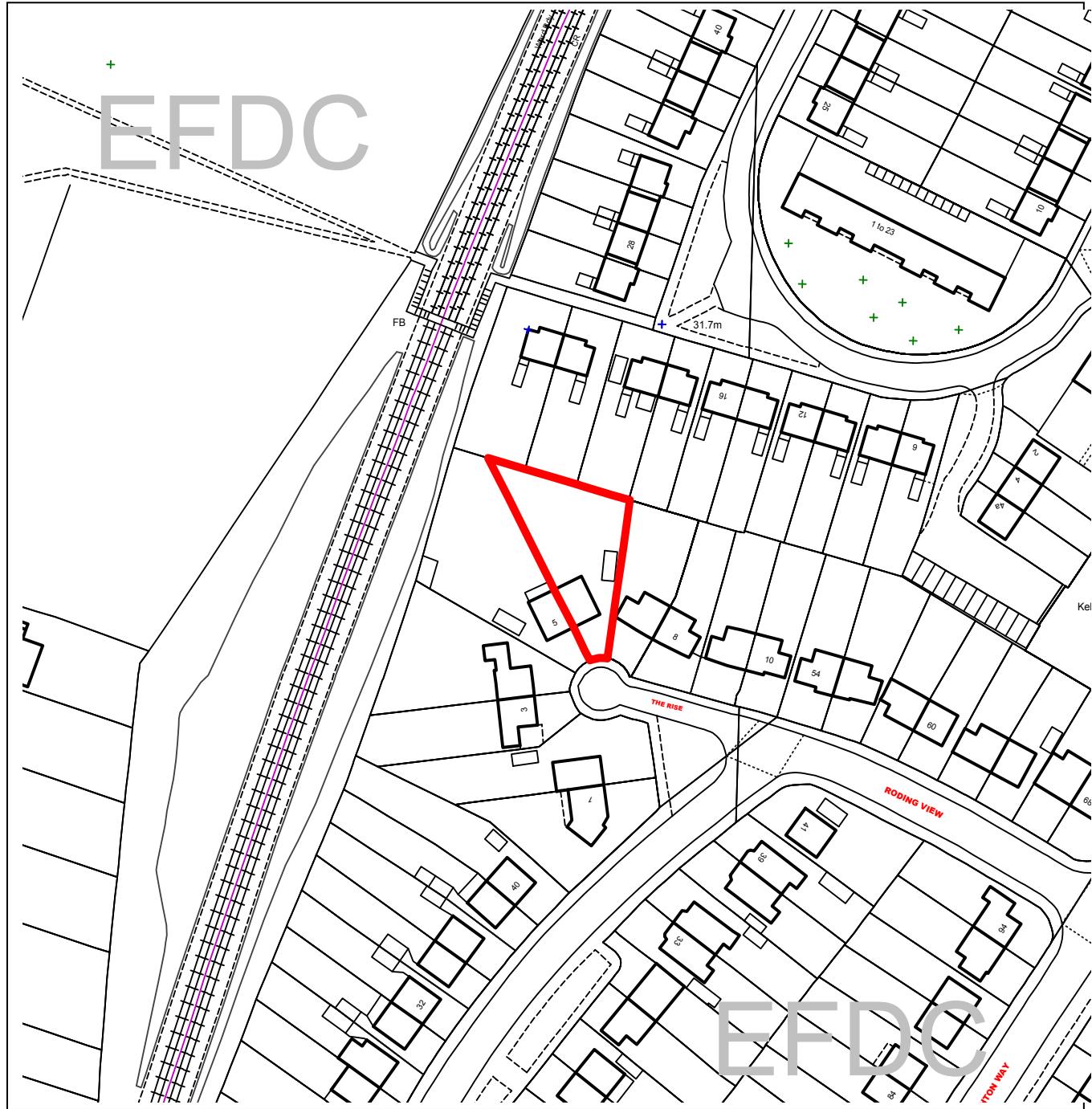
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# Epping Forest District Council

# Agenda Item Number 8



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Application Number:	EPF/3336/17
Site Name:	6 The Rise, Roding View, Buckhurst Hill, IG9 6AG
Scale of Plot:	1/1250

**Report Item No: 8**

<b>APPLICATION No:</b>	EPF/3336/17
<b>SITE ADDRESS:</b>	6 The Rise Roding View Buckhurst Hill Essex IG9 6AG
<b>PARISH:</b>	Buckhurst Hill
<b>WARD:</b>	Buckhurst Hill East
<b>APPLICANT:</b>	Mr Gurmit Dhillon
<b>DESCRIPTION OF PROPOSAL:</b>	New outbuilding.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=603278](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=603278)

**CONDITIONS**

- 1      The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
  
- 2      All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

*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 (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(g)*

**Description of Site:**

The application site comprises of a large two storey extended detached dwellinghouse. The site is within the built up area of Buckhurst Hill East. Within this street and the wider locality, a number of extensions and alterations of a significant scale have been carried out. There is no uniform

character of dwellings along this small cul-de-sac. It is not Listed and not within a Conservation area. Not within the Green Belt.

