

Committee Agenda



Epping Forest District Council

AREA PLANNING SUB-COMMITTEE SOUTH **Wednesday, 3rd September, 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, 3rd September, 2014**
at **7.30 pm** .

Glen Chipp
Chief Executive

**Democratic Services
Officer**

Mark Jenkins (Directorate of Governance)
Tel: 01992 564607 Email:
democraticservices@eppingforestdc.gov.uk

Members:

Councillors J Hart (Chairman), N Wright (Vice-Chairman), K Angold-Stephens, G Chambers, K Chana, L Girling, R Jennings, H Kauffman, J Knapman, A Lion, H Mann, L Mead, G Mohindra, S Neville, Mrs C P Pond, C C Pond, C Roberts, B Sandler, Mrs T Thomas, H Ulkun, Mrs L Wagland, Ms S Watson, S Weston 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 - 28)

To confirm the minutes of the last meeting of the Sub-Committee held on 6 August 2014 as a correct record (attached).

4. APOLOGIES FOR ABSENCE

5. DECLARATIONS OF INTEREST

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

6. ANY OTHER BUSINESS

Section 100B(4)(b) of the Local Government Act 1972, 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 29 - 82)

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

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

8. DELEGATED DECISIONS

(Director of Governance) 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. 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.

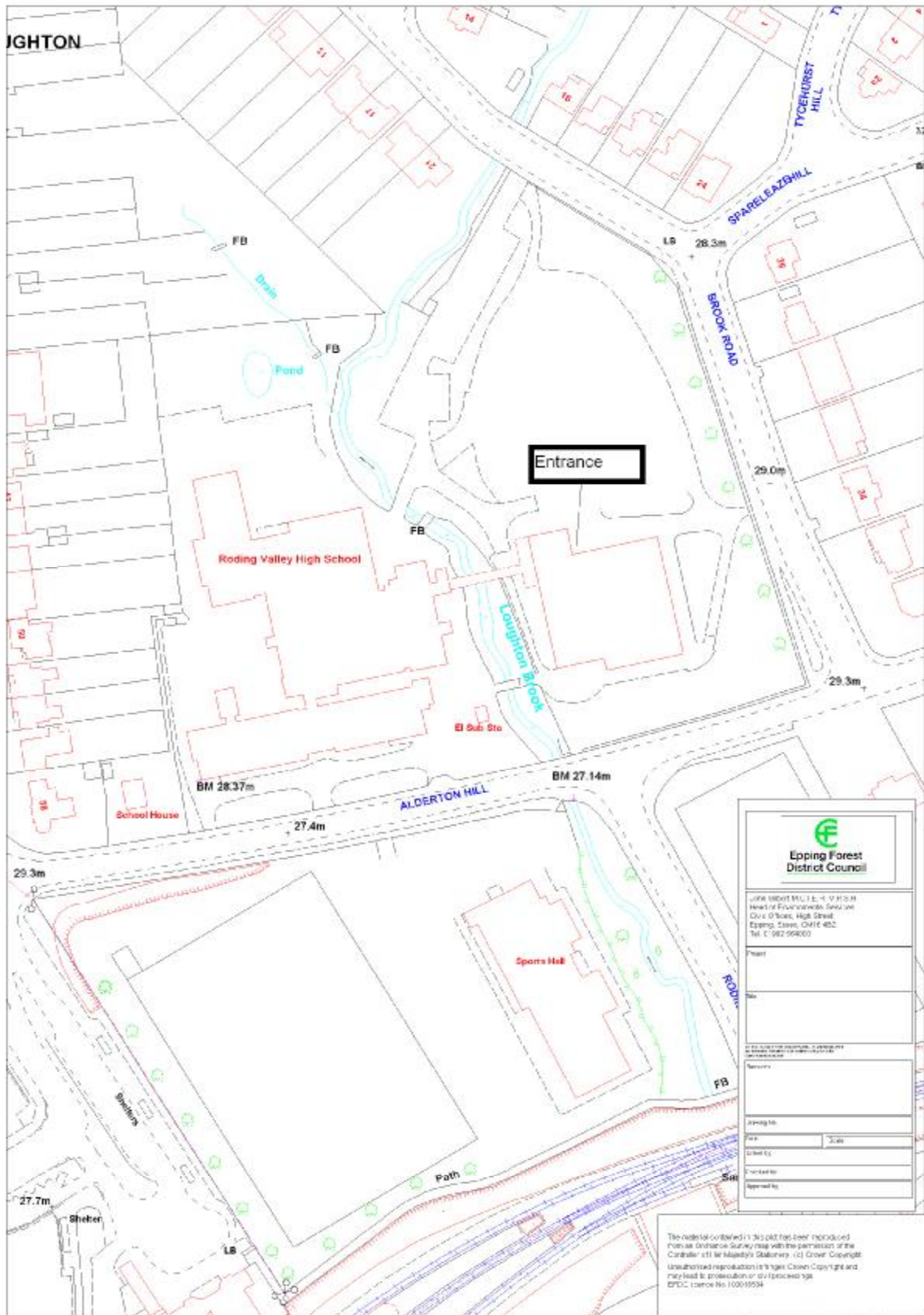
The order of speaking will be (1) Objector, (2) Parish/Town Council, then (3) Applicant or his/her agent. The Subcommittee will then debate the application and vote on either the recommendations of officers in the agenda or a proposal made by the Subcommittee. Should the Subcommittee propose to follow 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



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Area Planning Subcommittee South 2014-15
 Members of the Committee:



Cllr James Hart	Cllr Wright	Cllr Angold-Stephens	Cllr Chambers	Cllr Chana	Cllr Girling
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Cllr Jennings	Cllr Kauffman	Cllr Knapman	Cllr Lion	Cllr Mann	Cllr Mead
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Cllr Mohindra	Cllr Neville	Cllr C C Pond	Cllr C P Pond	Cllr Roberts	Cllr Sandler
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Cllr Thomas	Cllr Ulkun	Cllr Wagland	Cllr Watson	Cllr Weston	Cllr Wixley
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EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Sub-Committee **Date:** 6 August 2014
South

Place: Roding Valley High School, Brook Road, Loughton, Essex IG10 3JA **Time:** 7.30 - 10.50 pm

Members Present: N Wright (Chairman), B Sandler (Vice-Chairman), K Angold-Stephens, G Chambers, K Chana, R Jennings, H Kauffman, L Mead, G Mohindra, Mrs C P Pond, C C Pond, Mrs T Thomas, H Ulkun, Ms S Watson and D Wixley

Other Councillors:

Apologies: J Hart, L Girling, J Knapman, A Lion, H Mann, S Neville, C Roberts, Mrs L Wagland and S Weston

Officers Present: J Shingler (Principal Planning Officer), J Leither (Democratic Services Assistant), A Hendry (Democratic Services Officer) and S Mitchell (PR Website Editor)

18. 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.

19. 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.

20. MINUTES

The minutes were agreed subject to Item 1 EPF/0402/14 – Gable Lodge, 108 Church Hill, Loughton, Essex IG10 1LH.

Councillor Mrs C Pond advised that at the last meeting of the Sub-Committee, Planning Officers had agreed to consult with two Ward Members on the planting scheme before it was finalised and that this had not been documented in the minutes on page 6, paragraph 22.

RESOLVED:

That the minutes of the meeting held on 9 July 2014 be taken as read and signed by the Chairman as a correct record subject to the amendment as noted above.

21. CHAIRMAN OF THE MEETING

The Chairman had tendered his apologies for the meeting and the Vice-Chairman assumed Chairmanship of the Sub-Committee. The Chairman then sought a nomination for Vice-Chairman of the meeting.

RESOLVED:

That Councillor B Sandler be elected Vice-Chairman for the duration of the meeting.

22. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor H Kauffman declared a personal interest in the following item of the agenda by virtue of owning an adjoining property. The Councillor had determined that his interest was pecuniary and he would leave the meeting for the consideration of the application and voting thereon:

- EPF/0590/14 - 168A High Road, Loughton.

(b) Pursuant to the Council's Code of Member Conduct, Councillor C C Pond declared a non-pecuniary interest in the following item of the agenda by virtue of being acquainted with the Applicant. The Councillor had determined that his interest was non-pecuniary and would remain in the meeting for the consideration of the application and voting thereon:

- EPF/0833/143 – Land adj. 15 Connaught Avenue, Loughton.

23. ANY OTHER BUSINESS

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

24. DEVELOPMENT CONTROL

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

RESOLVED:

That the planning applications numbered 1 – 13 be determined as set out in the attached schedule to these minutes.

25. DELEGATED DECISIONS

The Sub-Committee noted that details of planning applications determined by the Head of Planning Economic Development under delegated authority since the last meeting had been circulated to all members and were available for inspection at the Civic Offices.

26. EXCLUSION OF PUBLIC AND PRESS

The Sub-Committee noted that there were no items of business on the agenda that necessitated the exclusion of the public and press from the meeting.

CHAIRMAN

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Report Item No: 1

APPLICATION No:	EPF/1010/14
SITE ADDRESS:	Queens House Queens Road Buckhurst Hill Essex IG9 5BX
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
DESCRIPTION OF PROPOSAL:	TPO/EPF/24/98: T1 - Lime - Fell and replace.
DECISION:	Refuse Permission

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=562774

REASON FOR REFUSAL

- 1 It has not been demonstrated that the need to fell the tree is justified for arboricultural reasons and although it is recognised that the issues associated with the tree are inconvenient these alone are not sufficient to justify the significant loss of its visual and other amenity. The proposal is therefore contrary to policy LL9 of the Council's Adopted Local Plan and Alterations.

Report Item No:2

APPLICATION No:	EPF/0404/14
SITE ADDRESS:	118 Lambourne Road Chigwell Essex IG7 6EF
PARISH:	Chigwell
WARD:	Chigwell Row
DESCRIPTION OF PROPOSAL:	Retention of outbuilding in rear garden.
DECISION:	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=560291

CONDITIONS

- 1 The outbuilding hereby approved shall only be used for purposes incidental to the dwelling house on the site. It shall not be used for primary residential accommodation, for example as a living room, bedroom or kitchen and shall not be used for any business or commercial purposes at any time.

Report Item No: 3

APPLICATION No:	EPF/0590/14
SITE ADDRESS:	168A High Road Loughton Essex IG10 1DN
PARISH:	Loughton
WARD:	Loughton St Marys
DESCRIPTION OF PROPOSAL:	Two new floors to comprise 2 no. flats.
DECISION:	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=561238

CONDITIONS

- 1 The development hereby permitted will be completed strictly in accordance with the approved drawings nos:
1393-01A
1393-03D
- 2 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 3 No development shall have taken place until samples of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority in writing prior to the commencement of the development. The development shall be implemented in accordance with such approved details. For the purposes of this condition, the samples shall only be made available for inspection by the Local Planning Authority at the planning application site itself.
- 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 advertisements, posters, notices or signage of any kind shall be affixed to the approved building at any time without the prior written approval of the Local Planning Authority.

Report Item No: 4

APPLICATION No:	EPF/0833/14
SITE ADDRESS:	Land adj 15 Connaught Avenue Loughton Essex IG10 4DP
PARISH:	Loughton
WARD:	Loughton Forest
DESCRIPTION OF PROPOSAL:	New detached house with integral garage.
DECISION:	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=562171

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: 901/001-004 Rev A, Drg SK 001-003 and the submitted location plan.
- 3 No development shall have taken place until details of the types and colours of the external finishes including those of the garage doors have been submitted to and approved by the Local Planning Authority in writing prior to the commencement of the development. The development shall be implemented in accordance with such approved details.
- 4 Prior to commencement of development, details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected and thereafter maintained in the agreed positions before the first occupation of any of the dwellings hereby approved.
- 5 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 two storey extensions shall be undertaken without the prior written permission of the Local Planning Authority.
- 6 The proposed window openings in the flank elevations at first floor level 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.
- 7 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting that Order) no windows other than any shown on

the approved plan shall be formed in the flank walls of the building hereby permitted without the prior written approval of the Local Planning Authority.

- 8 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.
- 9 Gates shall not be erected on the vehicular access to the site without the prior written approval of the Local Planning Authority.
- 10 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 11 No development to take place on site until details of the means of construction of the access to the site for the development phase are submitted to and approved by the Local Planning Authority.
- 12 No development to take place on site until details of the construction methods for the driveway serving the new dwelling are submitted to and approved by the Local Planning Authority.
- 13 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan and Arboricultural Method Statement in accordance with BS:5837:2005 (Trees in relation to construction) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved Tree Protection Plan and Arboricultural Method Statement unless the Local Planning Authority gives its written consent to any variation.
- 14 If any tree, shrub or hedge shown to be retained in accordance with the approved plans and particulars is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.

Report Item No: 5

APPLICATION No:	EPF/1036/14
SITE ADDRESS:	St. Winifreds Church Manor Road Chigwell Essex IG7 5PS
PARISH:	Chigwell
WARD:	Grange Hill
DESCRIPTION OF PROPOSAL:	Telecommunications installation comprising of the raising of the existing Church Tower by 2.2m so as to house 6 additional antennas and other equipment as part of an upgrade of the existing telecommunications equipment at this church. The existing mock flagpole to be removed.
DECISION:	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=562910

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 church tower, unless otherwise agreed in writing by the Local Planning Authority.
- 3 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 301-A; 100-A; 201-A; 202-A; 302-A; 401-A; 402-A; 403-A; 501-A; 502-A.

