

# Committee Agenda



## Epping Forest District Council

### **AREA PLANNING SUB-COMMITTEE SOUTH** **Wednesday, 7th May, 2014**

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

**Roding Valley High School, Brook Road, Loughton, Essex IG10 3JA**  
on **Wednesday, 7th May, 2014**  
at **7.30 pm** .

**Glen Chipp**  
Chief Executive

**Democratic Services  
Officer**

Adrian Hendry (The Office of the Chief Executive)  
Tel: 01992 564246 Email:  
democraticservices@eppingforestdc.gov.uk

#### **Members:**

Councillors J Hart (Chairman), N Wright (Vice-Chairman), K Angold-Stephens, G Chambers, K Chana, Mrs T Cochrane, R Cohen, L Girling, Ms J Hart, J Knapman, L Leonard, A Lion, H Mann, G Mohindra, Mrs C Pond, B Sandler, Mrs T Thomas, H Ulkun, Mrs L Wagland, Ms S Watson and D Wixley

**A PLAN SHOWING THE LOCATION OF RODING VALLEY HIGH SCHOOL IS ATTACHED TO THIS AGENDA. A BRIEFING WILL BE HELD FOR THE CHAIRMAN, VICE-CHAIRMAN AND GROUP SPOKESPERSONS OF THE SUB-COMMITTEE, AT 6.30 P.M. PRIOR TO THE MEETING**

#### **WEBCASTING/FILMING NOTICE**

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

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

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

If you have any queries regarding this, please contact the Senior Democratic Services Officer on 01992 564249.

**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 AT COUNCIL PLANNING SUBCOMMITTEES (Pages 5 - 10)**

General advice to people attending the meeting is attached together with a plan showing the location of the meeting.

**3. MINUTES (Pages 11 - 24)**

To confirm the minutes of the last meeting of the Sub-Committee.

**4. APOLOGIES FOR ABSENCE**

**5. DECLARATIONS OF INTEREST**

(Assistant to the Chief Executive) To declare interests in any item on this agenda.

**6. ANY OTHER BUSINESS**

Section 100B(4)(b) of the Local Government Act 1972, together with paragraphs 6 and 25 of the Council Procedure Rules contained in the Constitution 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.

In accordance with Operational Standing Order 6 (non-executive bodies), any item raised by a non-member shall require the support of a member of the Committee concerned and the Chairman of that Committee. Two weeks' notice of non-urgent items is required.

**7. DEVELOPMENT CONTROL (Pages 25 - 58)**

(Director of Planning and Economic Development) 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. DELEGATED DECISIONS**

(Director of Planning and Economic Development) Schedules of planning applications determined by the Head of Planning and Economic Development under delegated powers since the last meeting of a Plans Subcommittee may be inspected in the Members Room or at the Planning and Economic Development Information Desk at the Civic Offices, Epping.

**9. EXCLUSION OF PUBLIC AND PRESS**

**Exclusion:** To consider whether, under Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the items of business set out below on grounds that they will involve the likely disclosure of exempt information as defined in the following paragraph(s) of Part 1 of Schedule 12A of the Act (as amended) or are confidential under Section 100(A)(2):

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

The Local Government (Access to Information) (Variation) Order 2006, which came into effect on 1 March 2006, requires the Council to consider whether maintaining the exemption listed above outweighs the potential public interest in disclosing the information. Any member who considers that this test should be applied to any currently exempted matter on this agenda should contact the proper officer at least 24 hours prior to the meeting.

**Confidential Items Commencement:** Paragraph 9 of the Council Procedure Rules contained in the Constitution require:

- (1) All business of the Council requiring to be transacted in the presence of the press and public to be completed by 10.00 p.m. at the latest.
- (2) At the time appointed under (1) above, the Chairman shall permit the completion of debate on any item still under consideration, and at his or her discretion, any other remaining business whereupon the Council shall proceed to exclude the public and press.

- (3) Any public business remaining to be dealt with shall be deferred until after the completion of the private part of the meeting, including items submitted for report rather than decision.

**Background Papers:** Paragraph 8 of the 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 (as defined in Rule 10) and in respect of executive reports, the advice of any political advisor.

Inspection of background papers may be arranged by contacting the officer responsible for the item.

## **Advice to Public and Speakers at Council Planning Subcommittees**

### **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 Subcommittee.

### **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**. Ring the number shown on the top of 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 allowed: One objector (maybe on behalf of a group), the local Parish or Town Council and the Applicant or his/her agent.

Sometimes members of the Council who have a prejudicial interest and would normally withdraw from the meeting might opt to exercise their right to address the meeting on an item and then withdraw.

Such members are required to speak from the public seating area and address the Sub-Committee before leaving.

### **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 Sub-Committee members.

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

### **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 through 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 your application.

### **How are the applications considered?**

The Subcommittee 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.

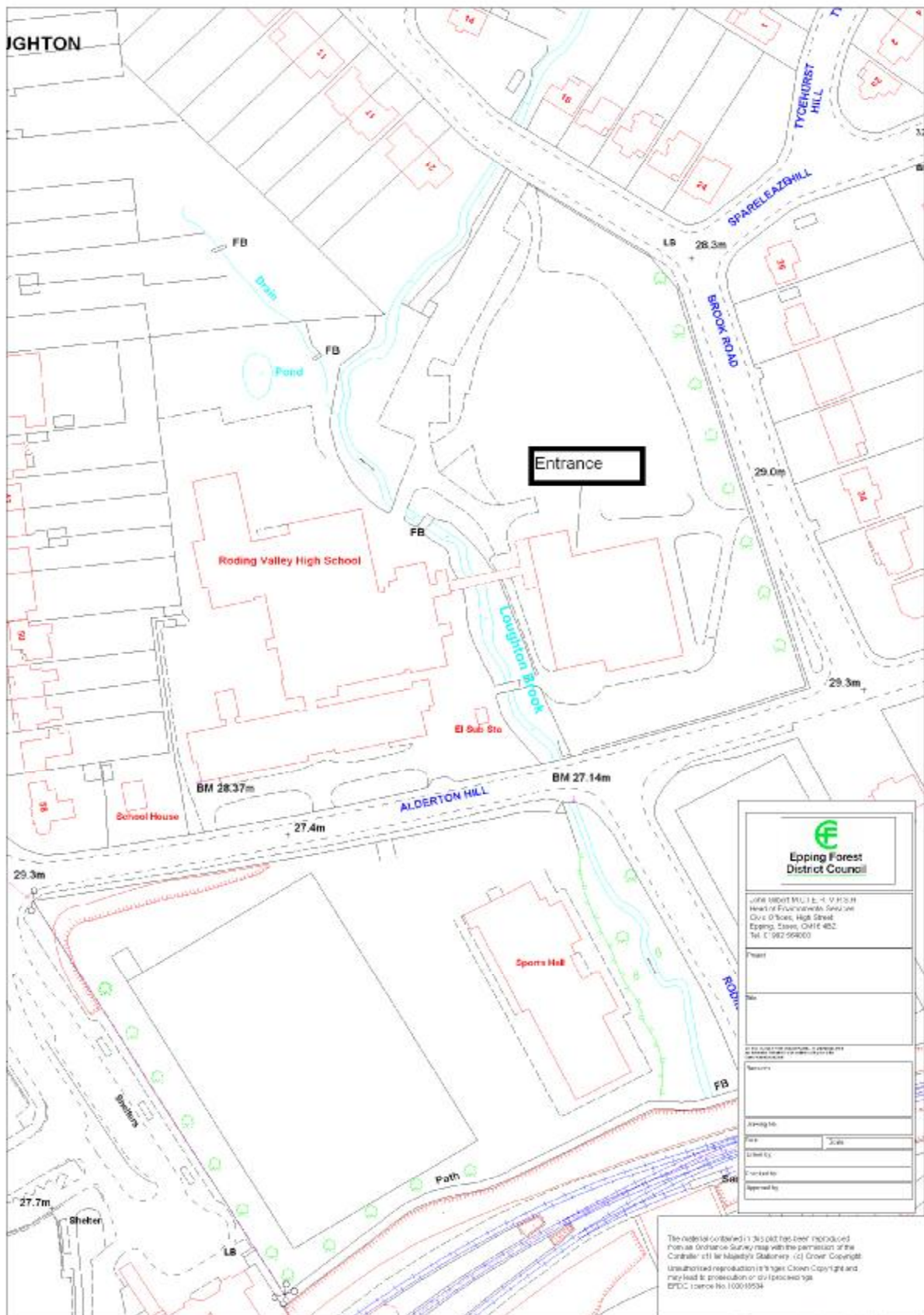
The order of speaking will be (1) Objector, (2) Parish/Town Council, then (3) Applicant or his/her agent. The Subcommittee will then debate the application and vote on either the recommendations of officers in the agenda or a proposal made by the Subcommittee. Should the Subcommittee propose to follow a course of action different to officer recommendation, they are required to give their reasons for doing so.

The Subcommittee cannot grant any application, which is contrary to Local or Structure Plan Policy. In this case the application would stand referred to the next meeting of the District Development Control Committee.

### **Further Information?**

Can be obtained through Democratic Services or our leaflet 'Your Choice, Your Voice'

# Area Plans Subcommittee South – Location Plan



 <b>Epping Forest District Council</b>	
10/FB 18/01/11/11 E - 1 V P 12.11 Head of Environmental Services Civic Offices, High Street Epping, Essex, CM16 4BZ Tel: 01962 594000	
Name: _____ Title: _____ Address: _____ Date: _____ Scale: _____ Checked by: _____ Drawn by: _____ Approved by: _____	

The material contained in this plan has been reproduced from an Ordnance Survey map with the permission of the Controller (11) for His Majesty's Stationery (1) Crown Copyright. Unauthorised reproduction is illegal. Crown Copyright and may lead to prosecution or civil proceedings.  
 EFD/C 1/00010534

This page is intentionally left blank



Area Planning Subcommittee South 2013-14  
 Members of the Committee:



Cllr James Hart	Cllr Wright	Cllr Angold-Stephens	Cllr Chambers	Cllr Chana	Cllr Cochrane
-----------------	-------------	----------------------	---------------	------------	---------------



Cllr Cohen	Cllr Girling	Cllr Jennie Hart	Cllr Knapman	Cllr Leonard	Cllr Lion
------------	--------------	------------------	--------------	--------------	-----------



Cllr Mann	Cllr Mohindra	Cllr Pond	Cllr Sandler	Cllr Thomas	Cllr Ulkun
-----------	---------------	-----------	--------------	-------------	------------



Cllr Wagland	Cllr Watson	Cllr Wixley
--------------	-------------	-------------

This page is intentionally left blank

## EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

**Committee:** Area Planning Subcommittee **Date:** 2 April 2014  
South

**Place:** Roding Valley High School, Brook Road, Loughton, Essex IG10 3JA **Time:** 7.30 - 9.40 pm

**Members Present:** J Hart (Chairman), N Wright (Vice-Chairman), K Angold-Stephens, K Chana, Mrs T Cochrane, R Cohen, L Girling, Ms J Hart, J Knapman, L Leonard, A Lion, H Mann, Mrs C Pond, Mrs T Thomas, H Ulkun, Mrs L Wagland, Ms S Watson and D Wixley

**Other Councillors:** -

**Apologies:** G Chambers, G Mohindra and B Sandler

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

---

### 76. 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.

### 77. WELCOME AND INTRODUCTION

The Chairman welcomed members of the public to the meeting and outlined the procedures and arrangements adopted by the Council to enable persons to address the Sub-Committee, in relation to the determination of applications for planning permission.

### 78. MINUTES

**Resolved:**

(1) That the minutes of the meeting held on 5 March 2014 be taken as read and signed by the Chairman as a correct record.

### 79. DECLARATIONS OF INTEREST

There were no declarations of interest pursuant to the Council's Code of Member Conduct.

