

***Report to the District Development  
Management Committee***

**Report Reference: EPF/0816/17**  
**Date of meeting: 10 July 2017**



**Epping Forest  
District Council**

**Address:** The Golden Lion, Borders Lane, Loughton, Essex, IG10 1TE.

**Subject:** Application for variation of Condition 2 'plan numbers' on planning application EPF/1269/15 (Demolition of existing Public House and 10 and 12 Newmans Lane and construction of 8 x 1 bed flats and 22 x 2 bed flats in two blocks with undercroft parking and landscaping).

Alterations to include: enlarged communal deck, removal of upper communal area, change to balcony design/size, alterations to window design, walls to roof terraces, alterations to materials, grills at car park level replaced by brick lattice and internal alterations.

**Responsible Officer:** Nigel Richardson (01992 564110)

**Democratic Services:** Gary Woodhall (01992 564470)

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**Recommendation(s):**

**(1) That planning application EPF/0816/17 at The Golden Lion, Borders Lane, Loughton be granted permission subject to the following 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: PL10A, 14739-001, 14739-002, 14739-004, 14739-005, 14739-006, 14739-007, 14739-008, 14739-009, 14739-010, 14739-011, 14739-012, 14739-013, 14739-014, 17/2633-600, 17/2633-601, 17/2633-602, 17/2633-700 and 17/2633-701**
- 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 first and second floor window openings in the north east facing (serving hall/landing areas) and east facing windows (serving hall/landing areas, non habitable rooms) (labelled as elevation D on drawing number 17/2633-602) 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. 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:

  - the parking of vehicles of site operatives and visitors;
  - loading and unloading of plant and materials;
  - storage of plant and materials used in constructing the development;
  - the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
  - measures to control the emission of dust and dirt during construction, including wheel washing; and
  - a scheme for recycling / disposing of waste resulting from demolition and construction works.
6. No development above ground level 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.
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.
8. No development shall take place 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.
9. 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.

10. Prior to the first occupation of the development the access, 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.
11. Prior to the first occupation of the development the existing vehicular access shall be permanently closed off incorporating the reinstatement of the footway and full height kerbing.
12. Prior to first occupation of the development the developer shall be responsible for the implementation of Real Time Passenger Information, to Essex County Council specification, to the south-bound bus stop adjacent to the site.
13. 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, to include six one day travel vouchers for use with the relevant local public transport operator.
14. There shall be no discharge of surface water onto the Highway.
15. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
16. Before each phase of development approved by this planning permission, a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, should be submitted to and approved in writing by the local planning authority. The scheme should be based on the surface water drainage statement referenced:  
  
A3433/NSW/SurfaceWaterDrainageStatement/TheGoldenLionPC  
  
issued 18 November 2015 for approved consent EPF/1269/15.
17. The scheme shall include:
  - A survey of existing drainage on site. Once the survey has been conducted the applicant should demonstrate permission from the relevant water body for any proposed connection to a surface water sewer.
  - Infiltration testing in line with BRE 365 and a ground survey to confirm underlying soils and groundwater levels. If infiltration testing is found to be viable, this method should be utilized where feasible with run-off rates from the site restricted to a maximum of 4.8l/s for the 1 in 1,

8.3l/s for the 1 in 30 and 9.7l/s for the 1 in 100 inclusive of climate change. If infiltration is found to be unviable run-off rates from the site should be restricted to a maximum of 5l/s for the 1 in 1, 8.5l/s for the 1 in 30 and 10l/s for the 1 in 100 inclusive of climate change event.

- Storage for the 1 in 100 year event inclusive of climate change storm event.
- An appropriate level of treatment for all runoff leaving the site in line with CIRIA Guidance.
- Details of final exceedance and conveyance routes.

18. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
19. The development hereby permitted shall not be commenced until such time as a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.
20. Prior to commencement of the development the applicant must submit a Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies.
21. The adopting body responsible for maintenance of the surface water drainage system shall record yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.
22. 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.
23. The development shall be carried out only in accordance with the Daytime Bat Assessment Report by Betts Ecology unless the Local Planning Authority gives its written consent to any variation. If any bats are found during this demolition all works must stop immediately and advice sort from a fully licenced ecologist.
24. Prior to first occupation of the development hereby approved, the proposed screen around the communal terrace shall be fitted with a brick wall to a height of 1.3m with a 0.5m obscured glass screen on top as shown on drawing No. 14739-014 and shall be permanently retained in that condition.

#### **Report Detail:**

*This application is put to the District Development Management Committee since it is a major category application as defined by DCLG (more than 10 dwellings) for development on the Council's own land. (Pursuant to The Constitution, Part Two, Article 10(c). The Council is not the applicant. In this case the Council owns the freehold of the Public House site and is the owner of No. 10 Newmans Lane.*

### **Description of Site:**

The application site is situated on the north side of Borders Lane at the junction with Newmans Lane and is a roughly rectangular site. The site slopes up to the north and is on a much higher level than the shopping parade opposite on Borders Lane and the properties to the rear on Borders Walk. The southern part of the site is the Public House Site with the two storey, flat roof Golden Lion pub located at an angle facing the Newmans Lane/Borders Lane junction. There is a car parking area to the north of the pub building and beyond this Nos. 10 and 12 Newmans Lane – a pair of semi-detached two storey dwellings. No. 10 is unoccupied and is currently boarded up and it is understood that this is due to subsidence issues with the property.