Report Item No: 6

APPLICATION No:	EPF/1088/14
SITE ADDRESS:	1 Pyrles Lane Loughton Essex IG10 2NW
PARISH:	Loughton
WARD:	Loughton Fairmead Loughton St Johns
DESCRIPTION OF PROPOSAL:	Removal of existing garage and construction of part two storey and part single storey side extension, and new front porch (Revised application to EPF/0525/14)
DECISION:	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=563175

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 openings in the first floor rear facing bathroom and shower room 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.

Report Item No: 7

APPLICATION No:	EPF/1170/14
SITE ADDRESS:	Land between Parkview & 1 Station Road and Land between 4 & 5 Station Road Chigwell Essex IG7 6QT
PARISH:	Chigwell
WARD:	Chigwell Village
DESCRIPTION OF PROPOSAL:	Erection of 1 pair of semi-detached 3 bed houses between Parkview and 1 Station Road. Erection of further pair of semi-detached 3 bed houses between 4 and 5 Station Road.
DECISION:	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=563590

REASONS FOR REFUSAL

- 1 The proposed dwellings due to their excessive bulk and height in relation to adjacent properties, would be over prominent and out of keeping with the existing street scene and would detract from the character and amenity of the area contrary to policies CP2, CP7 and DBE1 of the Adopted Local Plan and Alterations.
- 2 The Proposed dwellings due to their excessive bulk and height and relationship with adjacent properties would have an overbearing impact on neighbouring residents causing excessive harm to residential amenity contrary to policies DBE2 and DBE9 of the Adopted Local Plan and Alterations.

PROPOSED WAY FORWARD

Members considered that the principle of the development of 2 pairs of semi detached houses was acceptable but that the height and bulk of the houses proposed was excessive and overbearing. It was therefore suggested that the way forward would be to reduce the height and bulk of the buildings to be more in keeping with the existing railway cottages.

Report Item No: 8

APPLICATION No:	EPF/1177/14
SITE ADDRESS:	1 Willow Close Buckhurst Hill Essex IG9 6HS
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill East
DESCRIPTION OF PROPOSAL:	Part two storey, part single storey rear extensions and new two storey side extension. Including alterations and conversion to two dwellings with associated parking and amenity space
DECISION:	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=563597

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 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended no extensions to either of the two dwellings within the red lined site that are 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.
- 4 All material excavated from the below ground works hereby approved shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.
- 5 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.
- 6 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

Report Item No: 9

APPLICATION No:	EPF/1183/14
SITE ADDRESS:	95 High Road Loughton Essex IG10 4JD
PARISH:	Loughton
WARD:	Loughton Forest
DESCRIPTION OF PROPOSAL:	Proposed double storey rear extension including enlargement of existing basement and loft conversion with rear dormer windows.
DECISION:	Referred to District Development Control Committee

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=563613

This application was referred to the District Development Control Committee with no recommendation.

Members requested that this not be taken as a supplementary item to the next DDCC as this would not give sufficient time for all the issues to be addressed fully in the report. They wanted to be sure that all the facts were clearly presented in the report.

Report Item No: 10

APPLICATION No:	EPF/1201/14
SITE ADDRESS:	32 Lechmere Avenue Chigwell Essex IG7 5ET
PARISH:	Chigwell
WARD:	Grange Hill
DESCRIPTION OF PROPOSAL:	Removal of existing raised garage structure and the erection of a two storey side extension, and part two storey and part single storey rear extension. (Revision to application EPF/0577/14 omitting extensions at roof level).
DECISION:	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=563712

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 roof tile to be used on the proposed extensions shall match that used on the existing building, unless otherwise agreed in writing by the Local Planning Authority.

Report Item No: 11

APPLICATION No:	EPF/1236/14
SITE ADDRESS:	20 Chester Road Chigwell Essex IG7 6AJ
PARISH:	Chigwell
WARD:	Chigwell Village
DESCRIPTION OF PROPOSAL:	Removal of existing flat roof, raise ridge height by 850mm to form 1 no. rear dormer with 2 no. side dormers and 3 no. rooflights to front and 2 no. rooflights to each side. New pitched roof over rear extension.
DECISION:	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=563812

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 dormer in the north side roof slope and any glazing within the dormer in the south side side roof slope 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.

Report Item No: 12

APPLICATION No:	EPF/1247/14
SITE ADDRESS:	69 Queens Road Buckhurst Hill Essex IG9 5BW
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
DESCRIPTION OF PROPOSAL:	Retrospective application for new extraction system to the rear of the property.
DECISION:	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=563850

REASONS FOR REFUSAL

The presenting officer referred to two additional letters that had been received, one from 2A Kings Avenue raising objection and a further letter from 2 Kings Avenue reiterating the existing objection and raising concern that the amended proposal is larger and more overbearing and has a greater visual impact.

- 1 The extract flue, due to its size, position in relation to adjacent residential properties and its external finish, is excessively prominent and visually intrusive resulting in excessive harm to the residential amenity of neighbours contrary to Policy DBE9 of the adopted Local Plan and Alterations.

PROPOSED WAY FORWARD

Members considered that the way forward would be to make the proposed flue less visually imposing and unattractive , by for instance altering its size, configuration and external finish.

Report Item No: 13

APPLICATION No:	EPF/1248/14
SITE ADDRESS:	18 Stradbroke Grove Buckhurst Hill Essex IG9 7LL
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
DESCRIPTION OF PROPOSAL:	Part one and part two storey rear extension, first floor side extension, and enlargement of roof with rear second floor dormer window.
DECISION:	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=563851

Members considered the proposal but felt that the bulk scale and massing of the proposed rear extension at both ground and first floor was unacceptable particularly with regard to the impact on the amenity of neighbours. They were also concerned about the proposed side doorway which would cause some loss of privacy to the kitchen area of number 16 Stradbroke Grove.

REASONS FOR REFUSAL

- 1 The proposed rear extension due to its bulk and massing would be overbearing when viewed from neighbouring properties and cause excessive harm to residential amenity contrary to policy DBE9 of the adopted Local Plan and Alterations.

PROPOSED WAY FORWARD

Members considered whether there was a way forward and advised that a reduction in the depth of the rear extension at ground and first floor would be more likely to be acceptable and also suggested that the issue of overlooking from the proposed ground floor doorway should be addressed.

AREA PLANS SUB-COMMITTEE SOUTH

3 September 2014

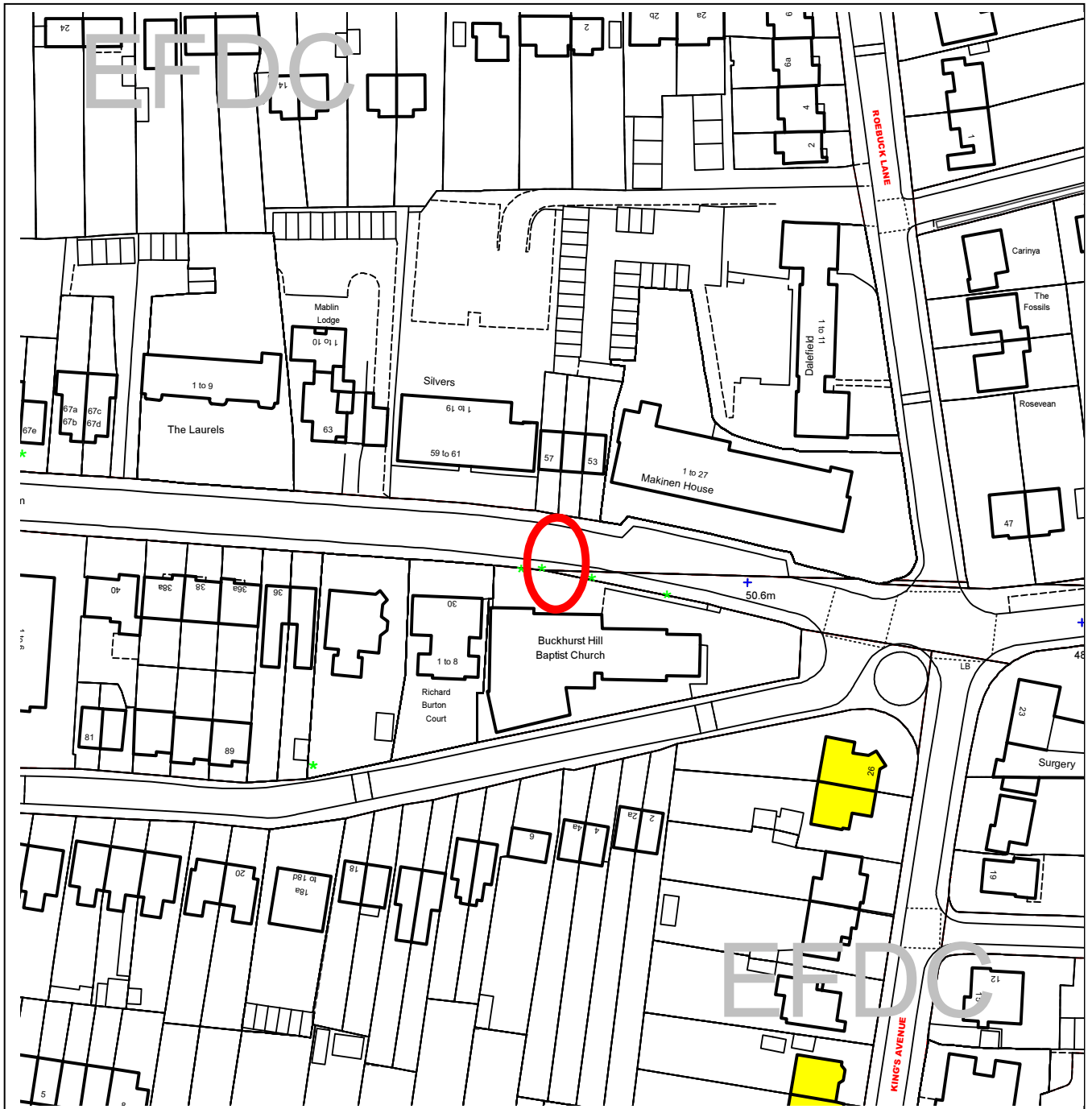
INDEX OF PLANNING APPLICATIONS/ENFORCEMENT CASES

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Epping Forest District Council

AGENDA ITEM NUMBER 1



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Application Number:	EPF/0513/14
Site Name:	Buckhurst Hill Baptist Church Palmerston Road, Buckhurst Hill IG9 5LW
Scale of Plot:	1/1250

Report Item No: 1

APPLICATION No:	EPF/0513/14
SITE ADDRESS:	Buckhurst Hill Baptist Church Palmerston Road Buckhurst Hill Essex IG9 5LW
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
APPLICANT:	Buckhurst Hill Baptist Church,
DESCRIPTION OF PROPOSAL:	TPO/EPF/60/10; Oak - Fell.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=560793

CONDITIONS

- 1 The felling authorised by this consent shall be carried out only after the Local Planning Authority has received, in writing, 5 working days prior notice of such works.
- 2 A replacement tree of a species, size and in a position as agreed in writing by the Local Planning Authority, shall be planted and inspected and agreed to be in accordance with the details prior to implementation of the felling hereby agreed, unless varied with a written agreement of the Local Planning Authority. If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, or dies, or becomes seriously damaged and defective another tree of the same species and size of that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

This application is before committee as an application where the nature of the issues and of the risks arising from the decision make that appropriate.

Description of Proposal:

T4.Oak. Fell.

Description of Site:

The 8m tall oak stands on the northern roadside boundary of this 1960's church building. It is notable in the street scene of Palmerston Road, particularly when viewed from the east. With other, larger trees in the area it adds to the leafy, suburban character of the area.

Relevant History:

TPO/EPF/60/10 was served on this and other nearby trees due to development threats on the site from the new side extensions to the church building encroaching on the root zone of the tree.

TRE/EPF/1941/14; application to fell. Withdrawn, following discussion with officers as to the adequacy of the supporting evidence.

Policies Applied:

Epping Forest District Local Plan and Alterations:

LL09 Felling of preserved trees.

'the Council will not give consent to fell a tree protected by a TPO unless it is satisfied that this is necessary and justified. Any such consent will be conditional upon appropriate replacement of the tree.'

Summary of Representations:

BUCKHURST HILL PARISH COUNCIL recognises the importance of trees to our environment and the unique contribution they make to the visual landscape of our neighbourhoods. The Committee objects to the felling of a (preserved) tree unless it is demonstrably diseased and likely to become dangerous, or there is clear evidence that it is causing significant damage to habitable rooms in a residential property. The Committee therefore defers to the District Council's arboriculturist unless the application rests on the issue of visual amenity alone.

Issues and Considerations:

Introduction

There is a single reason put forward to fell the oak as follows:

- The tree is taking moisture from beneath the church's front porch foundations. This has caused moderate cracking, internal and external, to the east end of the northern elevation. Felling is the only reasonable solution.

The case has been re-submitted following a year of building level monitoring. The applicant has submitted technical information to seek to establish a causal link between the damage occurring to the church and the oak roots.

The evidence submitted is summarised, as follows:

- a) An Arboricultural Appraisal Report linked the tree's root activity in general with a cyclical pattern of movement to the front porch part of the church.
- b) The soil type was analysed, and shown to be of the type of shrinkable clay likely to be affected by root activity.
- c) The soil moisture was tested and showed a slight reduction in moisture content in the subsoil.
- d) A trial pit dug near the area of damage has revealed the presence of live oak roots beneath the building's footings.
- e) The applicants' engineers state that they considered and discounted all other potential causes. For example the most likely alternative, leaking drains cannot be the cause, not only because the movement is cyclical, but also because a drains test revealed no significant defects.
- f) Significant building movement has been recorded. The movement has a cyclical pattern, i.e. it includes periods of recovery during the late autumn/ winter when the roots are inactive and the dry ground reabsorbs some of the water it has lost. This is a unique characteristic of root related subsidence. The front right corner of the porch has undergone

downward movement of up to 20.6 mm in relation to the left corner, in October 2013, which then reversed over the winter / spring period.