The site has a large garden which has a splayed boundary. It widens towards the rear significantly, this is also the case with number 5 The Rise. The rear gardens at the rear of the site on Thaxted Road are much narrow in width and but of a similar depth to the rear garden of the application site. Flat roof outbuildings exist in the rear gardens of houses on Thaxted Road to the rear of the application site. There is an existing conifer tree in the bottom of the garden where the proposal would be situated. This has a height of approximately 7 to 8m.

**Description of Proposal:**

Erection of single storey outbuilding in rear garden of dwellinghouse. Pitch roof of outbuilding would be 3.6m high and 2.7m at the eaves.

**Relevant History:**

EPF/0669/14 Double storey side extension and part single storey rear extension. (Revised application). Approved and implemented

EPF/0027/14 Double storey side extension and single storey side and rear extension Approved and implemented. Refused

EPF/0045/06 First floor side extension. Approved and Implemented

EPF/0743/80 Single storey rear extension. Approved

**Policies Applied:**

*Adopted Local Plan:*

CP2 Protecting the quality of the rural and built environment  
DBE9 Loss of Amenity  
DBE10 Design of Residential Extensions

*NPPF:*

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 215 states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

*Epping Forest District Local Plan (Submission Version) 2017:*

The Epping Forest District Local Plan (Submission Version) 2017 has been approved for publication and is the Plan the Council intend to submit for independent examination. The policies in the Plan are considered to be up to date and accord with national policy and therefore should be given substantial weight in the consideration of planning applications in accordance with the Council's decision on 14 December 2017 and paragraph 217 of the NPPF. The policies and the Plan are supported by up to date and robust evidence – the evidence should also be treated as a material consideration. The relevant policies in the context of the proposed development are:

DM9 High Quality Design

## **Summary of Representations Received**

6 Neighbours consulted:

BUCKHURST HILL RESIDENTS SOCIETY – OBJECTED to the proposal to oppose the construction of an outbuilding at 74 Loughton Way which significantly exceeded Permitted Development Rights, and both EPF/2003/17 and EPF/2590/17 were refused by Council Officers. Similarly we oppose this outbuilding, and we request that you refuse permission in this case also. This outbuilding is proposed to be of height 3.6m, 1.1m higher than the permitted limit, and is proposed to be situated exactly on the boundary with three neighbouring properties. We strongly oppose the precedent of allowing outbuildings which are within 2m of a boundary from exceeding the Permitted Development Limits of 2.5m, both as to overall height and height to eaves.

22 THAXTED ROAD- The occupants have already extended the property considerably. We would now like a description of the exact nature and use of this proposed further extension. Dimensions and exact siting are required as obviously we do not want it to intrude upon our privacy

20 THAXTED ROAD - At 3.6m tall I am concerned that this building will tower over my garden.

1. The plan shows this building directly against the border of my property (20 Thaxted Road).  
**"If the outbuilding is within 2 metres of the property boundary the whole building should not exceed 2.5 metres in height"** (Class E building Regulations).
2. What is the use of this building?
3. The property already has a huge extension to it - which has motion sensing lighting fitted  
This lighting often shines into our bedroom. I would not be happy if this new Out Building had similar lighting fitted.

24 THAXTED ROAD - Over-development No 6 The Rise has previously been greatly extended. From the plans it appears to be more than double the size of its semi-detached 'partner' (which has also been extended). I understand that such over-development is not allowed in a London borough, so why here? Roof height. The roof is 3.6m on plan. Even the base of the roof is shown as 2.7m. Size A length of 7m and a width of 4m confirms my fears that it will not just be an 'outbuilding' but a building in frequent use that will affect its neighbours. Again, this seems over-development for the site. Location Being on the boundary of two properties raises the question of access for any maintenance that might be needed. Its size and location means that more than two neighbours will be affected. Purpose The proposal is for a large building - so presumably the idea is to make extensive use of it. The proposed size also raises the question of what type of use needs such a large building?  
Inaccurate plan/submission.

BUCKHURST HILL PARISH COUNCIL- OBJECTION on the following grounds:

- Building too high
- Too large
- Too close to the boundary fence
- Overdevelopment of site
- Loss of residential amenity to neighbouring properties by way of noise and disturbance in the building.

## **Main Issues and Considerations:**

The main issues with this application relate to design and impact on amenity

## Design

The proposed outbuilding would be sited in the bottom of the rear garden near the common boundary with 7 The Rise and 18 and 20 Thaxted Road. Due to the size of the rear garden, the size of the application dwelling and the siting of the proposed outbuilding, the proposal would appear subservient to the existing dwelling. The proposal would be of an appearance and design that would complement that of the existing house.

## Living Conditions

It is significantly smaller in size than the larger pitched roof outbuilding at 5 The Rise but would be higher than the outbuildings to the gardens 20 Thaxted Road and 7 The Rise. The proposal would involve the loss of a non protected conifer tree (approx. 7-8m high) which provides screening all year round. No objection is raised by the Council Tree Officer to loss of existing conifer tree.

