

Committee Agenda



Epping Forest District Council

AREA PLANNING SUB-COMMITTEE SOUTH **Wednesday, 23rd November, 2016**

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, 23rd November, 2016**
at **7.30 pm** .

Glen Chipp
Chief Executive

**Democratic Services
Officer**

J. Leither Tel: (01992) 564243
Email: democraticservices@eppingforestdc.gov.uk

Members:

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

WEBCASTING/FILMING NOTICE

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

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

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

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

1. WEBCASTING INTRODUCTION

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

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

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

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

2. ADVICE TO PUBLIC AND SPEAKERS ATTENDING THE COUNCIL PLANNING SUB-COMMITTEES (Pages 5 - 10)

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

3. MINUTES (Pages 11 - 42)

To confirm the minutes of the last meeting of the Sub-Committee held on 26 October 2016.

4. APOLOGIES FOR ABSENCE

5. DECLARATIONS OF INTEREST

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

6. ANY OTHER BUSINESS

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

7. DEVELOPMENT CONTROL (Pages 43 - 120)

(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. PROBITY IN PLANNING - APPEAL DECISIONS (Pages 121 - 174)

(Director of Governance) To consider the attached report.

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.

Background Papers: Article 17 - Access to Information, Procedure Rules of the Constitution define background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) have been relied on to a material extent in preparing the report and does not include published works or those which disclose exempt or confidential information and in respect of executive reports, the advice of any political advisor.

The Council will make available for public inspection for four years after the date of the meeting one copy of each of the documents on the list of background papers.

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Advice to Public and Speakers at the Council's District Development Management Committee and Area Plans Sub-Committees

Are the meetings open to the public?

Yes all our meetings are open for you to attend. Only in special circumstances are the public excluded.

When and where is the meeting?

Details of the location, date and time of the meeting are shown at the top of the front page of the agenda along with the details of the contact officer and Members of the Committee.

Meetings of the District Development Management Committee, Area Plans Sub-Committee East and Area Plans Sub-Committee West are held at the Civic Offices in Epping. Meetings of Area Plans Sub-Committee South are held at Roding Valley High School in Loughton.

Can I speak?

If you wish to speak **you must register with Democratic Services by 4.00 p.m. on the day before the meeting**, by ringing 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 generally allowed: One objector (maybe on behalf of a group), the local Parish or Town Council and the applicant or his/her agent. In some cases, a representative of another authority consulted on the application may also be allowed to speak.

What can I say?

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

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

If you have registered to speak on a planning application to be considered by the District Development Management Committee, Area Plans Sub-Committee East or Area Plans Sub-Committee West, you will address the Committee from within the Council Chamber at the Civic Offices. If you simply wish to attend a meeting of any of these Committees to observe the proceedings, you will be seated in the public gallery of the Council Chamber.

Can I give the Councillors more information about my application or my objection?

Yes you can but it must not be presented at the meeting. If you wish to send further information to Councillors, their contact details can be obtained through Democratic Services or our website www.eppingforestdc.gov.uk. Any information sent to Councillors should be copied to the Planning Officer dealing with the application.

How are the applications considered?

The Committee will consider applications in the agenda order. On each case they will listen to an outline of the application by the Planning Officer. They will then hear any speakers' presentations.

The order of speaking will be (1) Objector, (2) Parish/Town Council, then (3) Applicant or his/her agent. The Committee will then debate the application and vote on either the recommendations of

officers in the agenda or a proposal made by the Committee. Should the Committee propose to follow a course of action different to officer recommendation, it is required to give its reasons for doing so.