Planning considerations

i) Impact on Visual amenity

The scale of the tree is modest, for an oak: it is a relatively young tree. Nevertheless it already has significant public amenity which would be expected to increase significantly over the next 2 decades. It is in clear view from Palmerston Road, particularly when approached from the east. It has a well formed, broad crown. Its loss will have a significantly detrimental impact on the local street scene, both for itself and as a weakening of overall tree cover.

ii) Tree condition, growth potential and life expectancy

The tree appears both healthy and vigorous. It is still in the first third of its life, with a foreseeable life expectancy exceeding 80 years and potential for considerable further growth in height and spread

iii) Suitability of tree in current position

The tree stands 6 metres from the church building. This proximity means that repeated pruning works will be required to give reasonable clearance to the structure and to allow reasonable use of the adjacent open areas.

iv) Independent Engineer's advice.

Given the technical nature of this case the independent structural engineer who advised on the withdrawn application was re-appointed to advise whether:

- the evidence supplied now demonstrates that the need for the felling has been shown, in that the causal connection between the building movement and root activity is now established, and
- the tree's removal is an essential part of stabilising the structure.

As stated above, an earlier application was withdrawn on the basis that at that stage this was not the case, and in particular that the movement in the structure was anomalous, and capable of alternative explanation. His advice is now that the evidence does implicate the oak as a significant causal factor in the movement and that its removal is likely, at least, to contribute to a solution.

He considers that there remain anomalous elements to the case, and has raised detailed questions as to some aspects of the evidence. It may be that the tree is not the sole cause of movement, and it may also be the case therefore that its removal will not alone be the entire solution to preventing structural movement. The main points are summarised, as follows:

- The trial pit was located specifically to obtain evidence of root trespass, at the point closest to the tree and not at the seat of damage, which is considerably further from the tree. Root activity in the area of damage has not therefore been established.
- The affected part of the building has very shallow footings, meaning that it may be liable to move, irrespective of the influence of the tree.
- There are known issues with the particular tests applied and in particular that they were designed for a different type of soil than that found here. This will put the applicant's engineers at risk should failure occur at a later date.

Conclusion:

The submitted technical evidence, on balance of probabilities, does indicate that the felling has been shown to be necessary. Given its young age, relatively small size and the difficulties of its location, it is also considered justified. Members will be aware that in cases involving trees the LPA may be held responsible for costs arising from their decisions.

Therefore, it is concluded that the proposal accords with the relevant policy LL9 and it is accordingly recommended for approval. .

In the event of members agreeing to allow the felling, it is recommended subject to conditions and in particular requiring suitable replacement (such as a birch).

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: Robin Hellier
Direct Line Telephone Number: 01992 564546***

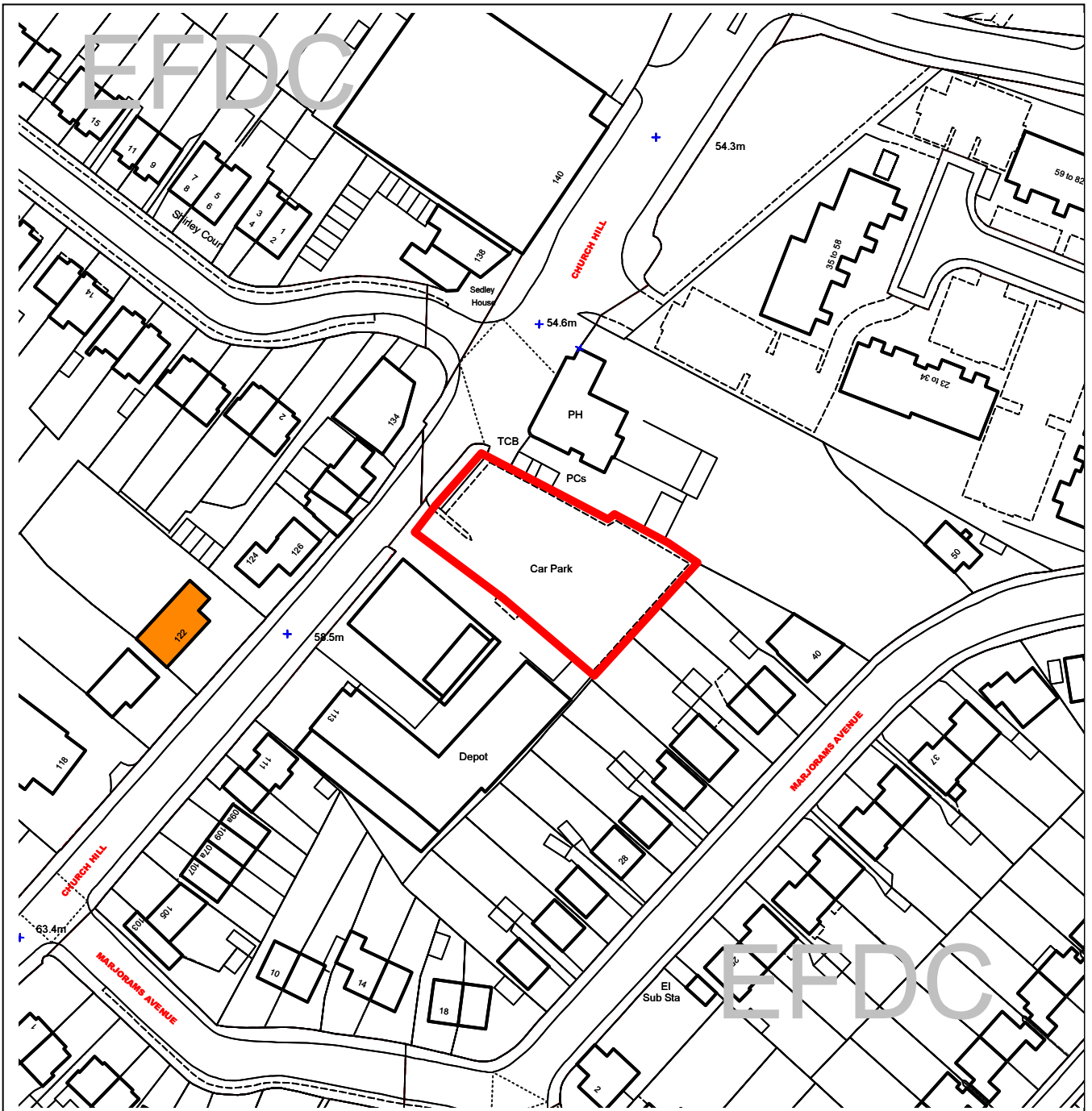
or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

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Epping Forest District Council

AGENDA ITEM NUMBER 2



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Application Number:	EPF/1412/14
Site Name:	Former Public Car Park, Church Hill Loughton
Scale of Plot:	1/1250

Report Item No: 2

APPLICATION No:	EPF/1412/14
SITE ADDRESS:	Former Public Car Park Church Hill Loughton Essex
PARISH:	Loughton
WARD:	Loughton St Johns
APPLICANT:	Constable Homes
DESCRIPTION OF PROPOSAL:	The redevelopment of a disused car park to provide 350sqm of A1 retail space with six C3 residential apartments above with car parking and associated landscaping
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=564573

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: 13019-100 rev.B; 13019-102 rev.A; 13019-100 rev.B; 13019-103 rev.D; 13019-104 rev.G; 13019-105 rev.E; 13019-110 rev.A; ST-2341-2-F; ST-2341-14-A; ST-2341-18; Tree Survey Plan; Tree Protection Plan; DFCC 0715-P01 Rev.B; DFCC 0715-P02 Rev.B.
- 4 No development shall take place, including any ground works or demolition, until a Highway Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for the following all clear of the highway:
 - safe access into the site
 - the parking of vehicles of site operatives and visitors
 - loading and unloading of plant and materials
 - storage of plant and materials used in constructing the development
 - wheel and underbody washing facilities

- 5 Prior to first occupation of the proposed development the access works, as shown in principle on drawing no.ST-2341-2-F dated 24 April 2014, shall be fully implemented with all details being agreed with the Highway Authority.
- 6 Prior to first occupation of the proposed development the details of the Delivery & Servicing Plan shall be submitted to and approved in writing by the Local Planning Authority, to include, but not limited to: delivery times, the size of delivery vehicles and the direction of entry into the site. All deliveries for the site will then be undertaken in accordance with the approved plan unless otherwise agreed in writing by the Local Planning Authority.
- 7 Prior to first occupation of the proposed development details shall be submitted to and approved in writing by the Local Planning Authority for the upgrading of the two existing bus stops outside of Homebase, to Essex County Council specification, for the implementation of integral Real Time Passenger Information within each shelter.

The approved details shall be implemented prior to first occupation.
- 8 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.
- 9 Prior to commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.
- 10 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]
- 11 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems,

archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows]

- 12 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows]

- 13 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.

- 14 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.

- 15 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.

- 16 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.
- 17 The retail use hereby permitted shall not be open to customers outside the hours of 0700 to 2300.
 - 18 The parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents (staff) and visitors vehicles.
 - 19 Prior to the first occupation of the retail use hereby approved, a Car Parking Management Plan shall be submitted to the Local Planning Authority for approval in writing. The car park shall operate in accordance with the approved details.
 - 20 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
 - 21 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
 - 22 The refuse storage facility shown on the approved plans shall be completed prior to the first occupation of the development and shall thereafter be retained free of obstruction and used for the storage of refuse and recycling only and for no other purpose, unless otherwise agreed in writing by the Local Planning Authority.
 - 23 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tools. The approved measures shall be carried out prior to the substantial

completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.

- 24 No bonfires shall be permitted on site throughout the demolition and construction phase of the development.
- 25 The bedrooms to the proposed residential accommodation shall be provided with sufficient double glazing and acoustically treated trickle ventilators, or other means of ventilation that will provide adequate ventilation with the windows closed, to ensure that the occupiers are provided with reasonable resting/sleeping conditions with reference to British Standard BS8233: 2014 - Sound insulation and noise reduction for buildings - Code of practice.

Details of the proposed double glazing and acoustically treated trickle ventilators, or other means of ventilation, shall be submitted to and agreed in writing by the Local Planning Authority and installed before any of the proposed residential development is occupied.

- 26 The rating level of noise (as defined by BS4142:1997) emitted from the air conditioning and refrigeration plant shall not exceed 5dB(A) above the prevailing background noise level. The measurement position and assessment shall be made according to BS4142:1997.
- 27 The rating level of noise (as defined by BS4142:1997) emitted from the air conditioning and refrigeration plant shall not exceed 5dB(A) above the prevailing background noise level. The measurement position and assessment shall be made according to BS4142:1997.
- 28 No deliveries shall be taken at or despatched from the site outside the hours of
07.00-20.00 hours Monday - Saturday
08.00-20.00 hours Sunday/ Bank or other Public Holidays

This application is before this Committee since it is an application for residential development of 5 dwellings or more and 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 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.(d, f and g).)

Description of Site:

The application comprises a former public car park, located on Church Hill between the Plume of Feathers public house and the Esso petrol filling station. To the rear of the site are the rear gardens of dwellings in Marjoram's Avenue, separated from the site by a row of trees.

The site has a frontage width of 20m, increasing to a width of 32m at the rear of the site and a depth of 48m.

Description of Proposal:

This application seeks planning permission for the erection of a building comprising retail use within the ground floor and residential within the upper two floors.

The building would be situated within the south west corner of the site (adjacent to the petrol filling station and Marjorams Avenue dwellings) with parking areas provided at the front and side. Bin storage would be within a projection on the other side of the site which previously accommodated public toilets.

Access would be via the existing access into the Plume of Feathers.

Relevant History:

EPF/2212/07. Outline planning application for a residential development comprising 8 no. one bed flats and 2 no. two bed flats. Approved 07/02/2008. *Consent has now lapsed due to the passage of time.*

Current application for development on nearby site at 113 Church Hill (to the south/east of the petrol filling station):

EPF/1845/14. Part demolition and part retention of existing building to provide a convenience food store (A1 use) (344 sq m gross): the provision of 12 car parking spaces and a dedicated delivery bay. The installation of an ATM within the shop front. Pending consideration.

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
CP6 Achieving Sustainable Urban Development Patterns
CP7 Urban Form and Quality
H2A Previously Developed Land
H3A Housing Density
H4A Dwelling Mix
TC1 Town Centre Hierarchy
TC2 Sequential Approach
DBE1 Design of New Buildings
DBE2 Affect on Neighbouring Properties
DBE3 Design in Urban Areas
DBE6 Car parking in new development
DBE7 Public Open Space
DBE8 Private Amenity Space
DBE9 Loss of Amenity
DBE12 Shopfronts
LL11 Landscaping Schemes
ST1 Location of Development
ST2 Accessibility of development
ST4 Road Safety
ST6 vehicle parking

Also relevant are the policies and planning principles contained within the National Planning Policy Framework ('The Framework').

Summary of Representations:

Notification of this application was sent to Loughton Town Council and to 120 neighbouring properties. In addition, four site notices have been displayed adjacent to the site

The application has attracted the following responses:

LOUGHTON TOWN COUNCIL. - Objection. The Committee OBJECTED to this application for a Sainsbury's retail outlet over concerns for highway safety from the impact of delivery lorries and customers' vehicles entering and exiting onto the busy A121, Church Hill. There was concern this would increase existing congestion for road users and difficulties for pedestrians caused by deliveries and customers driving to The Plume of Feathers Public House and the Esso Petrol Station either side, as well as Homebase located opposite. The vehicle exit route from Sainsbury's was designed to be over the entry to the Esso garage and this was likely to give rise to traffic conflict. If the District Council was minded to grant this application, a condition was sought to stagger deliveries to these businesses to minimise the occurrence of blockages on Church Hill, which was also an important route for buses.