The proposed outbuilding would by reason of its height have significantly less impact on outlook and light compared with the existing tree in the rear garden of the application site. The proposal outweighs the harm caused by the loss of the existing tree due to the above reasons. The proposal would not cause significant harm to neighbour amenity of dwellings on Thaxted Road due to the proximity of the proposal and the rear habitable room windows of houses rear of the application site i.e. 18, 20, 22 and 24 Thaxted Road. The proposal is to be used as a home gym and storage facility. Such uses are considered incidental to the enjoyment of the existing house. Plans amended show a 0.5m spacing with the boundary of 7 The Rise, to prevent any guttering from overhanging onto their curtilage. Overall, due to the siting, size and height of the proposal, it is considered to safeguard the living conditions of neighbours.

## Conclusion:

The proposal by reason of its positioning, height and size would not result in excessive harm to the amenities of neighbouring dwellings. It would complement design of existing dwelling and is recommended for approval for these reasons.

***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: Sukhdeep Jhooti  
Direct Line Telephone Number: 01992 564298***

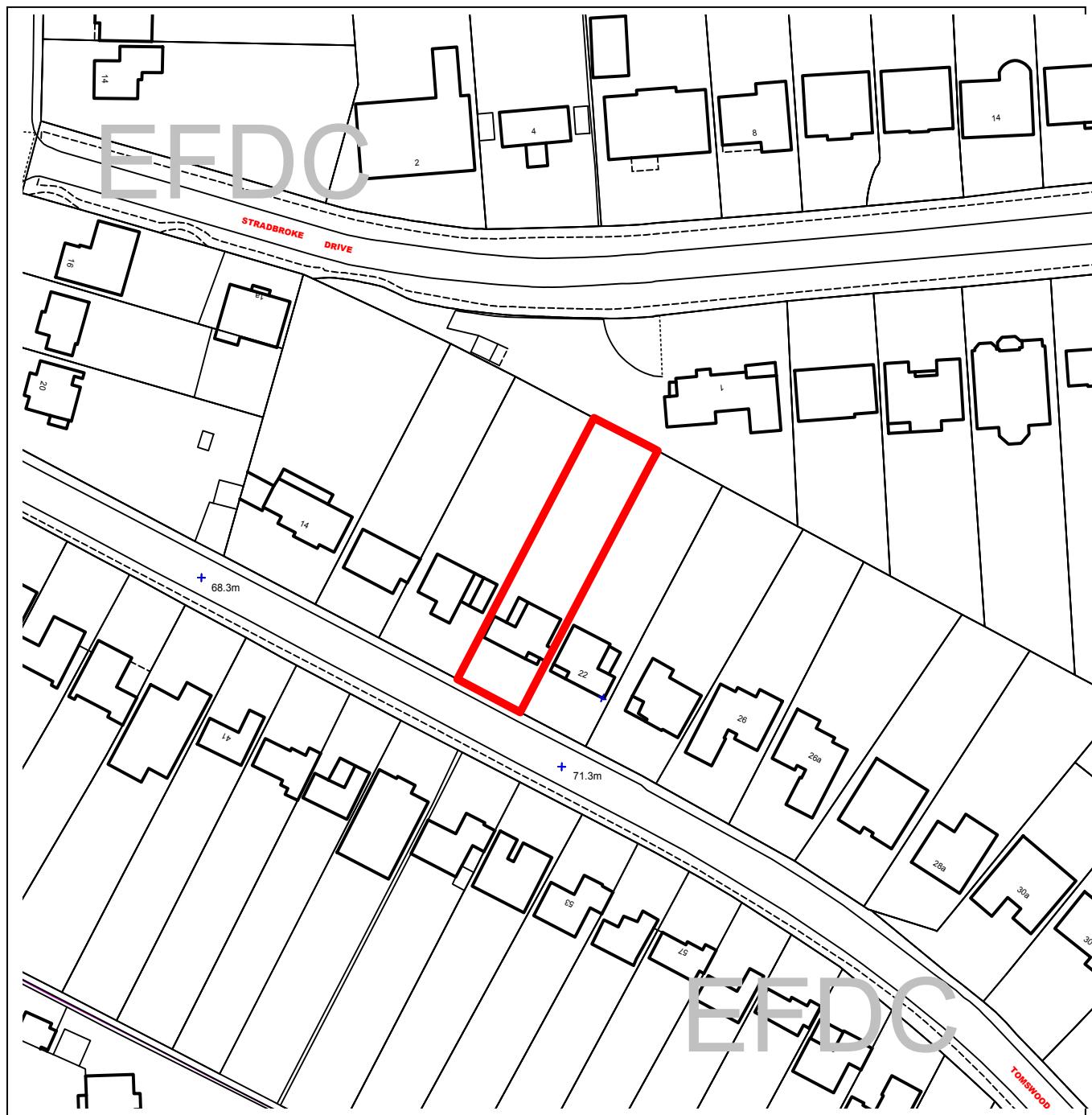
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# Epping Forest District Council