### 80. ANY OTHER BUSINESS

At the request of the Chairman, the Democratic Services Officer advised the Sub-Committee of the circumstances when a planning application could be referred to the

District Development Control Committee, which were:

- (i) if the proposal for approval was contrary to the Council's agreed planning policy;
- (ii) if, having made a decision to grant or refuse, a minimum of four Members of the Sub-Committee stood to refer the matter on a minority reference, thus holding the decision over until the next meeting of the District Development Control Committee; or
- (iii) if during the debate a proposal to refer the application directly to the District Development Control Committee without recommendation was moved, seconded and passed by a majority vote.

#### **81. DEVELOPMENT CONTROL**

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

##### **Resolved:**

- (1) That the planning applications numbered 1 – 8 be determined as set out in the attached schedule to these minutes.

#### **82. CONFIRMATION OF TREE PRESERVATION ORDER EPF/25/13 - 1 BURNEY DRIVE, LOUGHTON, ESSEX.**

The Principal Planning Officer introduced a report concerning the confirmation of a Tree Preservation Order at 1 Burney Drive in Loughton.

The Principal Planning Officer stated that Tree Preservation Order EPF/25/13 had been made to protect an oak tree in the rear garden of the property as information had been received it was under threat of being felled. An objection to this order had been received from the resident at 1 Burney Drive, whom it transpired was a tenant as the property was owned by the Council. Therefore, the Director of Housing (as was, now Communities) was served with the Order but the objection from the tenant still stood for consideration.

The Officer reported the grounds of the objection made by the Tenant:

- (i) the tree provided no public amenity as it was situated in a private garden;
- (ii) the tree was considered to be a hazard to the tenant and her family and the property itself, and prevented full use being made of the rear garden by the occupants;
- (iii) the tree shielded the rear rooms of the property and the garden from sunlight, which made it almost impossible to grow anything in the back garden; and
- (iv) the Council had already agreed to fell the tree as a hazard to the property and the tenant had expected this work to be completed during the autumn of 2013.

The Objector had taken legal advice but was optimistic that the situation could be resolved without resorting to legal action.

The comments of the Assistant Director of Governance (Development Control) in response to the objection were as follows:

- (a) it was a large tree which could be widely seen from adjacent roads and therefore had sufficient public amenity to be the subject of a Tree Preservation Order;
- (b) upon inspection it was found to have the characteristics of a veteran Oak tree and therefore deserved to have every effort made to retain it;
- (c) the retention of this tree would be in accordance with the Community Tree Strategy for Loughton;
- (d) there was no clear current risk of structural failure and nor could the tree be considered as an immediate hazard; and
- (e) work to reduce the crown would be a sensible precaution and removing the deadwood in the crown as well as the reduction of the extended branches would improve the access of sunlight to the house and garden.

The Director of Communities had raised no objection to the confirmation of the Order, and there was currently no justification for the felling of the tree, therefore it was recommended that the Tree Preservation Order be confirmed without modification.

The Principal Planning Officer added that the Tree Preservation Order would lapse if it was not confirmed at tonight's meeting, and apologised to the Objector as they had not been initially informed that the Order would be considered at tonight's meeting.

A local Member for Chigwell Village commented that the Objector had been told by Housing Officers that the tree would be felled, and veteran Oak trees required a substantial amount of pruning which the Objector simply could not afford. It was suggested that the Sub-Committee take a pragmatic view that the tree would not be felled by the Objector and a proposal to not confirm the Tree Preservation Order was put forward and seconded. If this proposal was agreed then it was also felt that the Council's Housing and Tree Officers should resolve the situation at 1 Burney Drive and report back to a future meeting of the Sub-Committee.

**Resolved:**

- (1) That the Tree Preservation Order EPF/25/13 at 1 Burney Drive in Loughton not be confirmed; and
- (2) That a further report be submitted to a future meeting of the Sub-Committee outlining the resolution to the situation at the property agreed upon by the Council's Housing and Tree Officers.

**83. DELEGATED DECISIONS**

The Sub-Committee noted that schedules of planning applications determined by the Director of Governance under delegated authority since the last meeting had been circulated and could be inspected at the Civic Offices.

**CHAIRMAN**

**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/2415/13
<b>SITE ADDRESS:</b>	26 The Crescent Loughton Essex IG10 4PY
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Forest
<b>DESCRIPTION OF PROPOSAL:</b>	First floor rear extension.
<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/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=556795](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=556795)

**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. Prior to first occupation of the development hereby approved, the proposed window opening in the south east flank elevation 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.
4. All construction 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.

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/2477/13
<b>SITE ADDRESS:</b>	3 Great Owl Road Chigwell Essex IG7 6AL
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Chigwell Village
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of side garage, erection of two storey side extension, two storey front extension and part two and part one storey rear extension with first floor juliet balconies, together with provision of raised rear patio with side privacy screens.
<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/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=557050](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=557050)

**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. The privacy screens to the raised rear patio, as shown on the plans hereby approved, shall be erected before the raised patio is first brought into use.



**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/2664/13
<b>SITE ADDRESS:</b>	48 Church Lane Loughton Essex IG10 1PD
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Marys
<b>DESCRIPTION OF PROPOSAL:</b>	Redevelopment of site to create four detached dwellings, formation of vehicular access and car parking
<b>DECISION:</b>	Refuse Permission

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

[http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=557993](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=557993)

**REASONS FOR REFUSAL**

1. The detailed design of the proposed dwellings, together with the formation of a shared access drive to the site that would appear as a cul-de-sac off Church Lane, would appear in stark contrast to the established pattern of development visible within the street scene. Furthermore, the rear dwellings (Plots 2 and 3) would appear visible from the street as well as neighbouring rear gardens, emphasising the contrast with the existing pattern of development. The contrast would appear unsympathetic and cause significant harm to the character and appearance of the locality. The harm caused could not be mitigated by landscaping and would be significantly detrimental to the visual amenity of the existing street scene. Accordingly the proposed development fails to reinforce local distinctiveness and would be contrary to policies CP2(iv), CP7 and DBE1(i) of the adopted Local Plan and Alterations and paragraphs 17 (bullet point 4) 58, 60 and 64 of the National Planning Policy Framework.
2. By reason of their height, bulk and massing in close proximity to the site boundaries the proposed houses at Plots 2 and 3 to the rear of the site would appear excessively overbearing when seen from the rear gardens of neighbouring dwellinghouses. The harm caused would be particularly severe at 1a and 1b Wellfields. As a consequence the proposal would cause excessive harm to the amenities of neighbouring properties, contrary to policies CP7 and DBE2 of the adopted Local Plan and Alterations and paragraph 17 (bullet point 4) of the National Planning Policy Framework.

**WAY FORWARD**

Members found a way forward would be reduce the proposal to the two houses proposed towards the front of the site.

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/2676/13
<b>SITE ADDRESS:</b>	38 Stanmore Way Loughton Essex IG10 2SA
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Johns
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of the existing building and the erection of a replacement dwelling.
<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/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=558031](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=558031)

**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. 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.
3. The development hereby permitted will be completed strictly in accordance with the approved drawings nos: Drawing nos 001-009
4. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other Order revoking, further amending or re-enacting that Order) no extensions to the house hereby approved or any enlargement of its roof generally permitted by virtue of Classes A and B of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
5. Access to the flat roof over the ground floor rear projection 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.
6. No development, including site clearance, shall take place until a scheme of soft landscaping and a statement of the methods, including a timetable, for its Implementation (linked to the development schedule), have been submitted to the Local Planning Authority and approved in writing. The landscape scheme shall be carried out in accordance with the approved details and the agreed timetable. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand in writing.

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 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.
9. A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development. The assessment shall demonstrate that adjacent properties shall not be subject to increased flood risk and, dependant upon the capacity of the receiving drainage, shall include calculations of any increased storm run-off and the necessary on-site detention. The approved measures shall be carried out prior to the substantial completion of the development hereby approved and shall be adequately maintained in accordance with the approved management and maintenance plan.

**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/2707/13
<b>SITE ADDRESS:</b>	2 Churchfields Loughton Essex IG10 1AG
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Marys
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of existing bungalow and erection of a pair of two storey semi detached dwellings plus rooms in loft, and 2 front car parking spaces (Revised application to EPF/1755/13)
<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/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=558212](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=558212)

**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. 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.
3. Prior to first occupation of the development hereby approved, the proposed first and second floor window opening in the north east and south west flank elevations shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the stairwells they serve, and shall be permanently retained in that condition.
4. 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.
5. No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works for the front area of the site have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved.

6. The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 1 of 3, 2 of 3, and a 1/1250 site location plan.
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. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other Order revoking, further amending or re-enacting that Order) no extensions projecting more than 3 metres beyond the rear walls of the houses hereby approved and no additions to their roofs generally permitted by virtue of Classes A and B of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.

**Report Item No: 6**

<b>APPLICATION No:</b>	EPF/0061/14
<b>SITE ADDRESS:</b>	188 Queens Road Buckhurst Hill Essex IG9 5BD
<b>PARISH:</b>	Buckhurst Hill
<b>WARD:</b>	Buckhurst Hill West
<b>DESCRIPTION OF PROPOSAL:</b>	Variation of condition 3 of planning permission EPF/0273/93 (Change of use from bank to restaurant (A3 Use) (ground floor and basement only) to allow Sunday trading from 10.30am to 3pm and 6pm to 10pm.
<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/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=558634](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=558634)

**CONDITIONS**

1. The premises shall not be used by customers before 1800 hours nor after 2300 hours on weekdays and Saturdays, nor outside the hours of 1030 hours to 1500 hours and 1800 hours and 2200 hours on Sundays nor at any time on statutory holidays.
2. Equipment to suppress and disperse cooking and food preparation fumes shall be installed in the premises and maintained in effective working order for as long as the use continues.
3. A take away service shall not be available to customers outside the hours of 6.00pm and 10.30pm Monday to Saturday and not at all on Sundays.

**Report Item No: 7**

<b>APPLICATION No:</b>	EPF/0074/14
<b>SITE ADDRESS:</b>	28 Oak Lodge Avenue Chigwell Essex IG7 5HZ
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Grange Hill
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of garage and erection of two storey side extension.
<b>DECISION:</b>	Refuse Permission

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

[http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=558711](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=558711)

**REASONS FOR REFUSAL**

1. By reason of its projection up to the site boundary with 26 Oak Lodge Avenue, the proposed extension would fail to maintain an appropriate degree of separation from the house at 26 Oak Lodge Avenue and would result in a potential terracing effect. As a consequence, the proposal fails to complement or enhance the street scene and is contrary to Local Plans and Alterations policy DBE10, which is consistent with the National Planning Policy Framework.

In deciding to refuse planning permission, Members had regard to the existence of side extensions to other houses in Oak Lodge Avenue that project to the site boundaries with neighbouring houses. They found those extensions were historic, do have a terracing effect and consequently are harmful to the streetscene. Members decided that should planning permission be granted the cumulative impact of the proposal together with other side extensions to houses in Oak Lodge Avenue would exacerbate the visual harm caused by the existing extensions. Accordingly, Members found the existence of other side extensions that project to the site boundaries does not amount to good justification for the erection of further similarly harmful side extensions.

**WAY FORWARD**

Members found a way forward would be to set the first floor component of the extension in from the boundary with 26 Oak Lodge Avenue, but recognised that may not achieve usable space for the applicant.

**Report Item No: 8**

<b>APPLICATION No:</b>	EPF/0282/14
<b>SITE ADDRESS:</b>	212 Manor Road Chigwell Essex IG7 4FB
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed 5 no. two bed flats.
<b>DECISION:</b>	Grant Permission (Subject to Legal Agreement)

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

[http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=559834](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=559834)

**CONDITIONS**

1. Within 3 months of the date of this permission a scheme of soft landscaping and a statement of the methods, including a timetable, for its Implementation (linked to the development schedule), shall be submitted in writing to the Local Planning Authority for its approval. The landscape scheme shall be carried out in accordance with the approved details and the agreed timetable. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand in writing.
2. Within 3 months of the date of this permission details of proposed boundary treatment of curtilage of the building hereby approved shall be submitted in writing to the Local Planning Authority for its approval. The curtilage shall be enclosed in accordance with the details approved unless the Local Planning Authority gives its written consent for any variation.
3. Within 3 months of the date of this permission details of the means of refuse storage for the building hereby approved shall be submitted in writing to the Local Planning Authority for its approval. The approved means of refuse storage shall be provided within 3 months of their approval and thereafter permanently retained, unless otherwise agreed in writing by the Local Planning Authority.