Members expressed concern that on street parking in nearby roads would worsen from the lack of parking provision proposed for residents (seven spaces and only one bay allocated for visitors); customers to Sainsbury's (nine with one disabled bay); and their staff, who were encouraged to use public transport or walk but, in reality, some will use cars.

Concern was voiced that the siting of a Sainsbury's retail outlet would have a negative impact on other smaller, local independent businesses in Church Hill, Goldings Hill and Lower Road where a sub Post Office and ATM were located. The Committee also considered this proposal could set a trend for mixed business/residential usage in this area of Loughton.

The Committee considered the proposed design was bulky and would be detrimental to the streetscene.

Members also asked the District Council for a condition to ensure the replacement of the Town Council's bench by the developers, as this would need to be removed to enable access to the site. The Town Council could then find a suitable location elsewhere in the town for the siting of a new bench.

Letters of objection have been received from the following properties: 6, 9, 12, 29, 33, 41, Harwater Drive; 140 Englands Lane; 7, 15, 22, 28, 41, 45 Marjorams Avenue; 1a Lower Road; 2, 83, 86 Goldings Road; 20, 37 Church Lane; 24, 70 Roundmead Avenue; 9, 28, 39, 44, 52 Sedley Rise; 33 Rectory Lane; 34 Broadstrood; 4 Garden Way; 4 The Beacons; 58 Lawton Road; 7 Millsmead Way; 81 Baldwins Hill; 9 The Greens Close; Goldings, Clays Lane; Goldings Hill Post Office; Hilltop, Carroll Hill; Jennie Wood Properties, Roundmead Close; Newsbox, 152 Church Hill; Sussex House, 1 St Johns Road; 1 The Lindens; 4, 12, 20, 22, 4 Shirley Court, Sedley Rise; 34, 52, Marjorams Avenue; 35 Harwater Drive; 38 Broadstrood; 4 Hilltop Close; 42 Hillcroft; 50 Queens Road; Loughton Residents Association Plans Group; LSR Solicitors & Planning Consultants (on behalf of Residents Against Third Sainsbury's – RATS); New Hong Kong, 158 Church Hill; The Oaks, Whitakers Way.

In addition, petitions have been received signed by 62 people and 18 letters of objection were submitted without providing an address.

The grounds for objection are summarised below:

Highways – the development would give rise to a significant increase in traffic which should not be compared with the former use of the site as a car park, due to the period of time which has lapsed since the car parking use ceased. The site is close to other accesses serving the Plume of

Feathers PH, the petrol filling station and Homebase store. Delivery vehicles are unable to access the Homebase site which results in delivery vehicles obstructing the highway. There is conflict between road users and pedestrians and potential for accidents. Parking provision is inadequate – particularly in times of poor weather when customers are less likely to travel by foot and cycle and falls below the Council's standard. Evidence should be made available that delivery vehicles can turn within land controlled by the Applicant. Delivery vehicles will also reduce car parking during delivery times. Parking will overspill into already over congested streets.

Retail Need – there is no retail need for an additional supermarket in a town already served by two Sainsbury's, a Morrison's and a Marks and Spencer in addition to independent traders. The resultant loss of trade to the local Premier convenience store (and Post Office Counter) which could cause its closure. Furthermore this proposal should be considered alongside the recent application for the Co-op store at 113 Church Hill. More housing is needed, not shops.

Site Ownership – No notice has been served on adjoining landowners and accordingly the application is invalid.

Noise – consideration is not given to the impacts of noise arising from the retail use on the amenities enjoyed by future occupiers of the flats – particularly from deliveries occurring during anti-social hours.

Design – the height of the new build should not exceed 7.5m. The proposed building itself is too high and too bulky, and therefore out-of-character with its surroundings, both in terms of the buildings either side, and those opposite. Its design is wholly out-of-character with the pub next door.

Letters raising comment have also been received from the following addresses: 12 Roundmead Avenue; 20 Hillyfields; 32 St Johns Road; 5 Maple Gate; 8 Harwater Drive; and Polaris Telecommunications, Cambridge and one additional letter without an address provided.

Letters of support for the proposal have been sent by occupiers of 12 Coles Green; 57 Maple Gate; 5B Peterson Court, Lower Road; 61 Wellfields; 78 Hanson Drive; 9 Rectory Lane and four letters with no address provided.

The grounds for support are summarised below:

There is a strong need for good quality fresh fruit, veg and meat in this area that is achievable to access by foot. To have a wider choice of groceries competitively priced rather than being somewhat overcharged locally and open hours that will suit a busy working life will be so convenient not to mention a free cash machine, local ones charge a fee. It will also be welcomed by our older neighbours who find travelling a real struggle.

Issues and Considerations:

The principle of the residential development of the site was secured by a previous (now lapsed) outline planning consent given under application reference EPF/2212/07. Although there has been significant change to national planning policy since that decision was taken (the publication of the NPPF), it is not considered that those policies would alter the outcome of that outline planning application.

This current proposal also includes a retail element and the site is located outside the designated Town Centre. Accordingly a sequential test is required to eliminate vacant sites within the existing centres which could accommodate the proposed development. If such sites exist, they should be

given preference over the application site. The amount of retail space proposed is such that there is no requirement in policy for the Applicant to undertake a Retail Impact Assessment.

Policy TC1 of the Local Plan identified the parade of shops in Goldings Hill as a Local Centre and states that applications for retail uses out of centre sites will be assessed in terms of whether they affect the vitality and viability of existing centres. However, Policy TC3 of the Local Plan, which states that the Council will refuse proposal, applies only to situations where there is harm to the larger (i.e. Principal, Smaller and District Centres). Loughton High Road is a designated as a Principal Centre and The Broadway as a Smaller Centre.

The main issues for consideration in the determination of this planning application are the impacts on the nearby parade of retail units at Goldings Hill, the acceptability of the design of the building proposed, the impacts on the amenities of nearby residents, highways and parking arrangements and also trees and landscaping.

Impact on nearby shops and sequential test

Application of a sequential test requires that retail uses are preferably located within town centres and where no town centre sites are available that retail uses are then located on the edge of the centre and only where no town centres and edge of centre sites are available is retail development to be located out of centre (a location which is not in or on the edge of a centre but not necessarily outside the urban area).

Whilst the dominant town centres within Loughton are The Broadway (approximately 600m from the site) and the High Road (approximately 560m from the site), the adopted Local Plan identifies all Principal, Smaller, District and Local Centres as town centres. The NPPF makes it clear that reference to town centres apply to local centres although states that this excludes small parades of shops of purely local significance). Following this definition, and because the Goldings Hill/Lower Road centre includes Homebase, which is of wider than local significance, it is considered that this shopping area falls within the NPPF definition of a town centre.

The Applicant has identified, using guidance within the NPPF, that the location of the site should be defined as 'edge of centre' on the basis that it is located within 300m of the Goldings Hill/Lower Road local centre. Accordingly, they are required to consider whether or not other sites exist within existing town centres that could accommodate the proposed development. There is no requirement for them to give consideration to other edge of centre sites – as such sites will not be more or less preferable in terms of the sequential test.

The Applicant has not identified any available sites within the existing town centres that would be suitable for accommodating a retail use of the scale proposed. They do identify the site of the former Winston Churchill PH on the Broadway as being available, but they identify this as an edge of centre site rather than a Town Centre site and on this basis do not consider it preferable to the application site. However, planning officers disagree with this definition and identify the site as being located within a Town Centre, on the basis that it lies within the area designated within the Local Plan.

However, the Applicant has advised that one of its main intended functions of the proposed store is as a top-up shop serving people living within walking distance of Church Hill. Accordingly, they state that a store located in The Broadway could not properly serve this purpose by reason of its location, stating, for example 'a person might reasonably walk from their home near the Gardeners Arms pub to the proposed store, a walk of seven minutes, but they wouldn't walk to a store at the Winston Churchill pub site, as that would take around 25 minutes'. The requirement for a sequential test as set out in the NPPF does not have a size threshold and accordingly it must be applied to every proposal for a town centre use. However, it is acknowledged that the likely

catchment area of a store of the size proposed will be either very local, or passing trade. For this reason, it is accepted that an exception to the application of the sequential test is justified.

There has been considerable objection to the proposal based on the likely impacts of the proposed development on existing shops within the local parade. This objection is noted and it is acknowledged that there would be a likely impact – although the extent of the impact is unknown. There is however no requirement in planning policy for the Applicant to undertake a retail impact assessment to calculate the degree of harm that would be caused, by reason of the small scale of the store proposed. Furthermore, Local Plan policy TC3 does not afford protection to Local Centres such as Golding's Hill/Lower Road as it states that only proposals for development which would affect the vitality and viability of Principal, Smaller and District Centres will be refused planning permission (omitting those which affect local centres). It is therefore, considered that this impact is a matter to be determined by market forces, rather than planning policy.

Design

The proposed building would be three storeys in height, having a flat roofed contemporary design. The bulk of the building would be broken by the narrower width and depth of the second floor, which would also be clad in timber and as such would appear distinct from the remainder of the building which would be rendered to the front and part rendered part brickworks to the sides and rear.

At 10.3m in height the building would be taller than the Plume of Feathers (9.0m) and the Esso petrol filling station (5.4m). Because of the articulation of the building and the space retained to either side, it is not considered that it would appear overly prominent or conspicuous within the street scene. The development approved for the site in 2007 was 9.0m high.

The fenestration and balcony detailing proposed for the balcony is such that it would be in keeping with its contemporary appearance and would add interest to the building.

Neighbouring Amenity

The closest existing residential properties to the site are the houses at the rear in Marjorams Avenue. These are set at slightly higher ground level to the site with garden depths of approximately 20-25 metres. Where dwellings have been extended, the shortest garden depth is 19m. The proposed building would be situated a further 1.7m into the site and its rear section would be only two storey in height, with the upper floor being set 7.5m from the boundary with the gardens of Marjorams Avenue dwellings. This relationship is such that it is not considered that there would be an unacceptable impact on the outlook of the occupiers of these dwellings. The building would be further softened by the retention of the dense trees screen along the boundary.

No rear facing windows are proposed and the side terrace at first floor level would include a screen preventing views into the rear gardens. Imposition of a planning condition could ensure that the height of the screen was maintained at a height of 1.7m to ensure its effectiveness.

Highway Access

Officers at Essex County Council, as the Highway Authority, have assessed the application and have commented as follows:

The proposed development has been assessed against current national and local policy and safety guidelines and has been found acceptable to the Highway Authority.

The existing access provides sufficient visibility and geometry for the proposed use which was previously a car park with vehicle movements in and out of the site all day. It is not envisaged that the proposal will attract many additional vehicle movements along Church Hill, as it will mainly cater for drive-by customers with the bigger stores near-by catering for destination shopping trips.

All deliveries will be on-site and off of Church Hill to the benefit of all highway users. With only 7 deliveries a day, outside of the Plume of Feathers busy periods, the delivery access into the site is considered acceptable as there is adequate inter-visibility between a vehicle exiting the pub and a delivery vehicle entering the site. Vehicle speeds will also be low.

The egress of the delivery vehicle does conflict with the Esso entrance, but is not unsafe as delivery drivers will only pull out of the development when they have sufficient time and space to do so. Customer vehicle movements in and out of the site would be no different to the previous use as a car park.

The parking provision for both the flats and the retail use is considered acceptable given the accessible location of the site.

Consequently the Highway Authority is satisfied that the development would not be detrimental to highway safety, capacity or efficiency at this location or on the wider highway network.

Concern is raised by objectors regarding the practicalities of the delivery arrangements in terms of facilitating access to the site for the delivery driver and ensuring that the parking area is clear for the delivery vehicle to park. However the Highway Officer recommended the imposition of planning conditions which include the requirement for the Applicant to submit and adhere to a Deliver and Servicing Plan. This would provide the Council with an ongoing ability to enforce that deliveries to the site are undertaken in accordance with the approved detail.

Parking

Parking provision for the development is 16 spaces (7 to the rear and 9 to the front), which is considerably below the Council's adopted standard for this type of development which would be at least 6 spaces for the dwellings and maximum 31 for the retail element.

However, given the sustainable location of the site, six parking spaces is acceptable provision for the six dwellings. This would leave 10 for the retail use. This is considered acceptable for a retail unit of this size, which is likely to meet local shopping needs and therefore have a greater number of pedestrian visits and also a faster turnover of spaces. However, consideration of the management of these spaces to maximise their availability for customer use is necessary and should include short time limitations on the use of the retail parking bays (to ensure availability for use by customers) and consideration to the travel arrangements of staff. This detail may be secured by the submission of a car park management plan, which may also be required by the imposition of a planning condition. Ongoing compliance with the plan should also be secured by condition.

Trees and Landscaping

The Council's Tree and Landscape Officer has been consulted on the application and has commented as follows: *'There are very few trees within / adjacent to this site. Tree reports have been provided which demonstrate that those trees shown to be retained can be retained in a*

healthy condition. There is very little space for landscaping, although it is noted that each flat is afforded 'outside space' in the form of terraces. The key place for landscaping for this site is the roadside frontage.' Both trees protection measures and landscaping may be secured by the imposition of planning conditions. Additional detail is required in addition to that which has already been provided by the applicant within the submission and accordingly imposition of the Council's standard planning conditions is considered necessary and reasonable.