## Agenda Item Number 9



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Application Number:	EPF/2863/17
Site Name:	20 Tomswold Road, Chigwell, IG7 5QS
Scale of Plot:	1/1250

**Report Item No: 9**

<b>APPLICATION No:</b>	EPF/2863/17
<b>SITE ADDRESS:</b>	20 Tomswood Road Chigwell Essex IG7 5QS
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Grange Hill
<b>APPLICANT:</b>	Mrs S Saleem
<b>DESCRIPTION OF PROPOSAL:</b>	Single storey rear extension linking house and outbuilding.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=601520](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=601520)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
  
- 2 Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
  
- 3 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

*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 (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)*

**Description of Site:**

The application site is a large detached two storey dwelling, on the northern side of Tomswood Road. It has a single-storey rear extension which projects 2.5m adjacent to the site boundary with 18 Tomswood Road and 4m adjacent to the boundary with 22 Tomswood Road. The change in depth occurs 6.5m from the boundary with no. 18. Set 2.5m beyond that part of the extension adjacent to no. 18 is an outbuilding that contains a swimming pool. It has a length of 16m and is sited on the boundary with 18 Tomswood Road.

No 18 Tomswood Road is set on land approximately 200mm lower than the application site. It has a 4.5m deep single-storey rear extension set approximately 1m from the site boundary with secondary windows and a glazed door in the flank elevation. A timber fence, approximately 2m high at the application site and 2.2m high at no 18 encloses the site boundary adjacent to the extension to 18 Tomswood Road.

Land levels fall beyond the rear elevations of both the application site and 18 Tomswood Road. The site is not within the Metropolitan Green Belt or within a conservation area.

#### **Description of Proposal:**

It is proposed to erect a 2.5 metre deep single-storey rear extension that would link the existing rear extension to the adjacent swimming pool building. The extension would align with the flank of the outbuilding adjacent to 18 Tomswood Road and have a width of 5.7m. The extension would have a ridged roof that would be contained by a 2.6m high parapet wall on the boundary with no. 18.

#### **Relevant History:**

EPF/1661/13 – Single Storey Outbuilding – Lawful

EPF/2151/08 - Erection of single storey rear ground floor and first floor front extension and loft conversion with dormer windows - Granted

#### **Policies Applied:**

##### *Adopted Local Plan*

CP2 – Protecting the quality of the rural and built environment

DBE9 – Loss of amenity

DBE10 – Residential extensions

##### *NPPF:*

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 215 states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

##### *Epping Forest District Local Plan (Submission Version) 2017:*

The Epping Forest District Local Plan (Submission Version) 2017 has been approved for publication and is the Plan the Council intend to submit for independent examination. The policies in the Plan are considered to be up to date and accord with national policy and therefore should be given substantial weight in the consideration of planning applications, in accordance with the Council's decision on 14 December 2017 and paragraph 217 of the NPPF. The policies and the Plan are supported by up to date and robust evidence – the evidence should also be treated as a material consideration. The relevant policies in the context of the proposed development are:

DM9 - High Quality Design

#### **Consultation Carried Out and Summary of Representations Received:**

Number of neighbours consulted: 4

Site notice posted: No, not required  
Responses received: 1

#### 18 TOMSWOOD ROAD - objection

Summarised as: Loss of light to property; gutters will overhang the boundary.

CHIGWELL PARISH COUNCIL – OBJECT – The proposed extension will create a disproportionate addition to the property and will cause an excessive loss of light to no. 18 Tomswood Road.

#### **Main Issues and Considerations:**

Visually the proposal, which is contained between two much larger buildings, will not have any significant impact on the appearance of the house. Consequently, the main issue to consider when assessing the merits of the proposal is its consequence for the living conditions of 18 Tomswood Road. There would be no consequence for any other neighbour due to the distance it is set from the site boundaries with other neighbours.

The proposed addition would be sited opposite the flank of the single storey rear addition to no. 18 Tomswood Road. The parapet wall of the extension would be sited adjacent to the site boundary and be 600mm higher than the existing fence on the boundary. That relationship will cause some light loss to the secondary windows in the flank of no. 18's single storey rear extension. Having regard to approved plans for the extension, the affected room appears to be used as a kitchen (permission ref EPF/1484/96). The plans show the kitchen has an area of 34m<sup>2</sup>, therefore it can be regarded as a habitable room. That room also receives light from two rear facing windows.

The loss of light to the side facing kitchen windows would diminish the living conditions of no. 18 to a degree. However, given the kitchen also receives light from two rear facing windows, the degree of harm caused to the living conditions of 18 Tomswood Road would not amount to excessive harm.

The objector also raises concern about gutters overhanging the site boundary with 18 Tomswood Road. Since the flank of the extension adjacent to the site boundary would have a parapet wall, there will be no overhanging gutter.