## AREA PLANS SUB-COMMITTEE SOUTH

7 May 2014

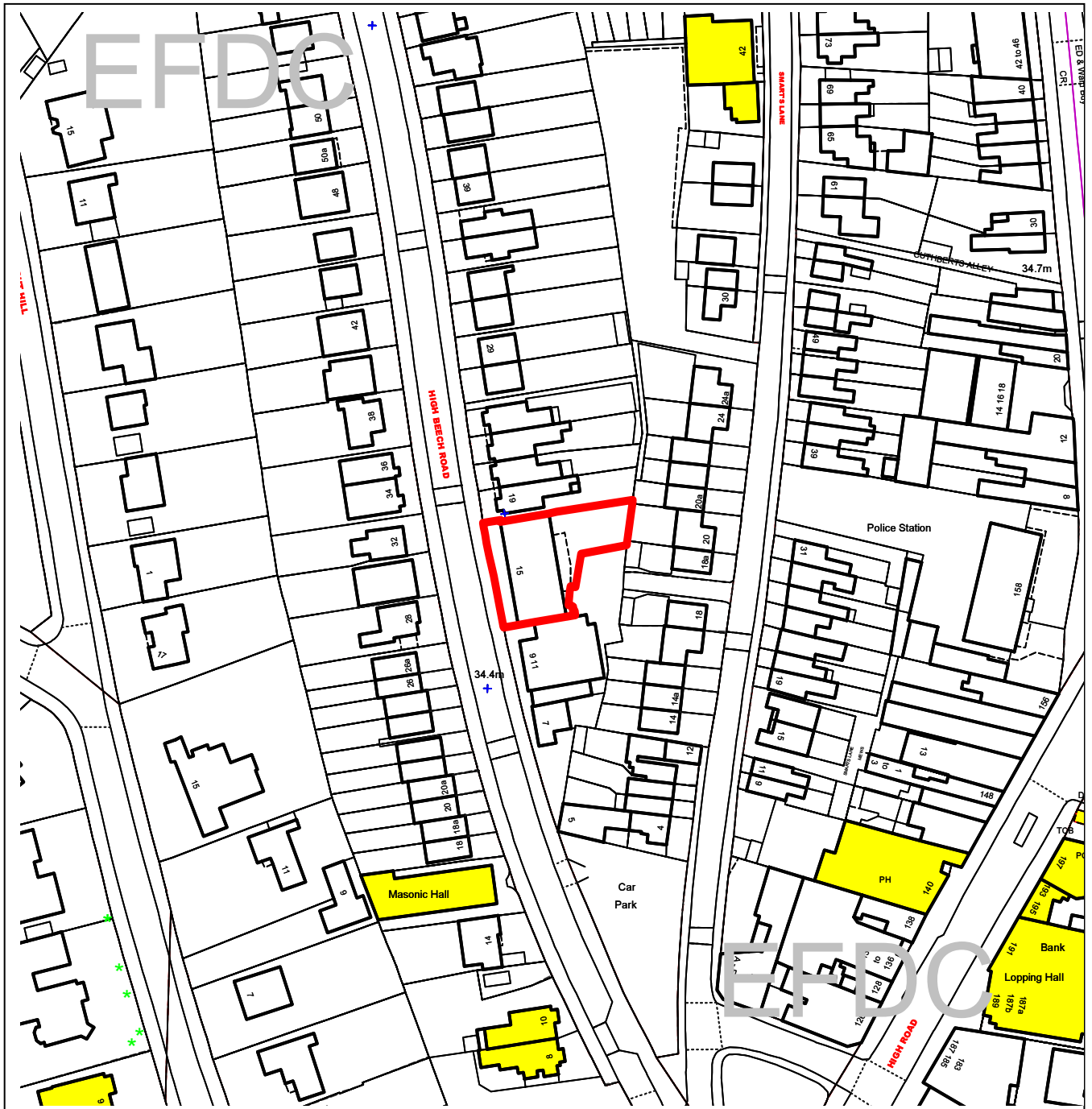
### INDEX OF PLANNING APPLICATIONS/ENFORCEMENT CASES

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1.	EPF/2383/13	Second Floor 13 - 17 High Beech Road Loughton Essex IG10 4BN	Grant Permission (With Conditions)	26
2.	EPF/2595/13	Chigwell Food & Wine 10 Brook Parade High Road Chigwell Essex IG7 6PF	Grant Permission (With Conditions)	30
3.	EPF/0201/14	48 Roebuck Lane Buckhurst Hill Essex IG9 5QX	Grant Permission (With Conditions)	36
4.	EPF/0219/14	49 Southern Drive Loughton Essex IG10 3BX	Grant Permission (With Conditions)	44
5.	EPF/0222/14	3 Meadow Way Chigwell Essex IG7 6LP	Grant Permission (With Conditions)	48
6.	EPF/0248/14	14 - 17, 18 - 21 York Crescent Loughton Essex IG10 1RW	Grant Permission (With Conditions)	52



# Epping Forest District Council

## AGENDA ITEM NUMBER 1



Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Contains Ordnance Survey Data. © Crown Copyright 2013 EFDC License No: 100018534

Contains Royal Mail Data. © Royal Mail Copyright & Database Right 2013

Application Number:	EPF/2383/13
Site Name:	Second Floor, 13 - 17 High Beech Road, Loughton, Essex, IG10 4BN
Scale of Plot:	1/1250

**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/2383/13
<b>SITE ADDRESS:</b>	Second Floor 13 - 17 High Beech Road Loughton Essex IG10 4BN
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Forest
<b>APPLICANT:</b>	Mr Richard Rains
<b>DESCRIPTION OF PROPOSAL:</b>	Conversion and change of use of existing second floor of office premises to residential use to form 5 no. 1 bedroom flats.
<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/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=556690](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=556690)

**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 5 car spaces allocated for residential use as shown on plan number 373/13-09 shall be permanently retained for use in connection with the 5 flats hereby approved.
- 3 The development hereby permitted will be completed strictly in accordance with the 9 approved drawings numbered 373/13-07 Rev A; -09; -01; -02; -03; -04; -05; 06; -08.

*This application is before this Committee because the recommendation for approval is contrary to more than 2 objections received which are also material to the planning merits of the proposal, pursuant to the 'constitution, part three: planning directorate – delegation of council function, schedule 1, appendix A(f).*

**Description of Site:**

3 storey office building located in the southern section of High Beech Road close to Loughton High Road. Another office building is located at the neighbouring 9-11 High Beech Road, but the remainder of the road is given over to houses/flats. This office building is not listed nor does it lie in a conservation area.

**Description of Proposal:**

Conversion and change of use of existing second floor of office premises to residential use to form 5 no. 1 bedroom flats.

**Relevant History:**

None.

**Policies Applied:**

DBE9 - Loss of amenity.  
ST6 – Vehicle parking.  
ST4 – Road safety

Policies DBE9 and ST4 are compliant with the NPPF, and policy ST6 is generally compliant.

**Summary of Representations:**

LOUGHTON PARISH COUNCIL – ‘the Committee questioned whether the proposed number of flats would permit basic amenities and appropriate living space for future occupants’.

ESEEX CC HIGHWAYS AUTHORITY – no objections as it is not contrary to the Highway Authority’s Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, and policies ST4 and ST6 of the Local Plan. The County add that the applicant is proposing to allocate one space per flat in accordance with the Parking Standards. The decreased office space only requires a maximum number of parking spaces and given the accessible location of the site the remaining spaces (which number 5 to 7) would be considered acceptable and would not give rise to any highway safety issues.

NEIGHBOURS – 18 neighbours consulted and 4 replies received:-

LOUGHTON RESIDENTS ASSOCIATION PLANS GROUP – object – the accommodation appears to be too cramped and some rooms are small. Also concerned regarding a total lack of extra parking space. If the District Council however decide to approve we request that the normal hours of construction work condition be applied.

30, HIGH BEECH ROAD - object – will cause overlooking at evenings and weekends, and will there be sufficient parking?

21, HIGH BEECH ROAD – concern over parking in the road which has increased in recent years – there must be provision made for off street car parking.

20, SMARTS LANE – object – the proposed flats will overlook our house and garden more than the current office use. Also there will be more noise from cars and people walking about.

20A, SMARTS LANE – object - the proposed flats will generate more people at windows overlooking our garden, living room, and bedroom – there will be a complete loss of privacy.

**Issues and Considerations:**

The main issues raised by the application are whether the proposed use as flats is an appropriate use, and whether flats would give rise to unacceptable problems in respect of overlooking and car parking. No alterations are proposed to the second floor elevations.

**Planning policy issues**

In May 2013 the Government, in a move to increase the supply of dwellings, particularly in vacant or underused offices, introduced new regulations (for a 3 year period) that allow the conversion of offices to dwellings to be carried out without the need for planning permission. Instead a prior

approval notification needs to be lodged with a Council, and a Council can only consider the issues of contamination, flooding, and highway issues in their assessment if they are minded to reject such a prior approval application. Although in this instance the applicants have lodged a full planning application, this change to permitted development regulations is a material consideration in the assessment of this application.

The site lies outside the town centre boundary and the loss of office floorspace is acceptable particularly given that 5 dwellings are proposed.

#### Car Parking

The site currently has 10 off street car spaces, though 12 cars can be accommodated with some double parking. Given that the 5 proposed flats will have a greater need for '24/7' car parking the plans have been amended to show 5 car spaces being specifically allocated to the 5 flats proposed. One car space per flat is an appropriate provision in this central location near bus services and the underground station, and the Essex Highway Authority state that such a provision complies with their policies. 5 to 7 off street car spaces will be left for the remaining 2 floors of offices, and given the site's location close to public transport, and 2 town centre car parks located 80 metres away, this provision is acceptable.

#### Overlooking

It is acknowledged that High Beech Road is not a wide thoroughfare and the houses to the rear of the site in Smarts Lane also lie close to these High Beech properties. In this context it is not surprising that some neighbours have raised concerns about overlooking. However, the front of the proposed flats will lie 20m away from the front of houses opposite, and this front to front distance over a public highway is acceptable and will not cause an undue loss of privacy. At the rear the Smarts Lane houses lie between 21 and 27m away and they also lie at an angle to the application premises. While there will be some overlooking these angled distances would again not cause significant overlooking. It is noted that the Essex CC design guide recommends a 25m distance in the planning of dwellings in more rural areas, whereas 21m is acceptable in most boroughs in London - hence the proposal can be seen to meet appropriate spacing standards. Finally, as mentioned above, overlooking would not be a consideration had the applicants chosen to submit a prior approval application for the provision of these 5 flats.

#### Comments on representations received

Concerns have been raised about some of the room sizes in the proposed flats. However these one bedroom flats are aimed at non family households close to a town centre, and the accommodation proposed, which provides kitchen - living rooms but with separate bedrooms and bathrooms, is acceptable.

#### Conclusions:

For the reasons outlined above it is recommended that planning permission be granted subject to conditions.