Other Matters

Site Ownership – Concern has been raised that the proposed access arrangements are in part situated outside the site. It is alleged that this renders the application invalid on the basis that the required notice of the application has not been served. However, this access area is located outside the application site and accordingly it is not necessary for notice to have been served. The plans clearly indicate that there is an agreed right of way over this land.

Public Bench – Loughton Town Council have sought the relocation of a public bench, if planning permission is granted. This is indicated within the submitted plans, which show the bench to be relocated adjacent to the vehicle access into the Plume of Feathers. However, as this is on highway land the bench may only be located in this position with the consent of the Highway Authority. Accordingly as the matter is outside the control of the Applicant it is not reasonable that this be a requirement imposed by a planning condition. It is, therefore, recommended that this be left as a matter of goodwill between the Applicant, the Town Council and the Highway Authority.

Contaminated Land - Due to its use as part of a motorcycle and car repair and refuelling garage, its former use as a car park, the presence of made ground and the presence of a 110m² former infilled pond located 15m to the west, there is the potential for contaminants to be present on site. This matter may be adequately dealt with by the imposition of planning conditions requiring further works and remediation where necessary.

Proposed development at 113 Church Hill – Concern has been raised that this application should not be considered separately to the more recent application for a 344 sq.m food store at 113 Church Hill (located on the opposite side of the petrol filling station). However, the applications each require consideration based on their own merit and the existence of the other application (either in its current form or as an approved development) would not alter the acceptability of this proposal in planning policy terms. This is because neither application proposes a retail store at a size that would attract a need for a retail impact assessment (and as a point of interest although there would be no policy requirement, even if the two floor areas were added together, cumulatively this would continue to fall well below the threshold) and in terms of a sequential test the two sites would fall within the same edge of centre definition and accordingly neither would be more preferable in policy terms than the other. Whilst it is understood that the approval of both schemes would result in two similar stores in very close proximity to one and other, this is again a matter to be determined by market forces and the desirability of such a situation is a matter for consideration by the interested supermarket chains. However it is not uncommon for competing food stores to co-exist within the same catchment area and indeed several do within other locations within the District.

Conclusion:

In light of the above appraisal, it is considered that the proposal constitutes a sustainable form of development that accords with local and national planning policies. Despite a considerable level of objection, the retail use proposed is acceptable in policy terms following application of the sequential test and the access and parking arrangements are considered acceptable by the Highway Authority,. All other material planning considerations are met and it is, therefore recommended that permission be granted, subject to the planning conditions set out in this report and recommended by consultees where necessary and reasonable.

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:

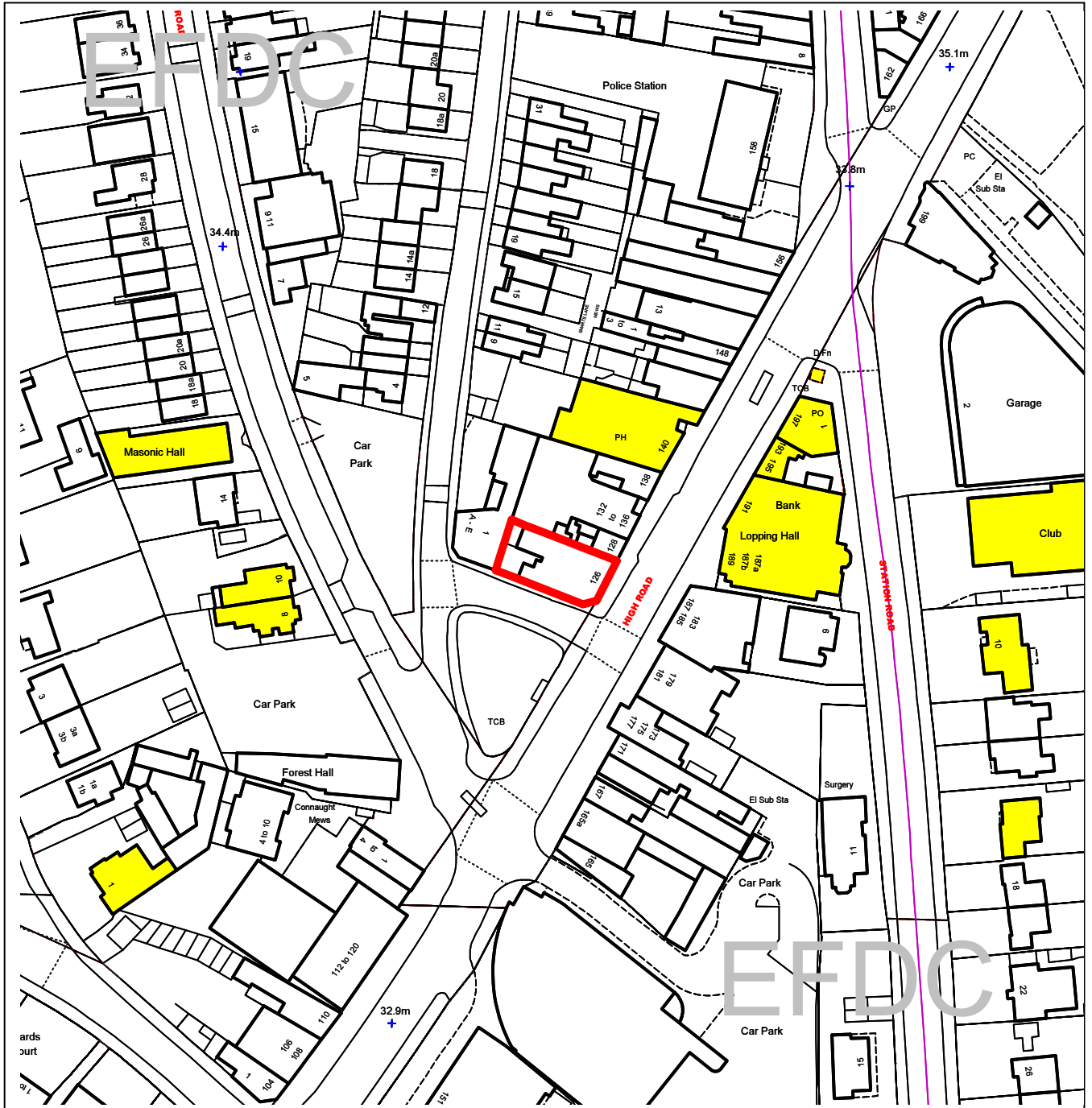
**Planning Application Case Officer: Mrs Katie Smith
Direct Line Telephone Number: (01992) 564103**

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



Epping Forest District Council

AGENDA ITEM NUMBER 3



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Application Number:	EPF/0719/14
Site Name:	126 High Road, Loughton IG10 4BE
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/0719/14
SITE ADDRESS:	126 High Road Loughton Essex IG10 4BE
PARISH:	Loughton
WARD:	Loughton Forest
APPLICANT:	Mr Navin Iyapah
DESCRIPTION OF PROPOSAL:	Retrospective application for continued use of premises as a night club - from former use as public house.
RECOMMENDED DECISION:	Refuse Permission

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=561751

REASON FOR REFUSAL

- 1 This night club premises is located close to a large number of residential properties. The use gives rise to persistent noise and disturbance from the activities of patrons leaving the club late at night and early in the morning, and it therefore significantly detracts from the amenity of residents in the locality. The proposal is thereby contrary to policy DBE9 of the adopted Local Plan and Alterations, and contrary to the National Planning Policy Framework.

This application is before this Committee because it is an application that is considered by the Assistant Director of Development Management to be appropriate to be presented to Committee, pursuant to the 'constitution, part three: planning directorate – delegation of council function, schedule 1, appendix A(k).

Description of Site:

A three storey corner building located on the High Road at its junction with Smarts Lane. The ground and first floors are in use as a night club known as the Luxe. The property is not listed nor does it lie within a conservation area.

Description of Proposal:

Retrospective application for continued use of premises as a night club – (from former use as a public house).

Relevant History:

See below under background.

Policies Applied:

DBE9 - Loss of amenity.
TC3 - Town centre function.

Policy DBE9 is compliant with the NPPF and policy TC3 is partially compliant.

Summary of Representations:

LOUGHTON TOWN COUNCIL – object - the previous daytime and evening use as a public house has been transformed into a late night venue that backs on to a residential area, to the grave detriment of residents in neighbouring houses. Notwithstanding the approved licensing hours the Committee suggest the District Council reduce the hours of opening as a matter of planning control to 1.30am on Saturday and Sunday mornings so as to protect the peace and amenity of residents. Conditions should be also used to limit the use solely to the interior of the building – no outside use should be allowed.

PLANS GROUP, LOUGHTON RESIDENTS ASSOCIATION – object – this is the wrong place for a night club - all roads leading to and from the premises are residential – including flats above shops on the High Road. It is therefore inevitable that customers will cause disturbance after midnight – eg when walking and talking in the street, or when car doors are slammed and patrons driving off. When the premises was a pub it contributed to the vitality and viability of the High Road as a daytime retail, refreshment, and service area. The premises now constitute a dead area during the day. Contrary to the statement made in the application there have been lots of complaints made to various licence applications lodged in recent years.

Neighbours – 52 consulted and 'two' replies received:-

7, HIGH BEECH ROAD – object to night club use – foul language, noise late at night, people urinating in the street, and rubbish and vomit.

ELEANOR LAING MP – has requested further details on the application since several of her constituents have raised concerns with her about the continued use of the premises as a night club.

ESSEX POLICE – object – over the last 12 months Essex Police have received 27 calls related to the premises. 19 relate to disturbances or assaults. Further details can be provided on request

Issues and Considerations:

Background

Until 2004 the property was used as a public house called the Royal Standard. After alterations were made it became the Minx Bar, then the Crystal Lounge and now the Luxe. Since the Minx Bar use commenced in 2005 the premises have changed in nature from primary use as a public house to a night club. A night club is not included in the A4 public house/wine bar use class, and it stands outside a use class as a sui generis use - because of its differing characteristics eg restricted times of opening, restricted entry to members only or on payment of entrance fee, provision of entertainment and dancing, and early morning opening times. Planning permission is therefore required for the change of use of a pub to a night club, and the applicants were therefore requested to submit this retrospective application after enforcement investigations were carried out.

Another feature in the recent history on this premises is that application EPF/2542/13, a retrospective application for the retention of a first floor roof terrace, was refused permission on

17/3/14 - on grounds of noise and nuisance late at night and early in the morning. An enforcement notice was subsequently served on 6/5/14 requiring the roof terrace to be removed by 20/8/14, and an appeal against this enforcement notice (which would have 'put on hold' the continuation of legal action) was not lodged.

Material considerations

This night club, which can accommodate some 150 persons, can be open Thursdays and Sundays nights until 1am the following morning, and on Friday and Saturday nights until 2.30am the following morning. While the club is a popular venue for younger people to attend it is also clear that it draws in patrons from far beyond Loughton. Many patrons come by car or taxi, and the return of patrons to cars parked locally, particularly in narrow residential streets such as Smarts Lane and High Beech Road, has resulted in complaints about noise, nuisance, and anti social behaviour. It is true that this form of complaint has been lodged in some numbers at the Council's Licensing Committees when applications for late night opening of this premises have been applied for - and in most cases subsequently approved. However, the licensing regime is different from the planning one, for example the guidance to the 2003 Licensing Act states that *beyond the immediate area surrounding the premises* actions of people/patrons are their own responsibility, and that an individual who engages in anti social behaviour is accountable in their own right. By contrast, in dealing with a planning application a local planning authority can take into account effects on amenity that can occur over a wider area. Although the premises are located on the High Road it is located next to side roads and a large break in the High Road frontage, and it lies close to many residential properties. In these circumstances it is logical to assume that patrons leaving the premises early in the morning, returning to cars parked etc, would cause noise and disturbance when background noise levels are low and when most residents are asleep.

Comments on representations received:

The Loughton Town Council and the Loughton Residents Association object to the application. However the number of objections received from residents is small, although this may be because neighbours are wary of being identified as objectors. The objections from the police are noted but in fact they relate more closely with a licensing objective in the 2003 Licensing Act – namely the prevention of crime and disorder, rather than a material planning consideration. However, it can be inferred from the police comments that 'lower level' anti social behaviour in the locality is likely to take place.

Conclusions:

This night club has operated for a number of years although it is not clear when in the last 9 years its primary use changed from a public house to a night club. It does provide a form of service to the night time economy and is popular with young people. However, it attracts patrons from a wider area than Loughton, and this combined with its use into the early morning hours is at odds with the largely residential hinterland in which it is located.. A possible way forward would be to restrict hours of opening till say midnight on Thursdays and Sundays, and 1am on Saturday and Sunday mornings – however, this option has not been put to the applicants and the Committee may wish to comment first on any way forward . For the reasons expressed in this report it is recommended that planning permission be refused for the continued use of the premises as a night club. Given that the night club use is in operation it is also recommended that the Committee agree to legal enforcement action being taken to secure cessation of this night club use.