#### **Conclusion:**

The proposed development would complement the appearance of the existing house and, while it would cause some loss of light to flank windows to a kitchen at 18 Tomswood Road, the degree of harm arising would be limited since the kitchen also receives light from two rear facing windows. It is therefore concluded that the proposal would not cause excessive harm to the living conditions of 18 Tomswood Road. Accordingly, the proposal complies with the guidance contained within the National Planning Policy Framework and with relevant Local Plan policies. It is recommended planning permission be granted.

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

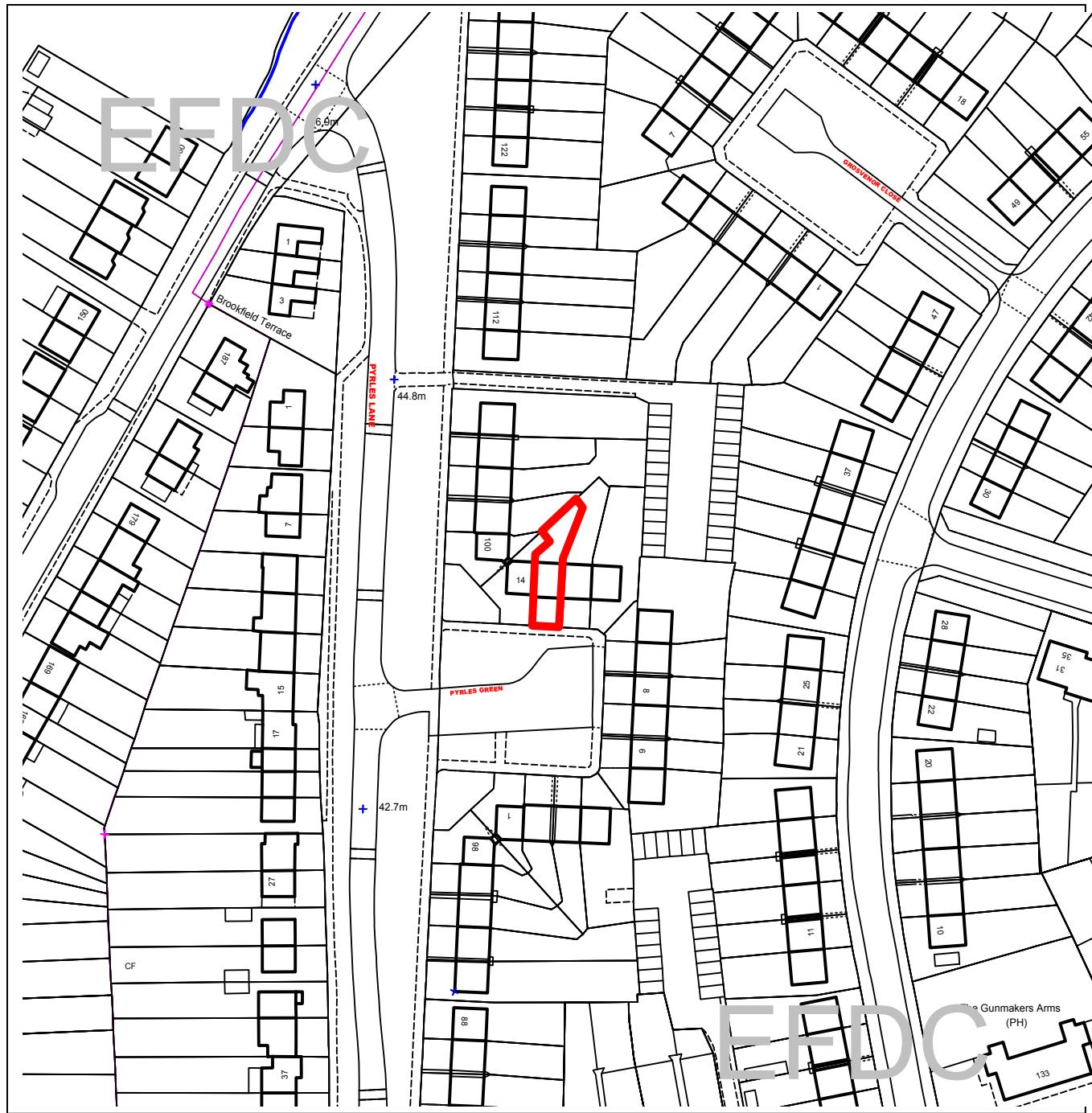
***Planning Application Case Officer: Corey Isolda  
Direct Line Telephone Number: 01992 564380***

***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***



# Epping Forest District Council

# Agenda Item Number 10



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Application Number:	EPF/3314/17
Site Name:	13 Pyrles Green, Loughton, IG10 2NP
Scale of Plot:	1/1250

**Report Item No: 10**

<b>APPLICATION No:</b>	EPF/3314/17
<b>SITE ADDRESS:</b>	13 Pyrles Green Loughton Essex IG10 2NP
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Fairmead
<b>APPLICANT:</b>	Charlotte Burns
<b>DESCRIPTION OF PROPOSAL:</b>	Single storey front and rear extensions.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=603178](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=603178)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
  
- 2 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

*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 (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(g))*

**Description of Site:**

The application site comprises of a two storey mid terrace dwelling. It is not Listed nor is it within a Conservation area. The surroundings are residential in nature, which are varied in character and style.