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

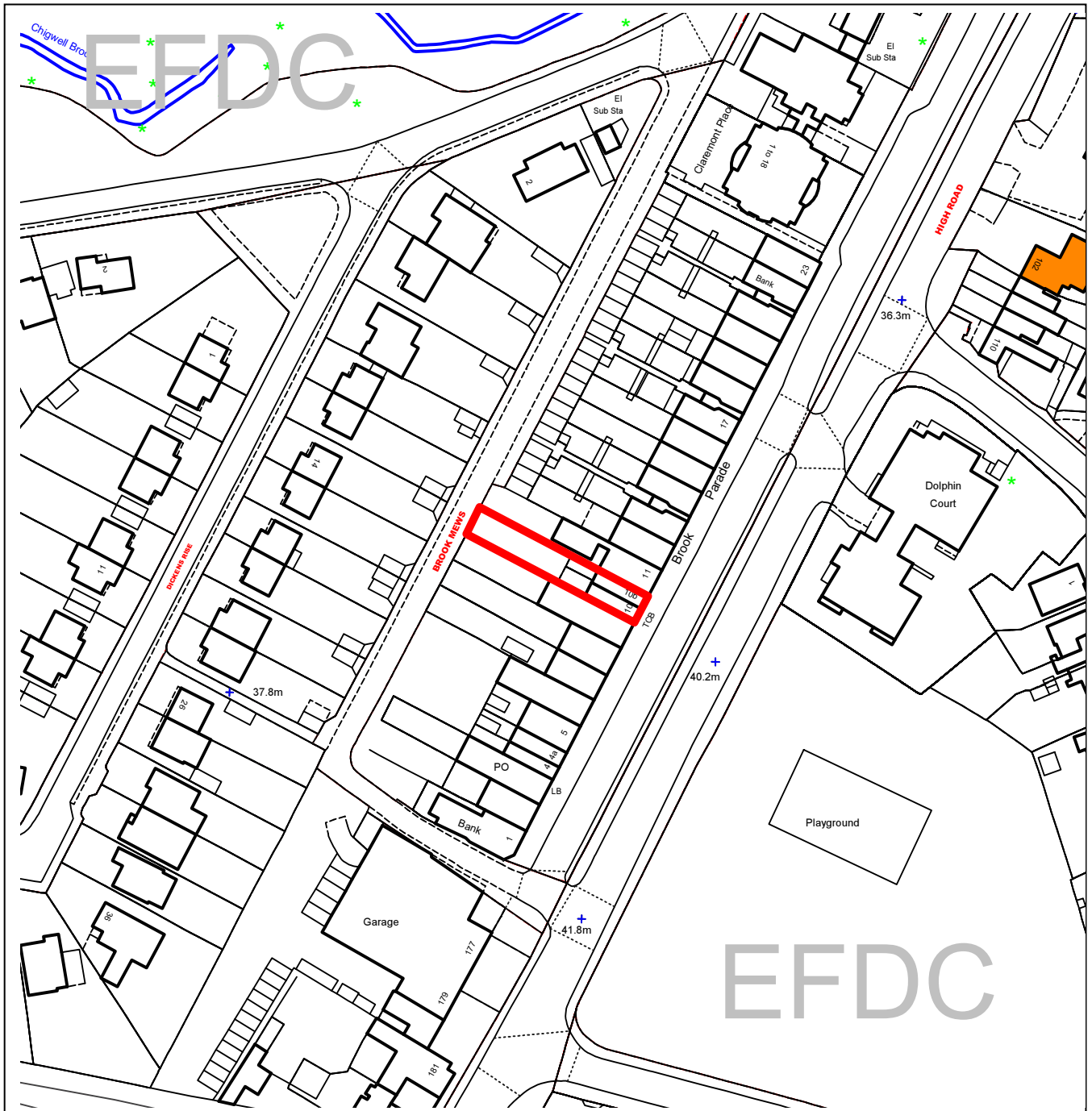
***Planning Application Case Officer: David Baker  
Direct Line Telephone Number: 01992 564514***

***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



Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Contains Ordnance Survey Data. © Crown Copyright 2013 EFDC License No: 100018534

Contains Royal Mail Data. © Royal Mail Copyright & Database Right 2013

Application Number:	EPF/2595/13
Site Name:	Chigwell Food & Wine, 10 Brook Parade, High Road, Chigwell, IG7 6PF
Scale of Plot:	1/1250

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/2595/13
<b>SITE ADDRESS:</b>	Chigwell Food & Wine 10 Brook Parade High Road Chigwell Essex IG7 6PF
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Chigwell Village
<b>APPLICANT:</b>	Mr Hasan Dagdelen
<b>DESCRIPTION OF PROPOSAL:</b>	Change of use from Class A1 Shop to Class A5 fish and chips hot food takeaway use together with installation of extract duct on roof of cold room at the rear.
<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/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=557695](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=557695)

**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 Details of the model types to be used in the operating components of the proposed fumes extraction system shall be submitted to and approved by the local planning authority before any work commences on site. Once approved these details, and the extraction system as a whole, shall be implemented in full before the use hereby approved commences.
- 3 The use hereby permitted shall not be open to customers outside the hours of 10am to 10pm.
- 4 The development hereby permitted will be completed strictly in accordance with the approved drawings numbered 13.03.03. Rev 01; 13.05.03. Rev. 01; 13.03.01. Rev.01; 13.03.02. Rev. 01, together with a 1/500 block plan and 1/1250 site location plan.
- 5 Details of measures to deal with litter and waste arising from this fish and chip shop use shall be submitted and approved by the local planning authority before any works commence. Once approved these details shall be implemented in full before the use hereby approved commences.

*This application is before this Committee because the recommendation for approval is contrary to a) an objection received from a local council which is material to the planning merits of the proposal, and b) contrary to more than 2 objections received which are also material to the planning merits of the proposal, pursuant to the 'constitution, part three: planning directorate – delegation of council function, schedule 1, appendix A(g).*

**Description of Site:**

A ground floor shop in a local shopping centre parade with maisonettes over which are accessed from Brook Mews to the rear. The property is not listed nor does it lie in a conservation area.

**Description of Proposal:**

Change of use from class A1 shop to class A5 fish and chips hot food take away, together with installation of extract duct to the rear.

**Relevant History:**

None.

**Policies Applied:**

DBE9 - Loss of amenity.  
TC6 - Local centres and corner and village shops  
ST4 - Road safety.

DBE9 and ST4 are compliant with the NPPF, and policy TC6 is generally compliant.

**Summary of Representations:**

CHIGWELL PARISH COUNCIL – object – since we do not wish to lose an A1 use at this location.

EFDC ENVIRONMENTAL SERVICES – The proposed components of the fume extraction system do offer 'Best Practical means' to minimise odours, and subject to provision of exact model details, which can be provided later, I am satisfied with the proposed extraction system.

NEIGHBOURS – 12 neighbours consulted. (8 objections have been received from properties close to the site, with one being signed by some 50 people In addition 33 letters of support have been received – 3 of these are from properties close to the site and the others are from addresses in Chigwell.

**Objections:-**

14, DALESIDE GARDENS – I have an interest in 10a Brook Parade and object on grounds of increased fire risk, smell rising up through timber floors, noise and vibration, the use will attract youths late at night, the use will change the character of the parade, and increased litter will be caused, and number 10a would lose £40.000 to £50.000 in value. This letter was accompanied by a 'petition' signed by 50 people objecting to the proposal.

8a, BROOK PARADE – object because of smell, youths congregating and consequent noise and disturbance, and the use will be detrimental to the parade.

11a, BROOK PARADE – the proposed use would be out of keeping with the high class nature of the parade. It would set a precedent for other similar uses, there is insufficient parking, it would cause more noise at night with car doors slamming, there will be noise from equipment, litter will



be created, vermin will be attracted, and there will be a smell irrespective of measures taken to combat odours.

12 and 12a BROOK PARADE – we own these properties – a fish and chip shop would be out of character with the type of restaurants in the locality – Papillon in this parade and Bluebell and Sheesh in Chigwell village. The use will cause harm and likely to operate late at night, and the smell of fried foods will be unacceptable. In Woodford Bridge there are 2 similar establishments and there is litter and rowdiness there. The smart village atmosphere of Brook Parade does not lend itself to a use of this nature.

12b, BROOK PARADE – object on grounds of rubbish created and noise, there are 2 fish and chip shops in Woodford Bridge and therefore there is no need for one in this locality, and I am concerned that youth will collect outside.

12, DICKENS RISE – Brook Mews to the rear is already overflowing with rubbish attracting vermin, and this use will give rise to more rubbish and youths loitering in the Mews.

14, DICKENS RISE – the use will aggravate rubbish problems in Brook Mews which could spread into Dickens Rise.

3, CHIGWELL PARK (not a near neighbour) the use will cause more traffic, noise, youths congregating and inevitable rubbish. Unlike a restaurant with a set number of seats a hot food take away has an infinite number of visitors. If allowed the use could revert to a kebab shop, a popular late night use, and the use is contrary to the character of Brook Parade.

#### Supports:-

9, BROOK PARADE – a fish and chip shop is very much needed, and more variety of take away food is needed.

6, BROOK PARADE – as owner of Mace convenience store I am more than happy to have a takeaway – there is a real need in this parade.

24, BROOK PARADE – there is not enough of this type of place to eat.

Some 30 other letters of support, in the form of individual comments on a template letter, were also received from addresses in Chigwell. The points raised include the view that there is a clear need for a fish and chip shop in the locality - with the nearest one at Woodford Bridge being too far away, that such a shop would add variety to the parade and improve the selection of hot food on offer, and that the parade is missing this type of outlet.

#### Issues and Considerations:

The main issues raised by the application are whether the use is an appropriate one in this local shopping parade, and whether it would cause undue nuisance to nearby residents in the form of smell, late night noise, and parking.

#### Local Plan Policy Issues:-

Policy TC6 of the Local Plan states that planning permission will not be granted for a non retail use unless the service provided is available elsewhere in the locality. The existing shop is a food convenience store, newsagents and off licence. This type of shop is provided at Mace convenience store at number 6 Brook Parade (a chain store), and also at the Martins/ McColls store at no. 3, (also a chain store) which recently has also applied for a licence to sell alcohol off the premises. The trade that the existing shop at number 10 provides is therefore well catered for

already in the parade. Indeed, the existing shop proprietor, who is the current applicant, states that his independent shop is losing money and he is keen to switch to a fish and chip shop business to provide for his family's livelihood. Policy TC6 also allows for a 'non retail' use to be approved if the new use would meet an identified community need, and it is apparent that many people in the locality feel that a fish and chip shop would be an asset. Lastly, it needs to be emphasised that the proposed use is still a form of use appropriate to a shopping parade, and that the Government has, in the last 2 years, lifted and changed regulations in order to encourage a more flexible range of business to be established in shopping parades, in part to avoid problems caused by vacant shops.

#### Extraction of fumes:-

In terms of physical appearance the extract duct system has been amended so that it runs underneath the roof of the 6m depth rear storage room or cold room. Consequently only a small duct or chimney of 1.7m will project above the ground floor roof level at the rear and this will have a very small impact on visual amenity. This contrasts with the large and bulky extract system built on top of the flat roof of a back addition at the Papillon Italian restaurant 3 doors away at no.13 Brook Parade. The Environmental Services section is satisfied that the proposed extraction system is a satisfactory one, and will not cause a nuisance in terms of odour and smell. There are natural concerns from residents in maisonettes that an odour problem could be caused, but in this context it should be stressed that there are many fish and chip shops underneath residential units in the District, and indeed the same relationship occurs on numerous occasions in London and the country as a whole. A 'background' odour can be caused from fish and chip shops but such a background odour is not a significant nuisance, and cannot justify a refusal of consent in a typical shopping parade such as Brook Parade.

#### Possible noise and litter nuisance:-

Some objectors refer to late opening times and attraction of groups of youths to the proposed use. However the application specifies that the use will close at 10pm at night and this modest closing time compares favourably with the later closing of the Italian restaurant at number 13. A condition will also be attached requiring the premises to close at 10 pm. Whether the use will attract youths or not is not really a material planning consideration, but it seems that this form of congregation issue is more likely to arise outside more isolated hot food take away shops located in large estates rather than outside a fish and chip shop located in a High Road shopping parade such as this. With regard to litter, a condition will be imposed requiring appropriate provision to be made for dealing with waste and litter.