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

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

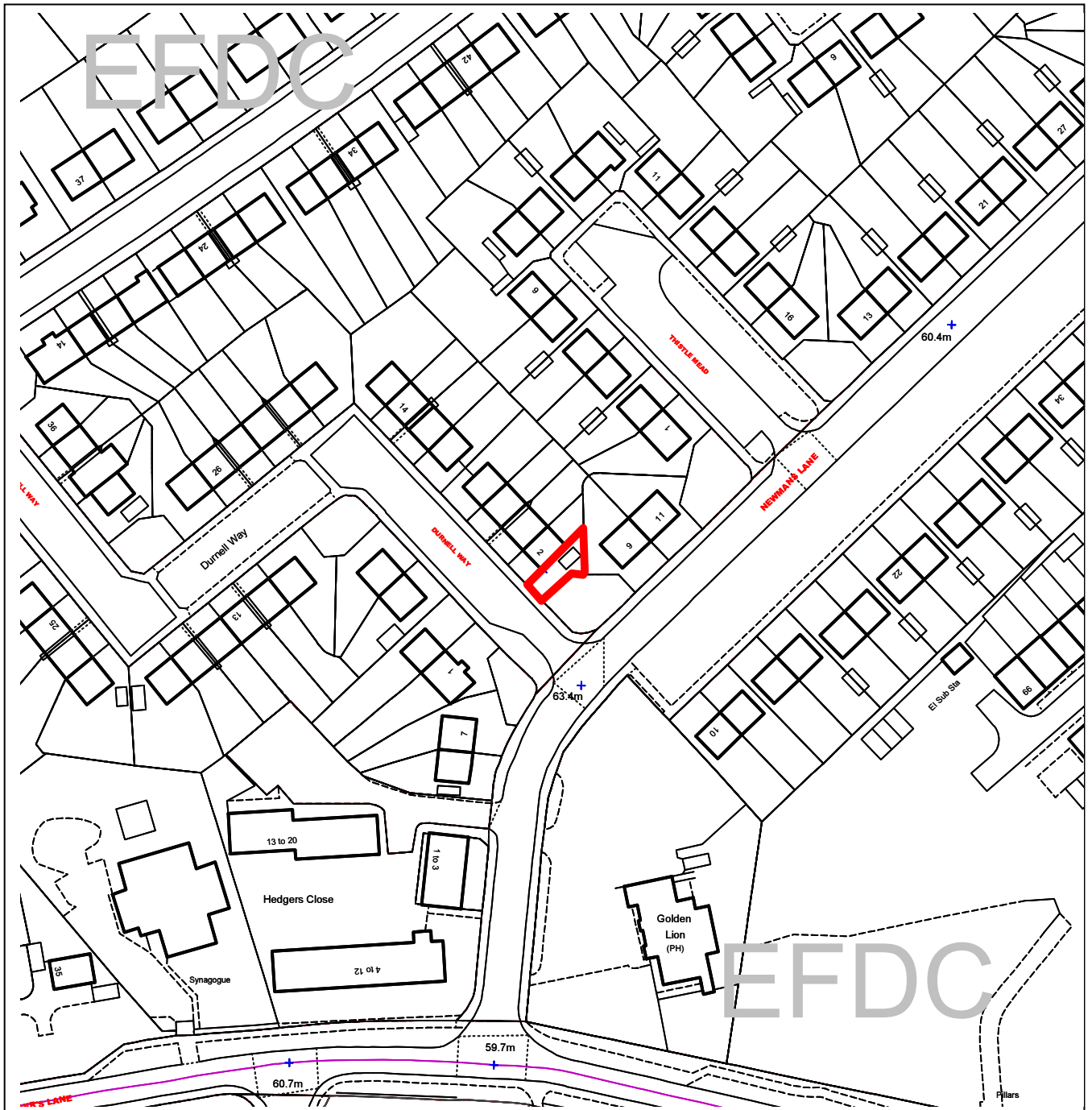
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Epping Forest District Council

AGENDA ITEM NUMBER 4



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Application Number:	EPF/1286/14
Site Name:	2 Durnell Way, Loughton IG10 1TG
Scale of Plot:	1/1250

Report Item No: 4

APPLICATION No:	EPF/1286/14
SITE ADDRESS:	2 Durnell Way Loughton Essex IG10 1TG
PARISH:	Loughton
WARD:	Loughton St Marys
APPLICANT:	Mr Brian Phillips
DESCRIPTION OF PROPOSAL:	New attached dwelling.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=564032

CONDITIONS

- 1 The development hereby permitted will be completed strictly in accordance with the approved drawings nos:
Location Plan
178/14/01
178/14/02 B
- 2 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 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 opening serving the first floor bathroom shall be entirely fitted with obscured glass and shall be permanently retained in that condition.
- 5 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 development generally permitted by virtue of Classes A, B and E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 6 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed

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

- 7 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

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

Description of Site:

The application site is an existing two storey end of terrace house with single storey side extension at the junction of Durnell Way and Newman’s Lane. The property is similar to many other corner plots in the area, but differs in that the frontage is wider than many other corner plots in the area.

The site is in the urban area and not within the Green Belt.

Description of Proposal:

The application seeks permission to replace the existing single storey side extension with a new end of terrace two bedroom dwelling. The proposals would incorporate a single parking space on the front of the donor property and the new property and provide compact but private garden areas to the rear of each dwelling.

Relevant History:

None relevant

Policies Applied:

Epping Forest District Local Plan and Alterations

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

CP2 – Protecting the Quality of the Rural and Built Environment

DBE1 – Design of New Buildings

DBE2 – Effect on Neighbouring Properties

DBE3 – Design in Urban Areas

DBE8 – Private Amenity Space

ST4 – Road Safety

ST6 – Vehicle Parking
LL10 – Provision for Landscape Retention

Summary of Representations:

27 neighbouring properties were consulted one response was received as follows;

1 DURNELL WAY: The proposed dwelling does not appear to affect views and daylight for 1 Durnell Way. The proposed 3 parking spaces on the property are to be welcomed in a road already well used.

LOUGHTON TOWN COUNCIL – The Committee OBJECTED to this application as it was considered an overdevelopment of the plot and garden grabbing, which left a lack of private amenity space, and would be detrimental to the street scene.

Issues and Considerations:

The main issues that arise with this application are considered to be the following:

- Principle of Development
- Design
- Impact on Neighbouring Amenity
- Impact on existing Landscaping
- Highways and Parking

Principle of Development

The proposed dwelling is in the urban area, not within the Green Belt, therefore in principle a dwelling is acceptable subject to other planning constraints.

Design

The proposed new dwelling would continue the height, depth and scale of the terrace, albeit the width of the new dwelling would be 1m narrower.

To the front each dwelling would provide a single parking bay and to the rear the existing garden would be split to provide a separate area for each property. The donor dwelling would retain 38sqm of garden area and the new property would have 22sqm of garden area. The depth of the garden for the new property would be restricted by the angle of boundary of the existing property, resulting in a short depth immediately adjacent to number 9 Durnell Way, however, as the ground floor window would be obscured by boundary treatments and the first floor window would serve a bathroom and could be frosted by condition, this shallow depth is not considered to raise significant concern.

The impact on the neighbour from the scale of the proposed dwelling would be no different than an extension of similar dimensions. Finally, the proposed dwelling would not extend forward of the building line in Newmans Lane due to the position and orientation of the plot.

The proposed design is therefore considered to complement the street scene and provide a family dwelling in the urban area.

The Town Council's comments are noted, but subdivision of a plot is not in itself contrary to policy. In terms of over development, the property size would be akin to that of many newer developments, with established settlement patterns frequently making more generous provision for plot sizes than provided in current-day schemes. Thus whilst Members may wish to consider impacts to local character and form, a higher density of development is not in itself harmful in principle.

Neighbouring Amenity

Impacts regarding the built form of the property are explored above in particular relation to visual amenities in the area, the building line and number 9 Durnell Way and the proximity of the building.

In terms of overlooking, loss of privacy and overshadowing, the proposed new dwelling would not provide an outlook or loss of privacy that would differ significantly from that of the donor property and the relationship with neighbouring properties would be akin to if the donor property had simply extended and added bedrooms to the side.

In respect of overshadowing, due to the orientation of the plot and the proximity to the neighbour at number 9, some overshadowing from early afternoon is likely to occur to the side garden area of the neighbour.

Landscaping

Suitable landscaping can be secured by condition.

Highways and parking

Each dwelling provides a parking bay. This meets policy requirements in an urban area.

Conclusion:

The proposal is considered an acceptable scheme that provides a new dwelling in an urban area close to local facilities therefore 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***

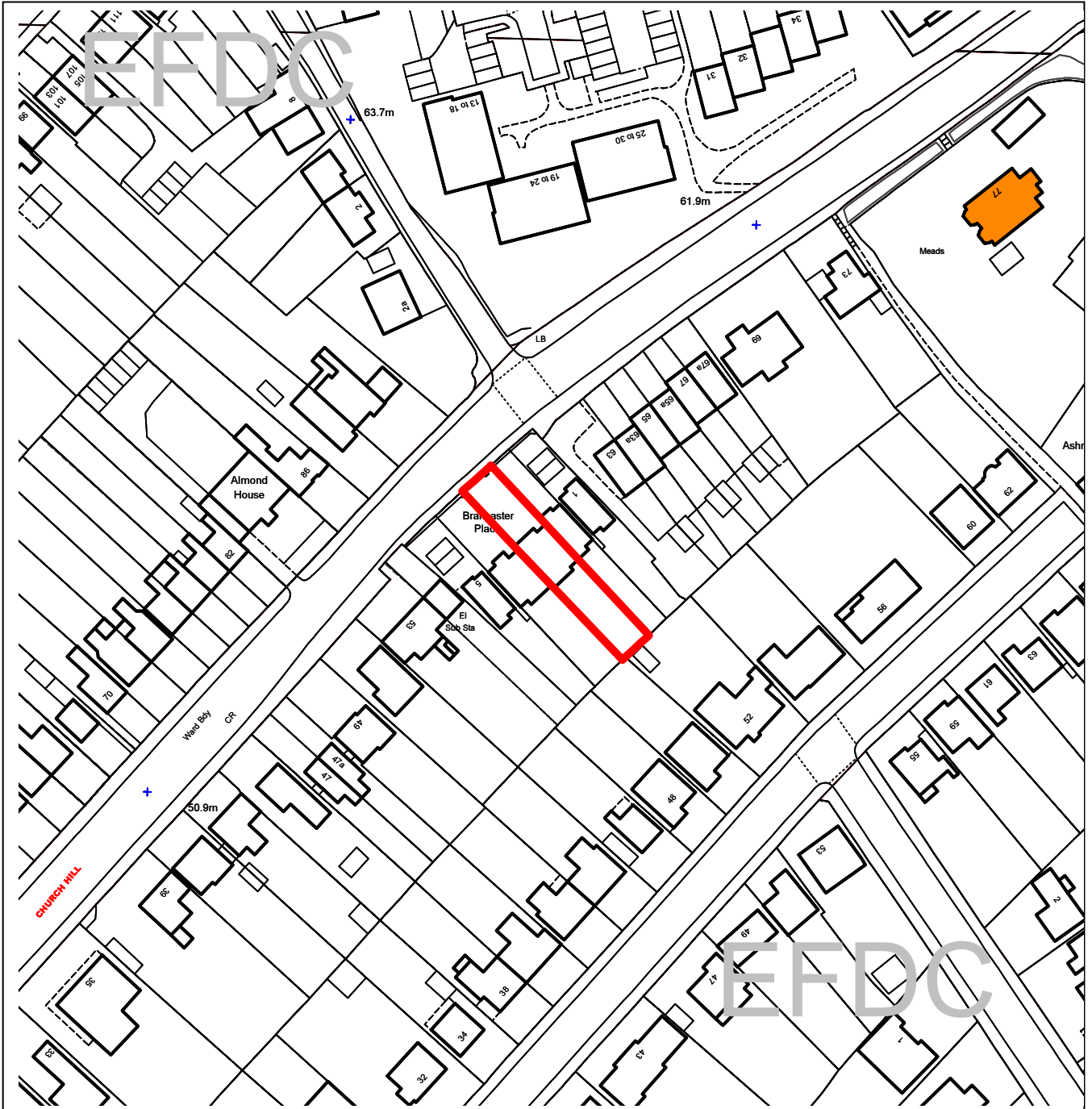
or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

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Epping Forest District Council

AGENDA ITEM NUMBER 5



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Application Number:	EPF/1290/14
Site Name:	3 Brancaster Place, Church Hill Loughton, IG10 1QN
Scale of Plot:	1/1250

Report Item No: 5

APPLICATION No:	EPF/1290/14
SITE ADDRESS:	3 Brancaster Place Church Hill Loughton Essex IG10 1QN
PARISH:	Loughton
WARD:	Loughton St Marys
APPLICANT:	Mr Peter Macallan
DESCRIPTION OF PROPOSAL:	Integral conversion of garage contrary to condition 4 of EPF/0954/94. No external changes.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=564052

CONDITIONS

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

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

Description of Site:

The site is a two storey dwelling linked detached with a single storey garage, within a group of 5 dwellings approved in 1994 which are served by a single access off Church Hill, Loughton, each of which has a double garage, either integral or detached and an additional allocated space. The rear of the existing garage has already been converted.

The site is not in a Conservation Area and is within the urban area of Loughton.

Description of Proposal:

The application seeks consent to convert the integral garage contrary to condition 4 of EPF/0954/94. No changes are proposed to the existing garage door.

The existing off street parking is to be maintained.

Relevant History:

EPF/0954/94 - Five detached houses and associated garages (following demolition of existing house and premises) – App with a condition withdrawing permitted development rights for the conversion of the garage.

EPF/2377/12– Conversion of part car garage into an additional habitable room – Granted permission.

Policies Applied:

CP2	Quality of Rural and Built Environment
DBE9	Loss of Amenity
DBE10	Residential Extensions
ST6	Parking
NPPF	

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted. 6

Site notice posted: No, not required

Responses received: One response received from 2 BRANCASTER PLACE.

No objection subject to siting of wall, construction standards and working hours

LOUGHTON TOWN COUNCIL - The Committee OBJECTED to this application as parking provision was limited on this site and it would put increased strain on parking at an already overcrowded location.

Main Issues and Considerations:

The proposal seeks to convert the remaining integral garage area into a habitable room. There are no external changes proposed. There is no impact on the street scene.

The proposals result in no adverse impacts to neighbouring living conditions.