**Description of Proposal:**

Erection of single storey front extension and single storey rear extension to dwellinghouse.

### **Relevant History:**

None

### **Policies Applied:**

#### *Adopted Local Plan:*

CP2	Protecting the quality of the rural and built environment
DBE9	Loss of Amenity
DBE10	Design of Residential Extensions

#### *NPPF:*

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 215 states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

#### *Epping Forest District Local Plan (Submission Version) 2017:*

The Epping Forest District Local Plan (Submission Version) 2017 has been approved for publication and is the Plan the Council intend to submit for independent examination. The policies in the Plan are considered to be up to date and accord with national policy and therefore should be given substantial weight in the consideration of planning applications in accordance with the Council's decision on 14 December 2017 and paragraph 217 of the NPPF. The policies and the Plan are supported by up to date and robust evidence – the evidence should also be treated as a material consideration. The relevant policies in the context of the proposed development are:

DM9	High Quality Design
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### **Summary of Representations Received**

4 Neighbours consulted: No replies received.

LOUGHTON TOWN COUNCIL– OBJECTED to the proposed extension as it is too overbearing on 14 Pyrles Green. The Committee confirmed it would waive its objection if it were moved away from this neighbour to the middle of the application dwelling.

### **Main Issues and Considerations:**

The main issues with this application relate to design and impact on amenity

#### Design

##### *Single storey rear extension*

The proposed extension would not be dissimilar in size, scale and design to extensions approved in this locality and within the surrounding district. The proposal would complement the design of the existing house and by reason of its depth and height would appear subservient to the existing house.

### *Single storey front extension*

The proposed front extension would have a pitched roof design; this is similar to other front extensions in the locality. The proposal by reason of its size, design and scale would appear subservient to the existing house and would not detract from the character of the locality.

### Living Conditions of neighbours

#### *Single storey rear extension*

The proposed height of the extension has now been amended and reduced to 2.7m overall. The extension will have a flat roof and will be built up to the common boundary with adjoining neighbour 14 Pyrles Green to avoid any awkward gaps which would be difficult to maintain in the future. The depth is 3.5m which is 0.5m more than the 3m allowed under permitted development. Land levels are similar at the application site, neighbour 14 Pyrles Green and at 12 Pyrles Green. They rise upwards at the rear of the garden of the application site 14 and 12 Pyrles Green. Whilst the proposal would by reason of its height have an impact on the outlook of the non-habitable room window adjacent to the flank elevation of the proposal, given the depth of the extension, the non-habitable room status of this window and that land levels rise up at this neighbouring site's rear garden, the proposal would not result in excessive harm to the amenities of this neighbour. The proposal would not result in a significant loss of light, outlook or result in an oppressive sense of enclosure when viewed from this adjoining neighbour's rear garden area and habitable room windows. The proposal by reason of its spacing would not cause excessive harm to the amenities enjoyed by the inhabitants of 13 Pyrles Green. Due to the distance from the flank wall and the habitable room windows of 100 Pyrles Lane, the proposal would not cause excessive harm to the amenities of this neighbour.

#### *Single storey front extension*

The proposal by reason of its size and scale would not cause excessive harm to the amenities of neighbours.

### **Conclusion:**

The proposed single storey rear extension and front extension by reason of its depth, height and width would not result in excessive harm to the amenities of neighbouring dwellings. It would complement the design of the existing house and locality and would not cause harm to the living conditions of neighbours.