#### Comments on representations received:-

The Parish Council objects on grounds of loss of an A1 retail use. However there are other 'non retail' uses e.g. beauty salons, and a café that operate in the parade following the grant of planning permission, and indeed the restaurant approved in late 2008 at no.13 replaced a jewellers shop. In addition a fish and chip shop is a form of use appropriate to a shopping parade that will be open for part of the day and therefore will not create a dead frontage. It is also noted that many representations received argue that there is a demand locally for this type of use. In this context, a decision to refuse the proposed use on grounds of loss of a retail use would be unreasonable.

In terms of parking, this parade of shops benefits from a one way service road (with parking) that lies between the parade and the main High Road. This road layout is likely to assist the proposal by reducing the potential problems that may arise as a consequence of either the lack of on-street parking space or inconsiderate parking.

**Conclusions:**

The retail service currently provided by the applicant in this shop is well catered for in other convenience chain stores located in this parade, and consequently a key retail service will not be lost. In any event the proposed use is still a form of use appropriate to a shopping parade and which would provide a service that is currently not provided for in the locality. The Council's Environmental Services section state that the proposed fumes extraction system is satisfactory, and fish and chip shops are often located underneath flats or maisonettes without an undue loss of amenity. The proposed use would also give alternative employment to the current shop proprietor and provide employment for 3 other people. For these reasons, and other ones outlined in this report, 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:***

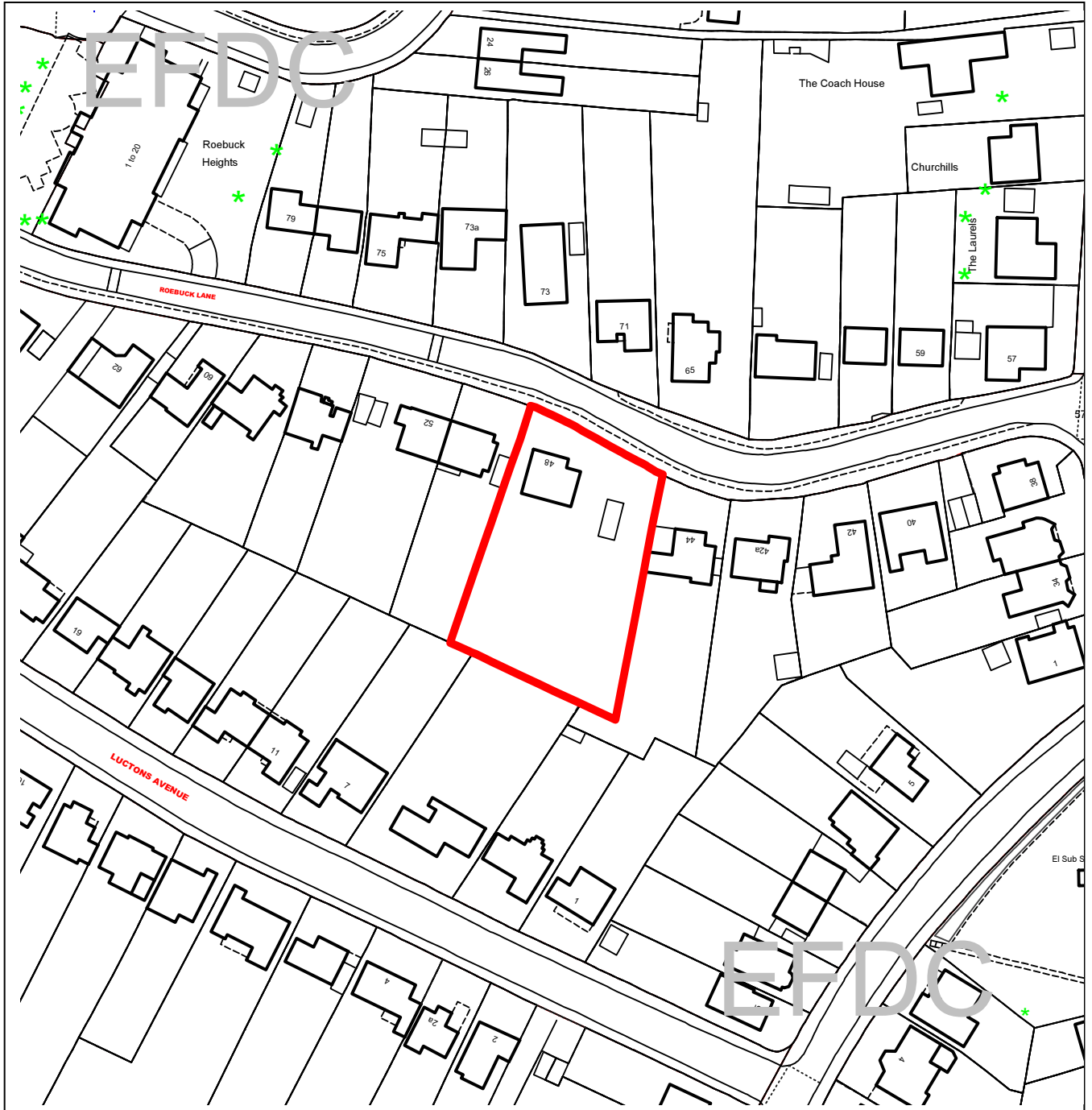
***Planning Application Case Officer: David Baker  
Direct Line Telephone Number: 01992 564514***

***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 3



Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Contains Ordnance Survey Data. © Crown Copyright 2013 EFDC License No: 100018534

Contains Royal Mail Data. © Royal Mail Copyright & Database Right 2013

Application Number:	EPF/0201/14
Site Name:	48 Roebuck Lane, Buckhurst Hill Essex, IG9 5QX
Scale of Plot:	1/1250

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/0201/14
<b>SITE ADDRESS:</b>	48 Roebuck Lane Buckhurst Hill Essex IG9 5QX
<b>PARISH:</b>	Buckhurst Hill
<b>WARD:</b>	Buckhurst Hill West
<b>APPLICANT:</b>	Mr K Fox
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of 2 no. new dwellings.
<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/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=559334](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=559334)

**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 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.
- 3 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: BRD/14/002/001, 002(A), 003, 004
- 4 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 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 Tree protection shall be undertaken in accordance with Open Spaces Arboricultural Method Statement and Tree Protection report dated January 2014. Any variation shall require the Local Planning Authority to give its written consent.
- 6 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other Order revoking, further amending or re-enacting that Order) no rear extensions generally permitted by virtue of Class A of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 7 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.

*This application is before this Committee since it 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: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(f).)*

### **Description of Site:**

The application site comprises a residential plot on the southern side of Roebuck Lane, close to its junction with the High Road. Following a notification of the Applicant's intent to demolish earlier this year, the detached dwelling that previously occupied the site has been removed and the site cleared. Hoardings presently surround the site.

### **Description of Proposal:**

This application seeks planning permission for the erection of two detached houses within the site.

The dwellings would be two-storey in height, with additional accommodation being provided within the roof space. The dwellings would have a height to eaves of 5.5m and a ridge height of 9.8m. The dwellings, which would be handed, would each have two projecting gables at the front and one at the rear (with the rear gable screening balconies from neighbouring dwellings).

The dwellings would be set further back in the site than the previous no. 48, but would loosely follow a building line between existing nos. 44 and 50.

The dwellings would each occupy a footprint of approximately 13m wide by 18m deep and would have integral garages with additional parking on the frontages to accommodate at least two cars.

The dwellings are of Edwardian style design, and would be finished in a mixture of red brickwork, painted render and timber.

### **Relevant History:**

EPF/0119/14. Prior notification of demolition of dwelling and garage. Prior Approval Not Required 17/02/2014.

### **Policies Applied:**

#### **Adopted Local Plan and Alterations**

CP1 – Achieving Sustainable Development Objectives  
CP2 – Protecting the Quality of the Rural and Built Environment  
CP3 – New Development  
CP4 – Energy Conservation  
CP5 – Sustainable Building  
CP6 – Achieving Sustainable Urban Development Patterns  
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 to Neighbouring Properties  
ST1 – Location of Development  
ST2 – Accessibility of Development  
ST4 – Road Safety  
ST6 – Vehicle Parking  
H2A – Previously Developed Land  
H3A – Housing Density  
H4A – Dwelling Mix  
LL11 – Landscaping Schemes

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 214 states that due weight should be given to the relevant policies in existing plans according to the 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:**

Notification of this application was sent to Buckhurst Hill Parish Council and to 9 neighbouring premises.

The following representations have been received:

BUCKHURST HILL PARISH COUNCIL: No Objection. Concern that trees should be retained.

1 LUCTONS AVENUE. Objection. This is a gross over development of each plot. The design of each house is good but the objection is for enormity of each footprint; the length needs scaling down to properly fit the plots. Look at the plan and compare with other houses in the road. Also object to the first floor bedroom balconies. Full grown trees need to be planted at the margins of both houses to reinstate the long established privacy for surrounding properties.

5 LUCTONS AVENUE. Objection. I must object to the inclusion of balconies to the rear elevation at first floor level of both the proposed houses in this application which will overlook my property and create loss of privacy. This overlooking and loss of privacy will be particularly excessive as the

proposed houses will be located at an elevation considerably higher than my property. I have no objection to this proposed development if the balconies are omitted.

50 ROEBUCK LANE. Comment: The proposed three storey building will be 3 m beyond the end of my single story annex. As a consequence: for myself and neighbours alike, the view along the gardens will be obstructed by the new building, which is not in keeping with the houses already in Roebuck Lane; the velux windows in the annex, will be overlooked by the new building and possible light blocked out; the patio at the back of the annex will have an outlook on to a brick wall of the new house.

52 ROEBUCK LANE. Objection: The rear building line of the proposed houses will be considerably behind that of nos. 50 and 52. The buildings will dominate and be highly intrusive to neighbouring properties and given the southerly aspect, no. 44 will suffer a material loss of light. Also. The proposed two buildings are identical and whilst there are detached buildings in Roebuck Lane that are similar, none are identical and the two identical houses will dominate this part of Roebuck Lane. Changes to the front elevations of the houses will ameliorate this.

64 ROEBUCK LANE. Objection: Object to the proposed design, which is completely out of character with the existing houses on this road, the vast majority of which are either plain red brick, or plain rendered with some wood timbering. There may be, as the developers state, a variety of other architectural styles here, but none are as awful as the elaborate Edwardian style proposed here. I also ask who these huge houses are intended for. Why do they have 6 bedrooms, each with their own bathroom. Are they to be family houses, Guest Houses, or does the Edwardian style extend to including rooms for servants? I urge the planning committee to reject the proposed design, and require the developers to submit another, more consistent in size and style with the existing properties in Roebuck Lane.

BUCKHURST HILL RESIDENTS SOCIETY. Objection: Whilst we accept that the site is large enough for 2 new dwellings, we feel that the size of the dwellings as proposed is overdevelopment. The architectural style bears no relationship to the rest of the road (there is a passing relationship to 42). If we are to have large imposing buildings can we have some architectural merit.

### **Issues and Considerations:**

The issues for consideration are the impact of the proposed development on the amenity of neighbouring residents and on the character and appearance of the area.

#### **Neighbour Amenity**

Concern has been raised by the occupiers of neighbouring dwellings regarding the rear projection of the dwellings. The dwelling closest to no. 50 would project approximately 1.4 m to the rear of an annex which has its main window (a set of patio doors) within its rear elevation. The dwelling would be separated from the annex by a distance of approximately 2m. It is considered that this separation is sufficient to avoid any material loss of amenity to the occupiers of both the dwelling at 50 Roebuck Lane and its annex, if occupied.

The two proposed dwellings would achieve acceptable levels of amenity, subject to the erection of privacy screens along the sides of the balconies, to prevent overlooking between the balcony areas.