A response has been received from a neighbouring property concerned with the construction standards. This would be dealt with by Building Regulations, however a condition restricting hours of construction is reasonable.

There are no landscaping, highway or drainage impacts. The proposal retains adequate space for off street parking of at least two cars and therefore meets the current parking standards. The applicant has submitted information that demonstrates they are able to park within the one bay owned by them within the development and to the front of the existing garage, thus having access to two spaces.

The applicant has also submitted information regarding the ownership of parking within the wider development of five properties. The applicant states that homes generally do not use the garages for parking, instead using them for storage. Parking is instead provided to the front of the garaging

and in the allocated bays. The applicant has also provided photographs of the parking area to the front of the properties across more than one day and a number of differing times, to illustrate that there is generally no parking problem. In addition, attention is drawn to the absence of neighbouring concern regarding parking. Reference to the Officer's report from 1994 has revealed there appears no justification for the need to retain the garaging; instead it appears to have been required as a matter of standard procedure at that time, thus there would appear no planning grounds to seek to enforce the condition in relation to current day parking standards.

Conclusion:

Mindful of the parking provision and the supplementary information provided and absence of justification to require a greater than normal parking provision onsite, Officers recommend 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:

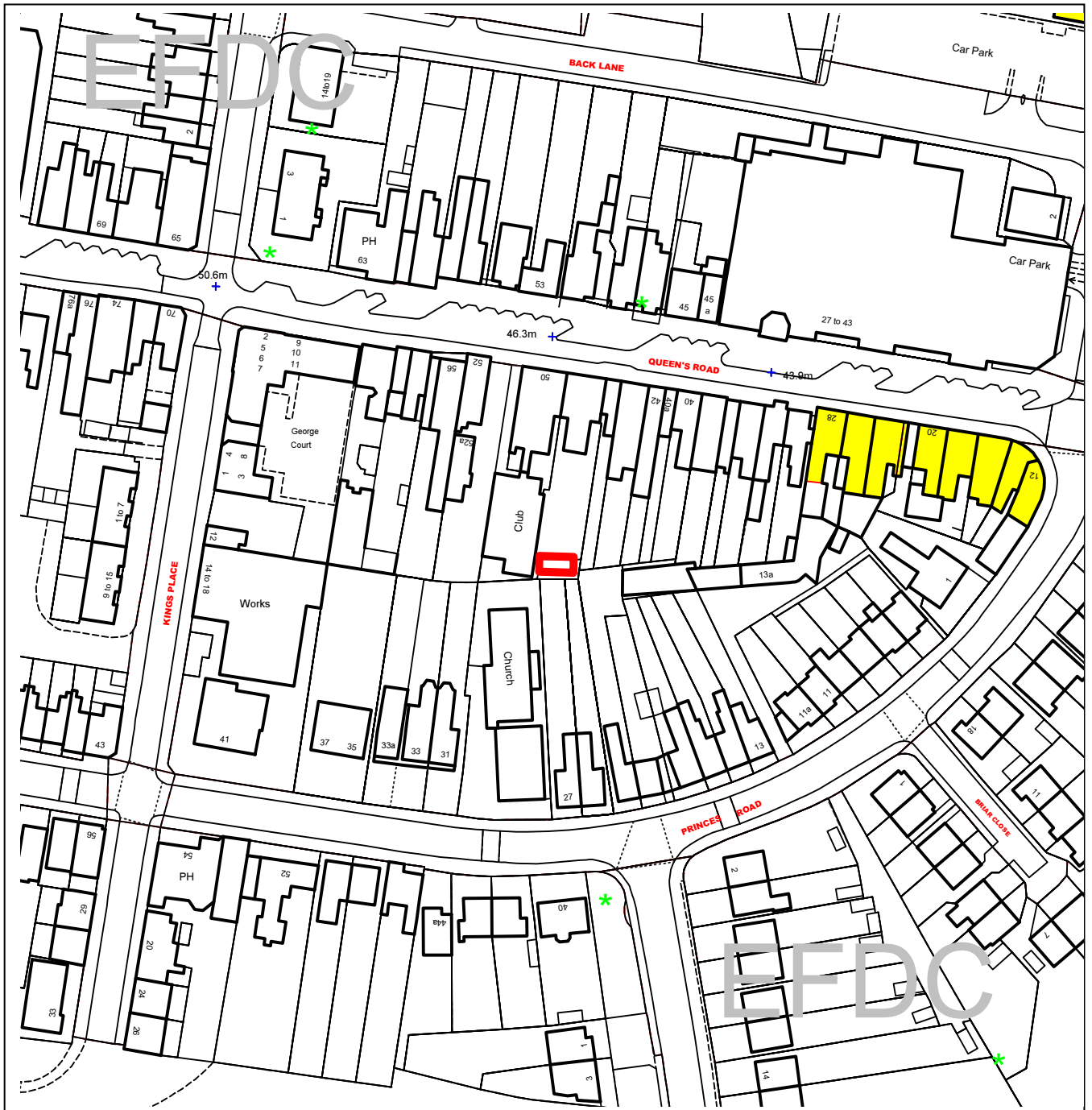
***Planning Application Case Officer: Jenny Cordell
Direct Line Telephone Number: 01992 574481***

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



Epping Forest District Council

AGENDA ITEM NUMBER 6



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Application Number:	EPF/1381/14
Site Name:	Costa Coffee, 48 Queens Road Buckhurst Hill, IG9 5BY
Scale of Plot:	1/1250

Report Item No: 6

APPLICATION No:	EPF/1381/14
SITE ADDRESS:	Costa Coffee 48 Queens Road Buckhurst Hill Essex IG9 5BY
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
APPLICANT:	Mr Antony Tagliamonti
DESCRIPTION OF PROPOSAL:	Storage shed to rear garden for dry goods.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=564456

CONDITIONS

- 1 The development hereby permitted will be completed strictly in accordance with the approved drawings nos:
1.12/A.09
1.12/A.03
- 2 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 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 The storage shed shall be used solely for the storage of dry goods in connection with the main function of the site and for no other purpose whatsoever (including sales kiosk, activity building or additional seating). Access to the building shall be restricted to employees only.
- 5 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

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).) 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 Services – Delegation of Council functions, Schedule 1, Appendix A.(g))

Description of Site:

The site is a single shop unit located on the south side of Queens Road within the built up area of Buckhurst Hill. The unit is currently trading as a Costa Coffee Café with the outside area to the rear being used for additional seating. The application site is within the key frontage of the Queens Road town centre boundary. The site is not within the Metropolitan Green Belt or a Conservation Area.

The rear garden area of the store currently contains additional al fresco seating.

Description of Proposal:

The application seeks consent to erect a storage shed 3.05m in depth, 6.1m in width, and 2.3m high with a monopitch roof..

The storage building is intended to provide dry storage for the Costa store to permit internal layout changes. By moving existing storage to outside the main building, there is scope to provide additional seating within the store.

The storage building would contain a door and window facing the main plot.

Relevant History:

The site has an extensive history but none directly relating to this application.

Policies Applied:

CP2	Quality of Rural and Built Environment
DBE1	Design of new buildings
DBE2	Effect on neighbouring properties
DBE3	Design in Urban Areas
ST4	Road Safety

NPPF

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted. 9

Site notice posted: No, not required

Responses received:

19 PRINCES ROAD: Object due to loss of amenity to residents. Often experience noise and disruption from customers on the premises. The shed should never be used other than for storage.

21 PRINCES ROAD: Strongly object in case the building is used other than for storage. History of noise associated with the site. Would appear not necessary for a storage building to have a window, concerned it would be used as a playhouse, additional seating or a serving hatch for customers in the garden area. Issues could be overcome by conditions preventing alteration or

adaptation of the building, preventing the use of the building for the provision of food/drink, preventing use of the building by customers, their children or members of the public and restriction of use to storage only.

23 PRINCES ROAD: Object as concerned regarding future use of the building. Could lend itself to use as a kiosk or activity shed, both of which would increase noise.

25 PRINCES ROAD: No objection as long as used for storage only.

27 PRINCES ROAD: No objection in principle as could potentially act as a buffer between persons using the outdoor space and neighbouring gardens. However, needs conditions preventing use other than for storage. Also perishable goods should not be stored in the building. Should not be used for sales.

62/64 QUEENS ROAD: Objection.

BUCKHURST HILL PARISH COUNCIL: OBJECTION. Loss of amenity to neighbours, concerned as to potential future use.

Main Issues and Considerations:

The main issues to be considered relate to impacts to street scene and neighbouring properties, parking, landscaping and retail matters would remain unchanged as a result of this application.

In terms of street scene, the proposed shed is to the rear of the property, so would have no impact. The proposed storage building would be viewed in the context of the rear of the building and neighbouring properties where rear garden storage buildings of similar design are not uncommon, therefore in design terms the proposals accord with policy, being of a scale and form that is acceptable.

In respect to neighbouring properties, the site has historically caused issues in respect of noise and disturbance. The premises trades 7 days a week for long hours and the outside seating area is popular. Many patrons have children and the use of the outdoor seating area has historically caused a degree of noise and disturbance that was previously not experienced. However the use of the premises is established and the current application focusses on the proposed storage building.

Neighbouring properties have expressed concern that the proposals, if not managed correctly, could result in further noise and disturbance were the building used for activities or as a sales kiosk. However, for storage only the building could also act as a buffer, providing a degree of separation between users of the outdoor space and neighbouring gardens. The Council's Environmental Health team have been consulted and have raised no objections. The concerns of neighbouring properties are noted, however a storage building should not generate noise issues, therefore subject to a restrictive condition regarding use, the proposed storage building would accord with Council policies.

Conclusion:

Mindful of the above assessment Officers consider the use of the building can be suitably restricted by condition and that the presence of the building would act as a buffer between the uses onsite and neighbouring properties, therefore 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**

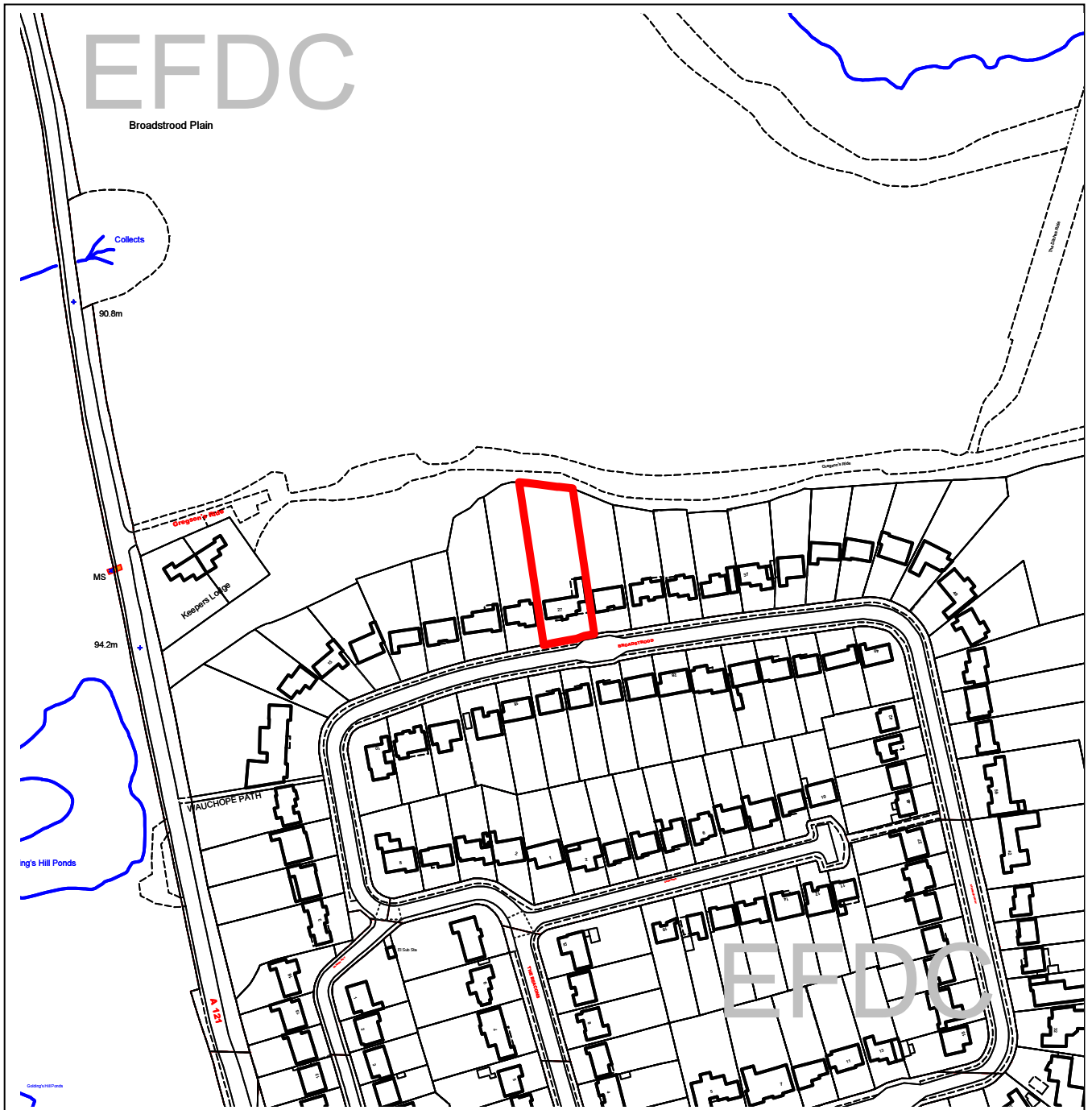
or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

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Epping Forest District Council

AGENDA ITEM NUMBER 7



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Application Number:	EPF/1457/14
Site Name:	27 Broadstrood, Loughton IG10 2SB
Scale of Plot:	1/2500

Report Item No: 7

APPLICATION No:	EPF/1457/14
SITE ADDRESS:	27 Broadstrod Loughton Essex IG10 2SB
PARISH:	Loughton
WARD:	Loughton St Johns
APPLICANT:	Mr I Ahmed
DESCRIPTION OF PROPOSAL:	Two storey side, front and rear extension and loft conversion with roof lights (revised application to EPF/0885/14)
RECOMMENDED DECISION:	Recommend: 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=564852

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 for approval is 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

A two storey detached house in a locality of similar dwellings. The property is not listed nor does it lie within a conservation area.