***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:***

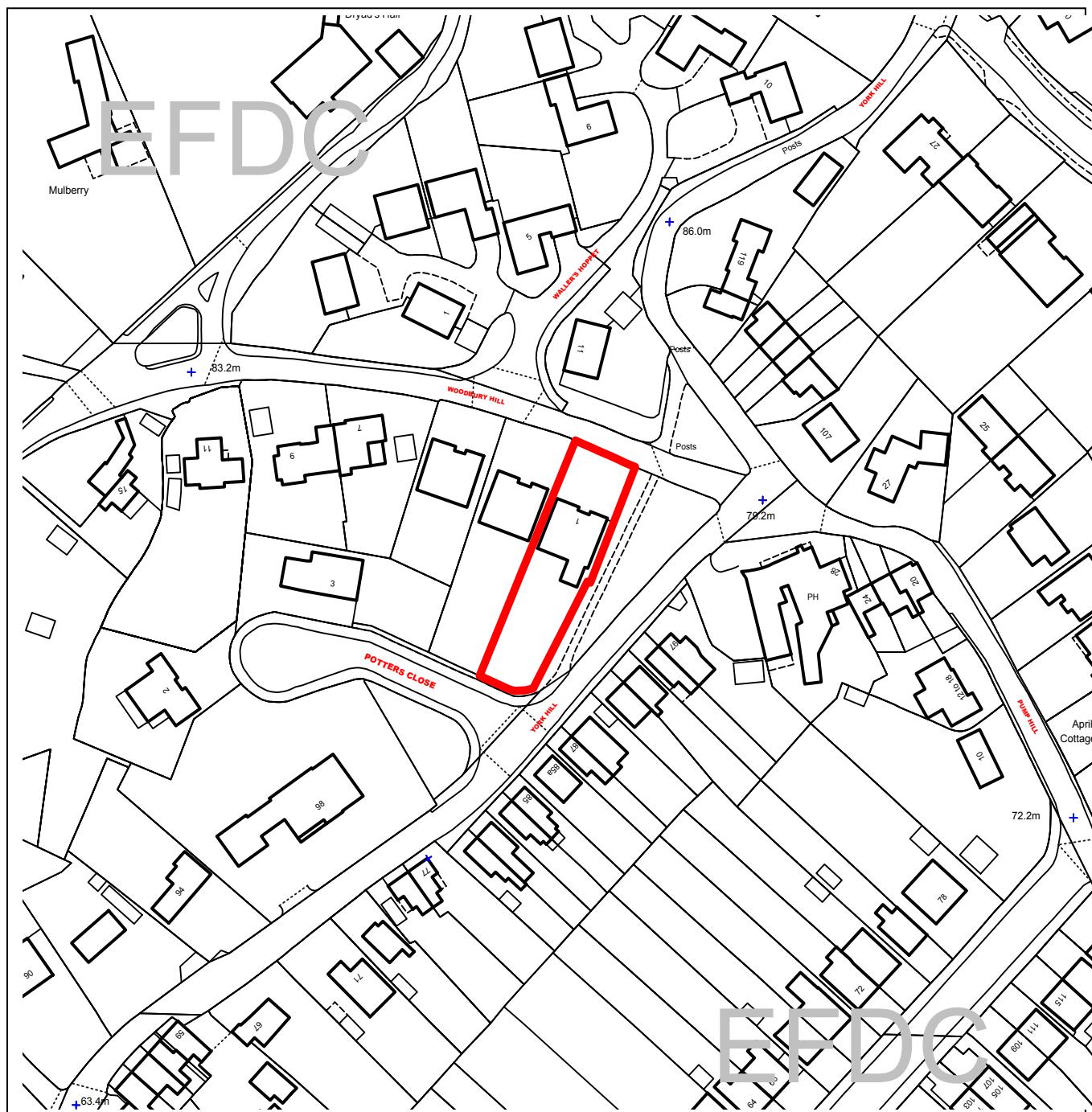
***Planning Application Case Officer: Sukhdeep Jhooti  
Direct Line Telephone Number: 01992 564298***

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# Epping Forest District Council

## Agenda Item Number 11



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Application Number:	EPF/3036/17
Site Name:	1 Woodbury Hill, Loughton, IG10 1JB
Scale of Plot:	1/1250

**Report Item No: 11**

<b>APPLICATION No:</b>	EPF/3036/17
<b>SITE ADDRESS:</b>	1 Woodbury Hill Loughton Essex IG10 1JB
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Johns
<b>APPLICANT:</b>	Ms Samantha Jennings
<b>DESCRIPTION OF PROPOSAL:</b>	Removal of further sections of roof above ground floor addition at the rear, and raising of the roof of part of ground floor back addition - representing revisions to previously approved scheme ref EPF/2629/17
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=602179](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=602179)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
  
- 2 The flat roof areas to be formed above the ground floor rear sections of the house shall at no time be used for recreational purposes as a balcony or roof terrace. In this connection the proposed balustrades to be constructed immediately outside the first floor rear windows and doors shall be installed as an integral part of the proposed work, and shall thereafter be retained on a permanent basis. These balustrades shall be formed with obscure or opaque glass.
  
- 3 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

*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 (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)*

**Description of Site:**

No.1 Woodbury Hill is one of 3 relatively modern two storey houses built in the 1960's or 1970's. It is therefore not a listed building but it does lie in the York Hill conservation area. The ground level of the plot slopes from front to rear and the property is partly screened from view by trees along Woodbury Hill at the front and along York Hill at the side.

**Description of Proposal:**

Removal of further sections of roof above ground floor addition at the rear, and raising of the roof of part of ground floor back addition - representing revisions to previously approved scheme ref EPF/2744/16.

**Relevant History:**

EPF/2744/16 – approval granted for the rearward extension of depth of existing patio by 1.5m and erection of 2m high privacy screen, removal of hanging tiles from elevations to be replaced with render, provision of two juliet balconies at first floor rear, erection of front porch underneath existing first floor front projection, and alterations to elevations.

**Policies Applied:**

*Adopted Local Plan:*

DBE9 – Loss of amenity.  
DBE10 – Residential extensions.