The dwelling closest to no. 44 would project beyond the rear of that dwelling by a distance of approximately 3.6m. At its closest point beyond the rear of no. 44, the proposed dwelling would be separated by a distance of 2.8m and this gap would widen towards the rear of the proposed



dwelling. This separation distance is also considered sufficient to avoid any material loss of amenity.

Concern is raised by the occupiers of properties in Luctons Avenue to the rear regarding overlooking from the proposed balconies. However, the balconies would be set a minimum of 22m from the site boundary and the dwellings in Luctons Avenue have garden lengths exceeding 30m. Accordingly, it is not considered that any overlooking from the balconies across this distance would amount to a material loss of amenity.

Due to the set back in relation to neighbouring dwellings very careful consideration would need to be given to any future proposal to extend the proposed dwellings to the rear. It is, therefore considered necessary to remove permitted development rights that would otherwise allow rear extensions without the need for express planning permission.

### Design

The proposed dwellings are considered to be well designed and their height is considered appropriate in relation to adjacent dwellings. The site comprises a double width plot and accordingly the proposed dwellings would not appear cramped – to the contrary, they would be in keeping with the pattern of development along the street.

Concern has been raised in respect of the similarity between the two dwellings, which are handed versions of each other. Whilst most dwellings are of differing and unique design, there are examples where dwellings are similar, most notably, the pair of semi-detached dwellings at nos. 50 and 52. It is the view of the planning officer that the dwellings will form an attractive addition to the street scene and that their similarity to each other will not detract from the character of the existing street scene. However, if Members of the Committee consider there to be a need to ensure that the dwellings do appear more distinct, then it should be noted that the use of different materials for the two dwellings may be secured through the approval of the standard planning condition.

### Parking and Highways

Adequate car parking would be provided for each of the dwellings and the proposed accesses onto Roebuck Lane are considered acceptable.

### Trees and Landscaping

The Council's arboricultural officer has been consulted on the application and has commented as follows: 'There is only one significant tree on site, a veteran oak towards the rear boundary. Given the length of the garden, there is sufficient space to easily protect the rooting area of the tree by simply erecting fencing across the width of the site. On this occasion the submitted tree report will be sufficient and additional updated reports will not be required.'

The above amended condition should be included in any consent as should the requirement for hard and soft landscaping details.

### Other Matters

*Flood Risk* – The Council's Engineering, Drainage and Water Team has been consulted on this application and has commented as follows: 'The site does not lie within an Epping Forest District Council flood risk assessment zone. The development is of a size where it is necessary to avoid generating additional runoff and the opportunity of new development should be taken to improve existing surface water runoff. A Flood Risk Assessment (FRA) is required; therefore please add a standard land drainage condition. The applicant should note that the geology of the area is

predominantly clay and infiltration drainage may not be suitable for the site. The site does not lie within any Environment Agency (EA) Floodzones; therefore consultation with the EA is not required.

**Conclusion:**

It is considered that this proposal constitutes an acceptable form of development which accords with both local and national planning policies. It is, therefore 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: Mrs Katie Smith  
Direct Line Telephone Number: (01992) 564103***

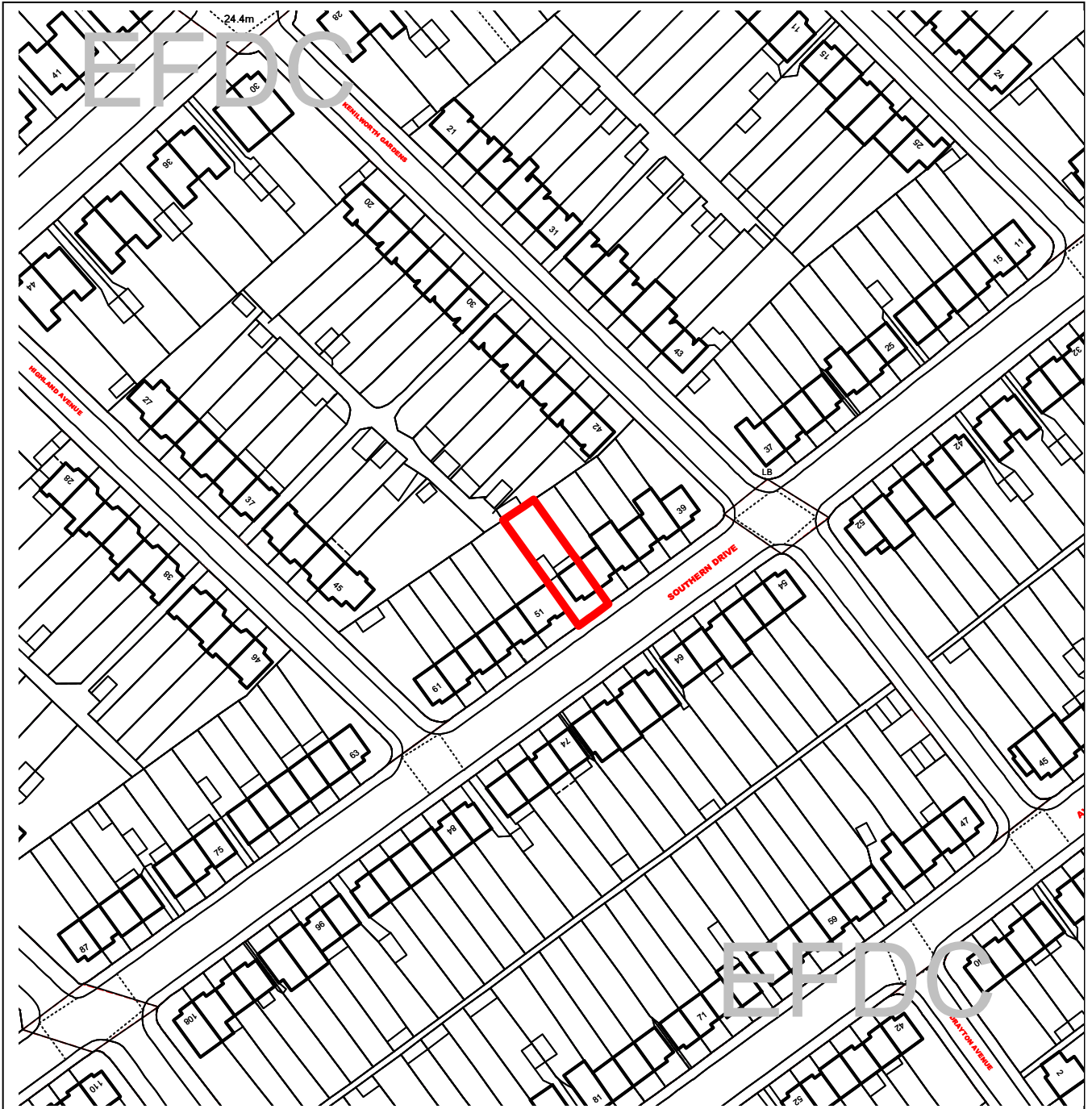
***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***

**THIS PAGE IS INTENTIONALLY LEFT BLANK**



# Epping Forest District Council

## AGENDA ITEM NUMBER 4



Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Contains Ordnance Survey Data. © Crown Copyright 2013 EFDC License No: 100018534

Contains Royal Mail Data. © Royal Mail Copyright & Database Right 2013

Application Number:	EPF/0219/14
Site Name:	49 Southern Drive, Loughton Essex, IG10 3BX
Scale of Plot:	1/1250

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/0219/14
<b>SITE ADDRESS:</b>	49 Southern Drive Loughton Essex IG10 3BX
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Roding
<b>APPLICANT:</b>	Mr Nicholas Rust
<b>DESCRIPTION OF PROPOSAL:</b>	Single storey side and rear extension with part second storey to side and rear.
<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/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=559430](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=559430)

**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.

*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 Directorate – Delegation of Council function, Schedule 1, Appendix A. (g))*

**Description of Site**

Southern Drive is located within the built up area of Loughton. The existing building is a two storey end of terrace house that is located within a relatively wide plot. The surrounding area is made up of terraced housing with relatively small plots. Southern Drive has a regular pattern of up to 6 terrace dwellings in a row with a clear gap in between the next block. The neighbours to the west have extended at two-storey up to the boundary. The application site is not located within the boundaries of the Metropolitan Green Belt and it is not in a conservation area.

**Description of Proposal**

The proposed development is for a two storey side extension that will be 2.3m wide, 4.6m long, have an eaves height of 5.2m and a maximum height of 6m. The side extension is set back 3.6m from the front of the property. The application also includes a two storey rear extension 3m deep, 3.4m wide and 6m high.

## **Relevant History**

EPF/1754/13 - Two storey side extension to existing house and single storey extension to the rear – Refused

EPF/2439/13 - Two storey side extension to existing house and single storey extension to the rear (revised application) – Refused

## **Policies Applied**

CP2 – Protecting the Quality of the Rural and Built Environment

DBE10 – Design of Residential Extensions

DBE9 – Impact on amenity

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 214 states that due weight should be given to the relevant policies in existing plans according to the degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight

## **Consultation carried out and summary of representations received**

6 Neighbours consulted –

51 SOUTHERN DRIVE – OBJECTION – The close proximity to the boundary will cause a terrace-like effect, the extension will appear overbearing and cause an excessive loss of light to our property.

LOUGHTON TOWN COUNCIL – OBJECTION – The Committee considered that this is a particularly poor design and reiterated their previous comments which were:

Owing to its close proximity to the neighbouring property of 51 Southern Drive, the two storey side extension would create a terracing effect that would be detrimental to the character and appearance of the street scene. It was, therefore, deemed contrary to Policy DBE10 of the Local Plan. Members were also concerned the minimal gap that would remain from the proposed works to no. 49 would leave the owner of no. 51 Southern Drive unable to maintain the flank wall of his dwelling.

## **Issues and Considerations**

The main issues to consider when assessing this application are the effects of the proposal on the amenities of neighbours and the design of the proposal in regards to the existing building and its setting

### **Neighbour Amenity**

The detached neighbour, no.51 Southern Drive, has extended to the side over two storeys on the boundary with no.49. The applicant seeks to build a two storey side extension 0.2m from the boundary. The proposed two-storey extension will extend 1.5m past the rear building line of no.51 close to the boundary and then step in 1.5m before projecting a further 1.5m rearward and continuing across the greater part of the rear elevation.

A line taken from the edge of the nearest first floor habitable room window is not intercepted by the two-storey extension. Moreover, the application property is situated north-east of 51 Southern

Drive. That relationship to no. 51 would not result in the two-storey element of the proposal causing any overshadowing or loss of light to it.

The overall rearward projection of the two-storey additions beyond the rear wall of 51 Southern Drive would be 3m, but its visual impact would be mitigated by the 1.5m step in from the site boundary. The degree of mitigation is, on balance, sufficient to prevent the extension from appearing excessively overbearing when seen from the rear garden of no. 51.

The proposed two-storey rear extension is set 3m from the shared boundary with no.47 Southern Drive. That is sufficient distance to ensure it would not cause any harm to the living conditions of no. 47.

The single-storey element of the proposal would not cause any harm to either neighbouring property.

### Design

The extensions are of a conventional design and, of themselves, respect the existing house. However, the proposed two-storey side extension would be built very close to the boundary with no.51. As such the eaves of both houses would appear very close together. The visual impact of that relationship is mitigated by the significant distance, 3.6m, that the first floor front elevation would be set rear of the existing front elevation of the house. As a consequence, the close proximity of the buildings will only be visible from views directly in front of them so any visual harm would be very limited and not result in a significant terracing effect within the street scene.