Description of Proposal:

Two storey side, front, and rear extension, and loft conversion with roof lights (revised application to EPF/0885/145)

Relevant History:

EPF/0885/14 proposing similar extensions was withdrawn before it was registered.

Policies Applied:

DBE9 – Loss of amenity.

DBE10 - Residential extensions.

The above two Local Plan policies are compliant with the NPPF.

Summary of Representations:

LOUGHTON TOWN COUNCIL – The Committee objected to this application because of the sheer bulk of the scheme proposed. It was considered to be an overdevelopment of the site and there was concern over its impact on the amenities of neighbours..

NEIGHBOURS – 5 properties consulted and no replies received.

Issues and Considerations:

An existing long side garage extension to the house, which extends 7m rearwards of the existing dwelling and is located 1.05m from the side boundary with no.29, will be removed as part of this proposal. In its place a part one and two storey side extension is proposed. However this proposed extension will be set in from the side boundary by a greater distance of 1.95m. The ground floor section will be 1m shorter than the existing garage section to be removed, and because no.29 is more recessed the first floor extension, at 2.5m in depth, will only extend 1.5m beyond the rear wall of no.29. Bearing in mind these physical factors the proposal will have a limited impact on the amenity and outlook of no.29, and the removal of the existing long rear garage addition close to the boundary will be of benefit to the outlook of no.29.

A part one and part two storey extension is also proposed across the remainder of the rear elevation. The 2 storey element closest to the side boundary with no.25 will project rearwards by 3m and the existing sizeable gap of 2.7m to side boundary with no.25 will be retained. Furthermore no.25 has also been extended by some 3m in depth on 2 floors close to this boundary, and hence the effect of this proposed two storey wing on the outlook and amenity of no.25 will be very limited

The ground floor extension in the middle of the rear elevation will project rearwards by 7.2m. However it would be sited 6m and 7m from the side boundaries with nos. 29 and 25 respectively and hence will only have a small impact on neighbours amenity.

Finally, the proposal also includes a 1.2m depth front extension, with the 2 storey side extension projecting by the same amount. These projections also will not have an undue effect on neighbours' amenity and their appearance in the street scene will be acceptable

The extensions proposed have sloping roofs that tie in with the house in an acceptable manner, and matching facing brick and roof tile will be used. The design of the extensions is appropriate.

No dormer window extensions are proposed as part of a modest loft conversion which will be lit by roof light windows. . A new first floor bedroom window in the flank facing no.25 is proposed. This is a secondary window and a condition is proposed ensuring it is obscured glazed to prevent any overlooking.

Comments on representations received

Loughton Town council object on grounds of overdevelopment. The extensions proposed are sizeable in part because of a therapy room and carer's room being proposed to accommodate the needs of a disabled child. In any event this is an even wider plot than others in the road and gaps to the side boundary are maintained on one side and improved on the other. The site can easily

absorb the proposed development which is not excessive. In terms of affect on neighbours the occupant of no.29 did voice initial concerns that a first floor extension was to be built above the existing large garage projection located 1.05m from his boundary. However, as explained above this is not the case and no neighbour objections have been received.

Conclusions:

The proposal complies with relevant planning policies, and 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:

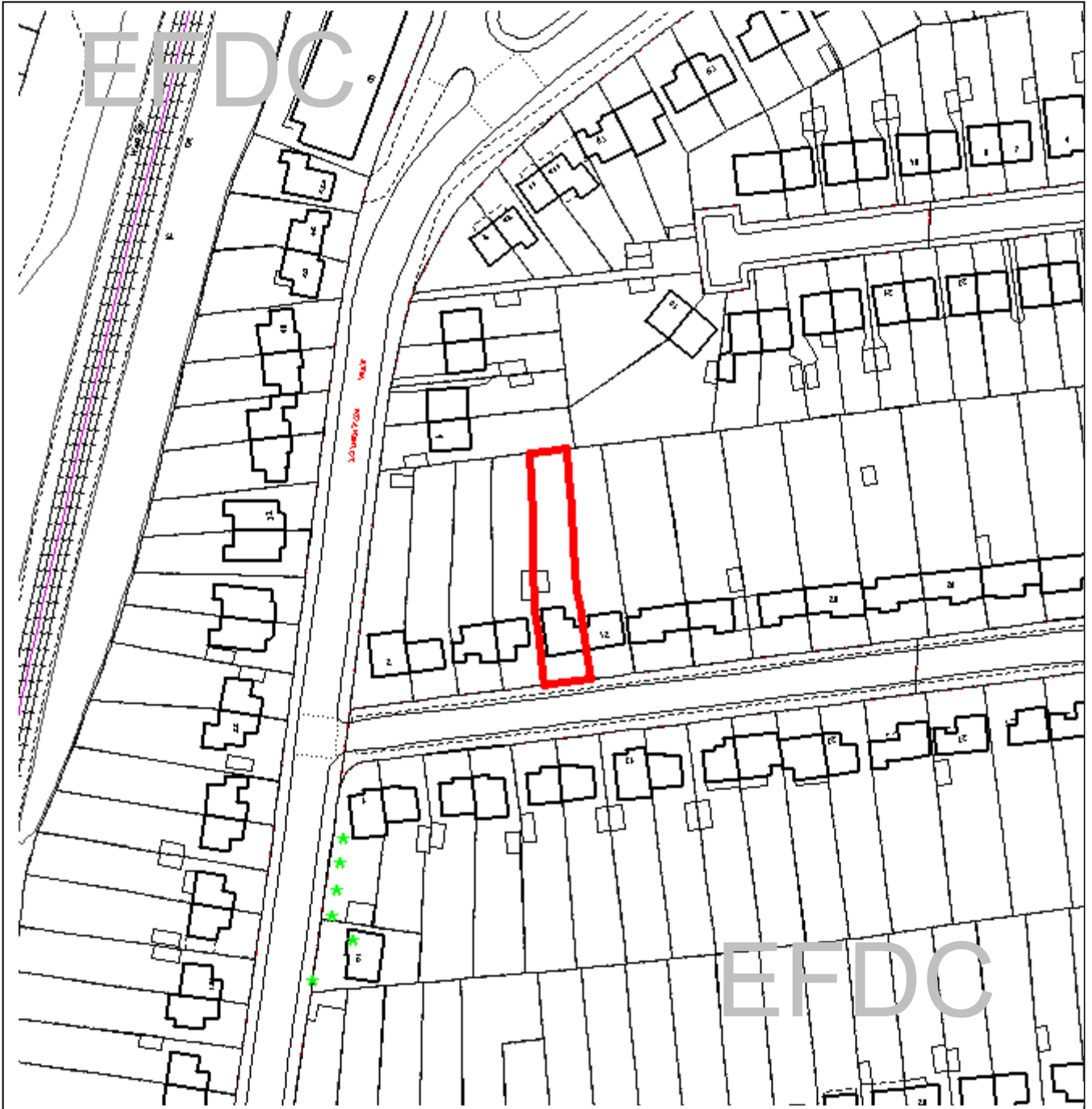
***Planning Application Case Officer: David Baker
Direct Line Telephone Number: 01992 564514***

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



Epping Forest District Council

AGENDA ITEM NUMBER 8



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Application Number:	EPF/1673/14
Site Name:	8 Hurst Road, Buckhurst Hill IG9 6AB
Scale of Plot:	1/1250

Report Item No: 8

APPLICATION No:	EPF/1673/14
SITE ADDRESS:	8 Hurst Road Buckhurst Hill Essex IG9 6AB
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill East
APPLICANT:	Mr & Mrs Jonathan & Cindy Burstin
DESCRIPTION OF PROPOSAL:	Demolish garage/store. Erect single storey extension to the ground floor at the rear. Erect single storey extension to the first floor at the rear. Erect part single, part two storey extension to the side. Erect single storey extension to the first floor front. (Amended application to EPF/0658/14)
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=565794

CONDITIONS

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

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A. (g))

Description of Site

Hurst Road is located within the built up area of Buckhurst Hill. The existing building is a two storey semi-detached property situated within a relatively long plot. The surrounding neighbours are similar properties, some of which have been extended to the side and rear. 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 part single, part two storey side extension. The first floor element is set 1m from the shared boundary with 10 Hurst Road. The ground floor extends 0.2m away from the boundary. The application includes a part single, part two storey rear extension. The two storey element projects 2.7m from the existing rear elevation, is 7.5m wide and is set on the boundary with no.6. The single storey element will project 3.3m past the first floor element. The application also includes the introduction of a front dormer window.

This is a revised application to a previous approval by this committee. The applicant has widened the ground floor extension by 0.6m. This is the only change from the previous approval.

Relevant History

EPF/0658/14 - Demolition of existing garage and erection of part single, part two storey rear extension, part single, part two storey side extension and single storey front extension. – Approved by Plans South

Policies Applied

CP2 – Protecting the Quality of the Rural and Built Environment
DBE1 – Design of Residential outbuildings
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

4 Neighbours consulted – NO COMMENTS RECEIVED

BUCKHURST HILL PARISH COUNCIL – OBJECTION – Change to street scene, properties would appear asymmetrical, overdevelopment of site, disjointed appearance, plans insufficient to assess the 45 degree angle to neighbours.

Issues and Considerations

The principle of this development has already been established by the previous committee and therefore significant weight is afforded to this earlier decision. It is unnecessary to reassess the parts of the development which have been previously granted planning permission. The assessment is required for the revision which has been made. For ease of reference the officer report from the previous application is appended below.

The applicant proposes widening the single storey rear extension by 0.6m which is a very minor change to the approved plans. The gap to the boundary with no.10 remains the same and the gap to the other neighbour is over 4m. As such there will not be any harm to the living conditions of neighbours.

The design has not been altered and therefore is acceptable.

Conclusion

The development is a minor change from the previous approval which will not harm the living conditions of neighbours and the design is appropriate. Therefore it is recommended that planning permission is 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: James Rogers
Direct Line Telephone Number: 01992 564 371***

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

Appendix 1

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

Hurst Road is located within the built up area of Buckhurst Hill. The existing building is a two storey semi-detached property situated within a relatively long plot. The surrounding neighbours are similar properties, some of which have been extended to the side and rear. 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 part single, part two storey side extension. The first floor element is set 1m from the shared boundary with 10 Hurst Road. The ground floor extends 0.2m away from the boundary. The application includes a part single, part two storey rear extension. The two storey element projects 2.7m from the existing rear elevation, is 7.5m wide and is set on the boundary with no.6. The application also includes the introduction of a front dormer window.

Relevant History

EPF/0418/88 - Single storey front extension. – Approved

Policies Applied:

CP2 – Protecting the Quality of the Rural and Built Environment
DBE10 – Effect on Neighbouring Properties
DBE9:- Loss of Amenity

Consultation carried out and Summary of Representations received:

4 Neighbours consulted –

10 HURST ROAD – OBJECTION – The extension is too close to my property and will cause a significant loss of light. It will also allow overlooking into private areas of my property. It will also appear excessively overbearing.

BUCKHURST HILL PARISH COUNCIL – OBJECTION – Overdevelopment of the site, loss of amenity to neighbouring property, proximity to the boundary of the neighbour.

Issues and considerations

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

Neighbour Amenity

The first floor side element of the extension leaves a gap of 1m to the shared boundary with no.10. As it is set against the side elevation of no.10 it will not be visible and as such will not cause any harm to the neighbouring living conditions.

The first floor element of the rear extension is 2.7m deep but the net projection past the rear elevation of no.10 is approximately 1.2m. Consequently an imaginary 45 degree line taken from the centre of the closest first floor habitable room window is not intercepted, as such the extension will not appear excessively overbearing. This is further offset by the depth of neighbours' rear gardens, at approximately 30m.

The ground floor element of the rear extension is set on the boundary with no.10. The net projection past the rear elevation of no.10 will be 4.6m. Given the 1.8m high boundary treatment and the extension will be a reasonable 3m high it will not cause excessive harm to the living conditions of no.10.

The first floor rear extension will be set on the boundary with the adjoining neighbour (No.6). However the first floor element will be the same size as the neighbouring first floor extension and therefore will not be visible. The single storey rear extension will not harm the living conditions of no.6 given that it is set 4m away from the shared boundary.

Design

The two storey side extension is a significant addition to this property. However it leaves a gap of at least 1m to the shared boundary with no.10. As such the potential for a terracing effect is negated. The design of both the extension is conventional and respects the existing building.

The rear extension is similarly conventional and also respects the existing building. Furthermore it will not be visible from private areas of Hurst Road and therefore will not appear prominent within the street scene.

The front dormer window introduces a new feature into the immediate street scene. However the roof slopes away and the window will appear as a feature which will not appear overly prominent within the street scene. As such the dormer window respects the existing building and the immediate street scene.

Conclusion

The development will not harm the living conditions of the neighbouring properties and is of a conventional design which respects the existing property. As such the application complies with policies CP2, DBE9 and DBE10 of the Adopted Local Plan and Alterations.

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:

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