*NPPF:*

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 215 states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

**Epping Forest District Local Plan (Submission Version) 2017:**

The Epping Forest District Local Plan (Submission Version) 2017 has been approved for publication and is the Plan the Council intend to submit for independent examination. The policies in the Plan are considered to be up to date and accord with national policy and therefore should be given substantial weight in the consideration of planning applications in accordance with the Council's decision on 14 December 2017 and paragraph 217 of the NPPF. The policies and the Plan are supported by up to date and robust evidence – the evidence should also be treated as a material consideration. The relevant policy in the context of the proposed development is:

DM9 - High Quality Design

**Summary of Representations:**

LOUGHTON TOWN COUNCIL – Object on grounds of loss of amenity for neighbours caused by overlooking – therefore the application is deemed to be contrary to policy DBE9 (ii) of the adopted Local Plan and Alterations.

NEIGHBOURS – 11 properties notified and 2 replies have been received:-

3 WOODBURY HILL – the neighbouring house. – strongly object to the term Juliet balconies as annotated on the submitted plans – the term balconies convey the wrong impression and Juliet windows should be the description used. By removal of further sections of sloping roof flat roofs are being created over the rear ground floor projections - and if these roofs were used as balconies/terraces they would completely overlook my rear terrace and garden. A condition should be imposed on any consent specifically excluding use of the flat roofs as balconies/roof terraces.

95 YORK HILL – the elevation does not show the proposed Atrium skylight. The alteration from a mono pitched roof to a flat roof, does increase the height of the rear extension at its most southerly point, and will increase the visibility of the structure in a location at the heart of the Conservation Area. At present 1 Woodbury Hill is mostly screened by planting to the western side of the Green at the top of York Hill, but if the applicant were to request these trees be pruned, as has occurred in the past, then the bulk and mass of this early 1970's property will again dominate the Green - and this will be exacerbated by the proposed development, which will not enhance the Conservation Area. I think the Council need to secure details of the proposed height of the Skylight and impose a condition that the existing trees will be maintained, and secure an undertaking from the applicant that they will not ask for the trees to be pruned. Until a detailed elevational plan is made available please treat this comment as an objection.

COUNCILS CONSERVATION OFFICER - I cannot give consent to this proposal. The low level of the eaves (part rear addition) results from the stepping down in floor level which is coming from the distinctive catslide roof form of the building. The whole building steps down towards the south which is particularly visible at first floor where the windows are stepping from each other. In addition to changing the profile of the original appearance of the building, the proposed raising of the roof - and the associated removal of sections of mono pitched roof above both additions - will result in a large amount of flat roof, which is highly uncharacteristic of traditional roof forms. Although the development will be partially secluded from views I believe that the amount of flat roof that will result as part of the proposal is too substantial. Also the enlargement of the front central first floor window has resulted in a disproportionate opening.

### **Issues and Considerations:**

The property originally had two ground floor rear sections on different levels with sloping lean to roofs over. The previous EPF/2744/16 'approved' removal of sections of these roofs, although this removal by itself would not have needed planning permission. This current application seeks to raise the height of part of the lower ground floor rear addition, and at the same time remove remaining sections of the lean to sloping roofs creating a flat roof.

In respect of the next door neighbours comments re overlooking it is acknowledged that the term Juliet balcony is something of a misnomer since there is no balcony provided – instead a railing or balustrade is erected on the immediate outside of the window or door opening. The plans clearly show such a balustrade and hence proper balconies or roof terraces are not being formed –indeed if they had been proposed officers agree that they would cause overlooking of no3. Woodbury Hill. The neighbour is concerned that in the future the balustrade can be removed and the flat roof areas used as balconies. However provision of such a raised terrace is development requiring planning permission. Nevertheless, as requested by the neighbour, there is no objection to a bespoke condition being applied to any approval notice prohibiting use of these flat roofs as balconies or roof terraces. A condition will also be added to any consent requiring the balustrade glazing to be obscured glazed or opaque. Bearing in mind the foregoing points the proposal will not cause overlooking of the neighbour as mentioned in the Town Council's comments.

In respect of the design and appearance of the proposals some of the alterations mentioned e.g. the enlargement of the front first floor window, do not need planning permission. The issue that requires consent is the raising of part of the roof over the lower of the ground floor additions. This

does create an additional flat roof area which is not encouraged in a conservation area. However, the rear and side of this house is well screened from view by trees many of which lie outside the application site and which in any event are 'protected' by conservation area legislation. In addition, as mentioned above, the additional flat roofs above the ground floor rear projections are more acceptable in this case given the more contemporary style of the house. For these reasons it would not be expedient to refuse this application on grounds of creation of flat roof areas.

The raising of part of the roof over the lower of rear additions will have a very limited impact on the outlook and amenity of the neighbour at no.3.

A neighbour refers to an atrium window not being shown on the plans. It is assumed that this refers to a lantern form of skylight window over the new raised roof, and this lantern window is in fact shown on the rear elevation plan.

**Conclusion:**

For the reasons set out in the report above it is recommended that conditional planning permission be granted.

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

***Planning Application Case Officer: David Baker***

***Direct Line Telephone Number: 01992 564514***

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