### Conclusion

The extensions will not cause any significant harm to the living conditions of the neighbours and will not harm the visual amenity of the street scene. Therefore the application complies with policies DBE9, CP2 and DBE10 of the Adopted Local Plan and Alterations and is therefore 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:***

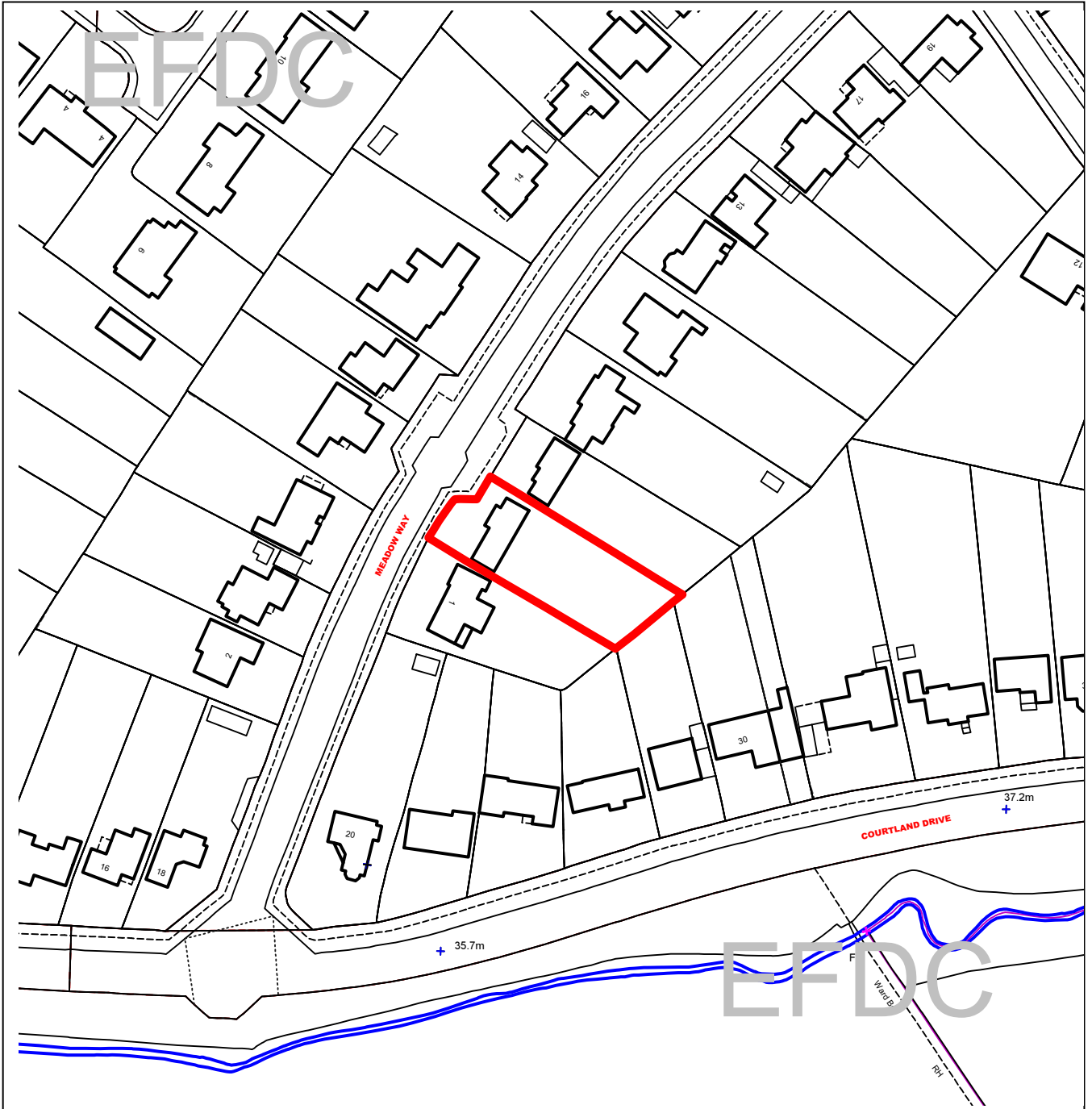
***Planning Application Case Officer: James Rogers  
Direct Line Telephone Number: 01992 564 371***

***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 5



Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Contains Ordnance Survey Data. © Crown Copyright 2013 EFDC License No: 100018534

Contains Royal Mail Data. © Royal Mail Copyright & Database Right 2013

Application Number:	EPF/0222/14
Site Name:	3 Meadow Way, Chigwell Essex, IG7 6LP
Scale of Plot:	1/1250



**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/0222/14
<b>SITE ADDRESS:</b>	3 Meadow Way Chigwell Essex IG7 6LP
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Chigwell Village
<b>APPLICANT:</b>	Mr & Mrs Balraj Kudhail
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of existing detached residential dwelling and construction of a new 2.5 storey detached dwelling with integral domestic garage and associated external works
<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/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=559451](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=559451)

**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: 5587/D/01, 02, 03, 04, 05
- 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 first floor flank elevations 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:
  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.

*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: Governance Directorate – Delegation of Council function, Schedule 1, Appendix A.(g))*

### **Description of Site:**

A detached two storey house on a rectangular plot in a residential area of Chigwell. The area is characterised by relatively large detached houses of various styles and design. The building is not listed or within a conservation area. There are no TPOs on the site or neighbouring sites. The site slopes gently down to the south.

### **Description of proposal:**

Demolition of the existing dwelling and the erection of a new 2.5 storey detached dwelling with garage. The new building would have a hipped crown roof with two front gable end projections. The new building would be set back from the road by a minimum of 10m and would be a maximum of 16.5m deep (20m with the attached single storey orangery) , 15.5m wide and 9.5m high. The existing building is 13.5m deep, 14.7m wide and 8.2m high.

### **Relevant History:**

None relevant, last application granted was in 1990

### **Policies Applied:**

#### **Adopted Local Plan and Alterations**

CP1 – Achieving Sustainable Development Objectives  
CP2 – Protecting the Quality of the Rural and Built Environment  
DBE 1 – New Buildings Design  
DBE 2 – New Buildings Amenity  
DBE 9 – Neighbours Amenity  
ST6 – Car Parking Standards

The policies are compliant with the NPPF.

### **Representations Received**

CHIGWELL PARISH COUNCIL – objects as it does not allow for the 1m gap it is too cramped for the site and there is a multiplicity of roof lights.

No objections received from neighbours

### **Issues and Considerations:**

The main issues of this scheme are:

1. Impact on the street scene & Design

## 2. Neighbour amenity

### Design & Street scene

This scheme will see the demolition of the existing dwelling and its replacement by a larger building. The existing building has been extended over 20 years ago to its current form. The current house has a gap to the southern boundary of 1m at the front of the house, narrowing to 0.8m at the rear of the house due to the orientation of the boundary. The northern boundary has a 2m gap along its length.

The new house will maintain a minimum of a 1m gap along the length of the northern boundary and a gap of 1m at the front of the house narrowing to 0.7m at the rear of the house.

The new house will be larger and higher than the existing house but it is considered that the scheme is not excessive on this large site, which can easily accommodate the new house without adverse impact. The reduction in the gap to the southern boundary is negligible from that which exists and will not be easily noticeable when the property is viewed from the street, and the reduction in the northern gap is in line with the minimum distance required in the Local Plan. The hipped design of the roof and the two front gable projections also reduce the bulk of the building when viewed from the street.

The scheme is appropriate to the size of the site and the street scene and would not have any adverse impact on the character of the area, or be out of keeping with the houses either side of the site. It does not result in a cramped form of development on the site and it is not an overdevelopment. Due to the topography of the site the scheme is lower than the property to the north and higher than that to the south, which is currently the case with the existing house.

### Neighbour Amenity

The scheme will not result in an adverse impact on the light to the front of No 5 Meadow Way to the north and will have no impact on the front of No 1 to the south. There will be no adverse overlooking on any neighbour to the front.

Due to the staggered design of the rear of the property there will be no significant adverse loss of light to the rear of the site to either neighbour and no adverse overlooking of any neighbour. First floor flank windows can be conditioned to be obscure glazed.

The Parish Council have objected to the number of roof lights on the scheme, there being 3 on the northern roof slope, 2 on the rear roof slope and 4 on the southern roof slope. The roof lights are all above the 1.7m height at which obscure glazing would be required, and it is considered that due to the design and size of the house the number proposed is not excessive and does not harm the amenity of the neighbours to either side.

### Conclusions

This scheme is acceptable in terms of local plan policy and is appropriate within the context of the area and causes no significant adverse impact on the amenities of the neighbours or the street scene. . 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:***

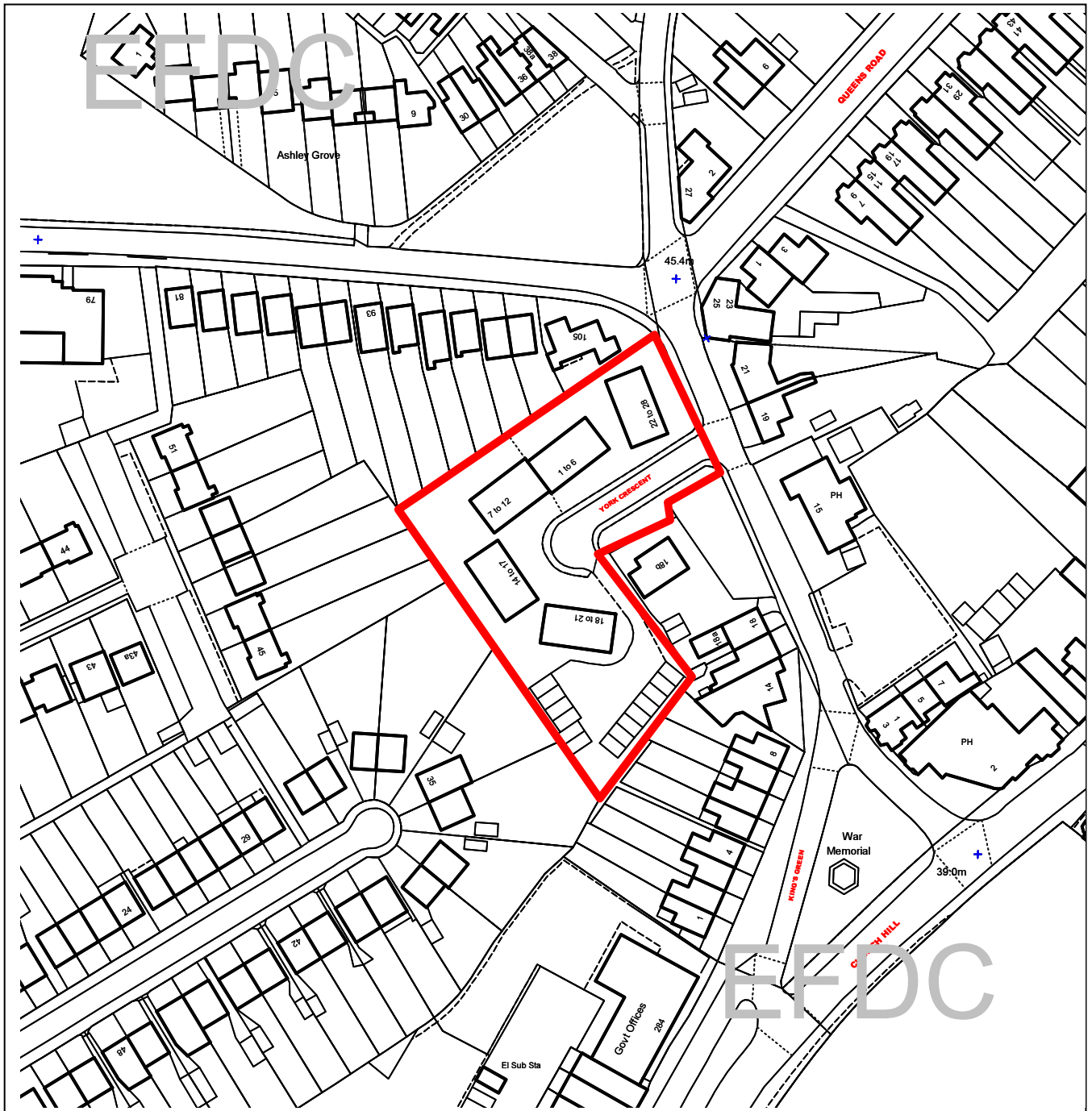
***Planning Application Case Officer: Jerry Godden  
Direct Line Telephone Number: 01992 564 371***

***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



Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Contains Ordnance Survey Data. © Crown Copyright 2013 EFDC License No: 100018534

Contains Royal Mail Data. © Royal Mail Copyright & Database Right 2013

Application Number:	EPF/0248/14
Site Name:	14-17, 18-21 York Crescent, Loughton, IG10 1RW
Scale of Plot:	1/1250

**Report Item No: 6**

<b>APPLICATION No:</b>	EPF/0248/14
<b>SITE ADDRESS:</b>	14 - 17, 18 - 21 York Crescent Loughton Essex IG10 1RW
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Marys
<b>APPLICANT:</b>	Ms Sally Hearne
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed second floor extensions to 2 no. 2 storey residential blocks to provide 4 no. additional 1 bed flats.
<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/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=559572](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=559572)

**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:  
FCP\_001  
FCP\_002  
FCP\_003  
FCP\_004  
FCP\_100  
FCP\_101  
FCP\_102
- 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 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.
- 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:
  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.
  7. A scheme for the reinstatement of the grass and vegetation impacted on by the demolition and construction works.
  8. A schedule of intended works, including anticipated start and completion dates.
- 6 Prior to the commencement of the development the details of the number, location and design of cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. The approved facility shall be secure, convenient and covered and provided prior to occupation and retained at all times.
  - 7 Prior to first occupation of the proposed development, the developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council.