The site particularly at the junction corner is quite well screened by existing vegetation and the southern part of the site is grassed over. Several trees are preserved (2 oaks and 1 ash) and there is a veteran oak on the site.

The land to the east is a relatively recently developed housing estate, located behind a large open green area, and previously was the “Upper” site to Epping Forest College, before it was redeveloped.

Works have started on the site with demolition underway at the time of writing.

### **Description of Proposal:**

This proposal seeks a variation of Condition 2 ‘plan numbers’ on planning application EPF/1269/15 which gave consent for the demolition of the existing public house and 10 and 12 Newmans Lane and the construction of 30 flats located within two blocks with associated parking and landscaping. 8 x 1 bed flats are proposed and 22 x 2 bed flats are proposed. 45 parking spaces in total are to be provided.

This proposal seeks amendments to this scheme to include an enlarged communal deck area, removal of upper deck area, changes to the balcony design and size, alterations to window design, walls to the roof terraces, alterations to materials, grills at car park level replaced by brick lattice and some internal alterations.

### **Relevant History:**

EPF/1269/15 - Demolition of existing Public House and 10 and 12 Newmans Lane and construction of 8 x 1 bed flats and 22 x 2 bed flats in two blocks with undercroft parking and landscaping – App/Con

### **Policies Applied:**

#### **Epping Forest District Local Plan and Alterations**

CP1 Achieving Sustainable Development Objectives  
CP2 Protecting the Quality of the Rural and Built Environment  
CP3 New Development  
CP6 Achieving Sustainable Urban Development Patterns  
CP7 Urban Form and Quality  
H2A Previously Developed Land  
H3A Housing density  
H4A Dwelling Mix  
H5A Provision for Affordable Housing

H6A Thresholds for Affordable Housing  
H7A Levels of Affordable Housing  
DBE1 Design of New Buildings  
DBE2 Affect on Neighbouring Properties  
DBE3 Design in Urban Areas  
DBE6 Car parking in new development  
DBE7 Public Open Space  
DBE8 Private Amenity Space  
DBE9 Loss of Amenity  
DBE12 Shopfronts  
LL11 Landscaping Schemes  
ST1 Location of Development  
ST2 Accessibility of development  
CF12 – retention of Community facilities

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.

#### **Summary of Representations:**

LOUGHTON TOWN COUNCIL: The Committee had NO OBJECTION to this application.

149 Neighbours consulted and site notices erected:

1 BORDERS WALK – Concern with regards to loss of privacy from enlarged communal area and balconies/terraces on north elevation, concern regarding proximity of block to Borders Walk.

11 NEWMANS LANE – Comment concerns relating to the inadequate parking provision

3 BORDERS WALK – OBJECTION – Trees appear to be being removed outside of the application site.

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

The principle of the development has been accepted with the previous approval and therefore the main issues that arise are whether the proposed changes result in any design or amenity issues.

#### **Design and Appearance**

The design has been altered to include a border around the windows, which as well as being a design feature also acts as a sunshade around the windows and some of the windows have been slightly increased in size, both of which are considered acceptable in design terms.

The material changes proposed are again considered acceptable. The submission of further details can still be applied as a condition to ensure that the proposed choices are acceptable but the change from a light and dark brick at ground floor with white render above to a blue brick for the damp course, then a lighter buff brick with the uppermost floors in render is considered acceptable and the submitted CGI images clearly show that this pallet of materials does work together.

The design of the balconies has also been simplified and some balconies have been removed. The angled supports have been removed as have the increase in size as the height increased. Although a simpler form, the design works well with the overall proposed design and provides an attractive vertical emphasis to the design.

The design of both Block A and B have been altered in unison (in terms of the materials, window design and balcony design) and the blocks complement each other.

The alterations to the ground floor parking area of Block A to remove the metal grill fencing is considered a welcome improvement and the brick detailing is considered more cohesive to the overall design and appearance of the building.

A further slight change has been made to block B to remove a rounded corner and is replaced by a chamfered edge on the most northern section of the block and this slight change is considered acceptable.

### Amenity

The second floor communal area has been deleted from the scheme and to compensate for this loss of amenity area, the first floor communal area has been increased in depth by 4m. This communal terrace will retain a 1.8m high privacy screen around the edge to prevent any overlooking as with the previous approval. This element has been altered so that the brick wall height is increased to 1.5m with a 0.3m high obscure glazed screen. The proposal will be closer to properties in Borders Walk, however a minimum distance corner to corner of 15m is retained and if any overlooking were possible this would only be across the front, more public areas of Borders Walk and the public green to the front.

The internal layout of block B has also been altered to create a better internal flow. Previously, concerns were raised with regards to overlooking either actual or perception of overlooking from the north east facing and rear facing windows from this block. Although the internal layout has been altered, a re-worded condition can be applied to ensure privacy is retained particularly for 14 Newmans Lane and 1 Borders Walk.

### Comments on Representations Received

Permission from the land owner of trees outside of the site would be required for their removal, planning permission does not override any ownership rights. No additional trees are to be removed beyond that of the approved permission.

The parking numbers have not changed since the previous submission and these were considered acceptable given the sustainable location of the site.

### **Conclusion:**

The proposed amendments to the approved scheme are considered acceptable and do not give rise to any excessive design or amenity issues. Therefore given the above assessment the proposal is recommended for approval.