*This application is before this Committee since it 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: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(f).) and 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 Directorate – Delegation of Council function, Schedule 1, Appendix A.(g))*

### **Description of Site:**

The application site comprises a group of four blocks of flats served by York Crescent, a cul-de-sac off York Hill. The two blocks of flats nearest the junction are three-storey and those at the southwest end of the cul-de-sac are two-storey buildings.

In the surrounding area outside of the cul-de-sac, there are a variety of single and two-storey properties, detached and semi-detached, some of which are locally listed. There are ground level changes due to local topography and the surroundings are predominantly residential, albeit in walking distance of the Town Centre.

The site is not within the Green Belt or any area of special designation. The site is visible from the York Hill Conservation Area, which bounds the entrance to the site.

### **Description of Proposal:**

The applicant seeks full planning permission for provision of a further storey over the two existing two-storey blocks at the head of York Crescent. The proposed additional storey over each block would provide two one-bedroom units over the existing flats below. In total, four one-bedroom flats are proposed.

The new floor would be designed to appear externally the same as the floors below, the envisaged result being that the blocks would appear the same as the remaining three- storey blocks in the crescent.

There is no change to parking or garden area.

**Relevant History:**

None. The applicant did however seek pre-application advice. The proposals were considered reasonable. The main issues were likely to relate to construction and absence of parking. Officers advised the applicants not to seek to change the block at the front of the crescent due to the visual relationship with the locally listed buildings immediately opposite.

**Policies Applied:**

All of the policies listed below are compliant with the aims, objectives and policies contained within the NPPF.

CP1 – Achieving Sustainable Development Objectives

CP2 – Protecting the Quality of the Rural and Built Environment

HC6 – Character, Appearance and Setting of Conservation Areas

HC13A – Local List of Buildings

DBE1 – Design of New Buildings

DBE2 – Effect on Neighbouring Properties

DBE8 – Private Amenity Space

ST1 – Location of Development

ST4 – Road Safety

ST6 – Vehicle Parking

LL10 – Provision for Landscape Retention

**Summary of Representations:**

33 neighbouring properties were consulted, responses were received as follows:

50 QUEENS ROAD: Object due to insufficient parking and highway safety issues.

23 HIGH BEECH ROAD: Owners of Flat 21. Object. The entrance to the Crescent is narrow and lorry access would make everyday life difficult. Parking is also a concern. Construction noise and disruption for tenant would not be acceptable. The proposals will make a current top floor flat a middle floor flat and it will devalue our property.

FLATS 4, 5, 6, 8, 9, 10, 11, 12, 16, 17 and 19 THE CRESCENT. Strongly object due to lack of car parking, construction disruption and disturbance and structural concerns.

FLAT 12: Strongly object due to parking issues, loss of view across flats and inter looking between units. This is a Conservation Area, more high rise building so close to forest is not desirable. Loss of character to 1930's art deco buildings. Structural and damp issues. Loss of view I paid for.

FLAT 17: Object. Many logical and practical reasons why this application should not proceed from a tenants perspective. The site is in a Conservation Area, will devalue my property, result in parking issues and cause significant disruption during construction. Also issues regarding the storage of additional refuse.

OWNER OF FLAT 18: Confused about the nature of the application due to discrepancies in the original consultation addresses. No concern with 3<sup>rd</sup> storey in principle. Concern that without sufficient refurbishment the floor below will look tired by comparison. Possibly to avoid this all exterior should be updated at expense of applicant, windows, paint, stairwells etc. Parking is also a concern. There are only 5 spaces for 18 flats now not including the block on the corner. There are 6 garages but these are already rented out. Extra parking has been explored but is not possible. Traffic congestion is also an issue, particularly with the school nearby. Further parking

problems would further reduce the saleability of the flats. A permit scheme should be considered for the area.

34 HABGOOD ROAD: Strongly object: The proposals will detract from the area, cause vehicle and pedestrian safety issues, result in further parking problems, impact nearby Conservation Areas, increase overlooking and introduce three storey development in a mainly two storey area resulting in loss of light to the remainder of the Crescent. Contrary to Council policies.

35 HABGOOD ROAD: Strongly object. The proposals will create two mini tower blocks, in a Conservation Area which currently has a low skyline. The proposals would dominate views. York Crescent already suffers parking overcrowding. There is no room for more cars. I rent a garage in York Crescent and already have difficulties accessing it. The area is also congested around school time and from the nearby 15 premises. Loss of privacy to my property from overlooking, the existing two storeys already results in negative comments from buyers.

LOUGHTON TOWN COUNCIL: It was noted the revised location was for 14-17 and 18-21 York Crescent. The Committee Objected to this proposal which was considered an over intensification of a plot at a sensitive location on the edge of a Conservation Area, and asked for a condition (Should the LPA decide to grant permission) that would require the fenestration to match the existing flats. Members were concerned that as there was no parking provision provided, this would exacerbate the congested on street parking problems and asked for a S106 Agreement to institute residents parking control in the vicinity, which might make the application acceptable.

The Committee was also concerned by the disruption, which would certainly be caused during construction of the additional storeys, and asked for strict conditions to protect residents' interests and those located nearby.

LOUGHTON RESIDENTS ASSOCIATION PLANS GROUP: The letter refers to an extra storey on 14-17 York Crescent, however the plans online appear to be for an extra storey on two blocks, 14-17 and 18-21. Can you please confirm which is intended please, and if necessary consider restarting the consultation.

### **Issues and Considerations:**

The main issues that arise with this application are principle, design, impact on neighbouring properties, parking and landscaping.

#### Principle

The provision of residential accommodation in an urban area close to local shops and facilities is acceptable in principle. Housing need in the District, particularly in Loughton is high and the Council is under increasing pressure to make provision for new homes. It is the Council's preference that new homes be provided in the urban areas where land use may be maximised and where sites have good access to services and facilities. This presumption in favour of development however is subject to achieving acceptable siting, design and relationship to neighbouring properties.

#### Design

The proposed external appearance of the flatted blocks is designed to appear the same as the existing building. The detailing is lifted to the new floor and the floor below made good to match. The proposed additional floor on the block is designed to appear the same as the existing three storey blocks in the cul-de-sac.

Internally the floor layout is designed to have the kitchen, dining and bathroom areas to the rear of the unit. This reduces potential overlooking and keeps habitable rooms to the front of the units. The floor plan also ensures that bathroom and kitchen area are closely related to those in the unit



below, the result being that bedroom areas are articulated to appear on the front of the unit in a similar position to the units below (the internal wall partitions differ). This minimises any potential disturbances between units once occupied.

Internally and externally, the proposed design therefore reflects the existing building and immediate neighbouring blocks. The Council's Conservation Officer has raised no objection.

A condition is proposed to ensure the external appearance of the new storey matches that provided below.

#### Impact on neighbouring properties

The proposals will have unavoidable impacts on existing residents in the blocks during construction. Five owners / residents from within the 8 flats in the blocks have objected. Construction noise and disturbance is not in itself sufficient reason to refuse a scheme due to the temporary nature of the issues. Disturbances can be minimised with the application of conditions restricting construction hours and requiring a construction method statement. It would be necessary to include a clause within the latter condition requiring the reinstatement of any landscaping disturbed during construction.

In respect of other neighbouring properties, the proposals would result in the loss of a view from properties in other blocks. The provision of a view is not protected by policy, however the right to a reasonable outlook is. The neighbouring block at 7-12 is separated by a short distance of 1.5m, however that block is positioned at right angles and thus looks out onto York Crescent and the access across the garden areas of surrounding properties. Therefore whilst the proposals would be visible from neighbouring flats, neighbouring properties would retain a reasonable outlook albeit broader views may be disrupted. This is not defined by policy as a significant adverse impact and is therefore not sufficient reason to refuse permission.

Concerns have been raised regarding loss of light. The application site does lie to the south of the remainder of the Crescent, however separation distances between blocks is such that all but the very closest units to the corner of the western block, should notice no significant overshadowing. Those closest to the existing corner, will already experience overshadowing from this westerly block to the front and side windows in the evening hours. A single additional storey could result in further overshadowing in late afternoon hours. This is not considered an unacceptable impact.

The increase in the height of the proposed blocks would also be visible from properties backing onto York Crescent, namely Staples Road, Woodland Road and Habgood Road. Neighbouring properties have indicated that the proposed additional storey would result in further overlooking and be a dominant structure when seen from their garden. Whilst this is true to an extent, the internal layout of the units means habitable rooms will look onto York Crescent. The distance from the rear of the units to the boundary is very similar on the blocks proposed to be extended and the existing three-storey blocks. The neighbouring properties are however better separated from the application blocks than the neighbours in Staples Road from the existing three-storey units. In this context, the relationship to neighbours proposed is better than that which already exists on the wider site and results in a minimum of a 25m back to back distance.

Mindful of the surrounding locality and existing neighbouring relationships, Officers consider it unreasonable to deem the relationship proposed as unacceptable given the remaining three storey blocks are in closer proximity to the rear boundaries of neighbouring properties. Furthermore the blocks are at the end of residential gardens and overlooking windows serve non-habitable rooms.

#### Parking

The proposals make no provision for further car parking. The site is known to have little car parking. The Highway Authority raises no objections subject to conditions securing cycle storage and providing travel information packs.

A number of objections have been received in respect of parking provision. However, the site is close to the town centre in the District's most urban settlement. Whilst parking is under significant pressure in these areas, if there is anywhere in the District that car free development may be possible it is in these urban locations. Loughton has access to a range of facilities and services necessary for daily living and good transport links to the local area and London with residents being able to use buses and the Underground. Thus, whilst objections are noted, policies permit car free developments in urban centres and on this site, with no space for further parking, the proposals comply with policy requirements.

#### Landscaping

The landscaping would remain unchanged. The Council's landscaping team have sought that a construction method statement condition be altered to include the reinstatement of landscaping after construction should it be disturbed.

#### Other matters raised

The site is large enough to make further provision for refuse and property value can not be considered as part of a planning application.

#### **Conclusion:**

The proposed development is in an urban area and would provide 4 residential units in an area where new housing is needed and difficult to provide. The construction of the units will result in noise and disturbance during construction, however this disturbance can be mitigated to a degree by conditions and is to an extent unavoidable with any construction.

The proposals would have an impact on neighbouring properties, however this impact is not sufficient to justify refusal.

The proposals provide no parking, but in an urban area this is not unreasonable. Mindful of the above, approval is recommended.

**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: Jenny Cordell  
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)**