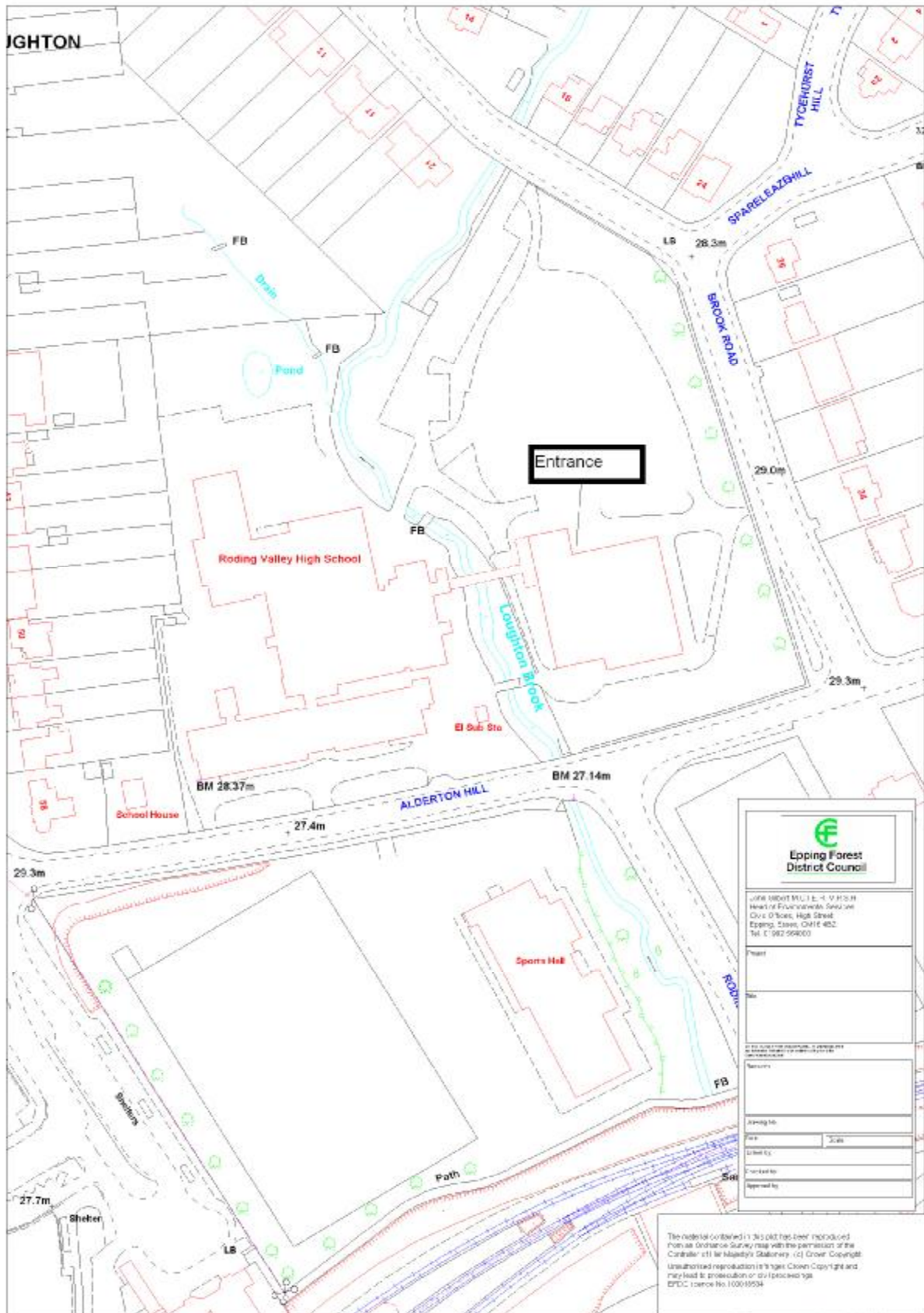
An Area Plans Sub-Committee is required to refer applications to the District Development Management Committee where:

- (a) the Sub-Committee's proposed decision is a substantial departure from:
 - (i) the Council's approved policy framework; or
 - (ii) the development or other approved plan for the area; or
 - (iii) it would be required to be referred to the Secretary of State for approval as required by current government circular or directive;
- (b) the refusal of consent may involve the payment of compensation; or
- (c) the District Development Management Committee have previously considered the application or type of development and has so requested; or
- (d) the Sub-Committee wish, for any reason, to refer the application to the District Development Management Committee for decision by resolution.

Further Information?

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 2016-17
 Members of the Committee and Wards Represented:



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

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EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Sub-Committee **Date:** 26 October 2016
South

Place: Roding Valley High School, Brook Road, Loughton, Essex. IG10 3JA. **Time:** 7.30 - 11.00 pm

Members Present: A Patel (Vice-Chairman, in the Chair), A Beales, R Brookes, K Chana, S Heap, R Jennings, J Jennings, H Kauffman, J Knapman, L Mead, G Mohindra, C P Pond, C C Pond, C Roberts, D Roberts, B Sandler and D Wixley

Other Councillors:

Apologies: G Chambers, R Baldwin, L Girling, A Lion and S Murray

Officers Present: S Solon (Principal Planning Officer), A Hendry (Senior Democratic Services Officer), S Kits (Social Media and Customer Services Officer) and S Mitchell (PR Website Editor)

30. 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.

31. ELECTION OF VICE CHAIRMAN

In the absence of the Chairman, who had tendered his apologies, the Vice-Chairman chaired the meeting and requested nominations for the role of Vice-Chairman.

RESOLVED:

That Councillor K Chana be elected Vice-Chairman for the duration of the meeting.

32. MINUTES

RESOLVED:

That the minutes of the last meeting of the Sub-Committee held on 21 September 2016 be agreed subject to noting that Councillor C C Pond commented on an omission on page 16 of the agenda (EPF/1758/16 – Land and Garages, Ladyfields) where the Committee agreed that there should be no issue of parking permits for the inhabitants of the property.

33. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Conduct Councillors C C Pond, C P Pond, R Brookes, J Knapman and D Wixley declared a non pecuniary interest in the following item by virtue of knowing the speaker. The Councillors advised that they would remain in the meeting for the duration of the discussion and voting thereon:

- EPF/1545/16 – 256 High Road, Loughton, Essex, IG10 1RB

(b) Pursuant to the Council's Code of Conduct Councillor H Kaufman declared a non pecuniary interest in the following item by virtue of the applicant being a near neighbour. The Councillor advised that he would remain in the meeting for the duration of the discussion and voting thereon:

- EPF/2159/16 – 38 Chigwell Lane, Loughton, Essex, IG10 3NY

34. ANY OTHER BUSINESS

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

35. DEVELOPMENT CONTROL

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

RESOLVED:

That the planning applications numbered 1 – 17 be determined as set out in the attached schedule to these minutes.

CHAIRMAN

Report Item No:1

APPLICATION No:	EPF/1545/16
SITE ADDRESS:	256 High Road Loughton Essex IG10 1RB
PARISH:	Loughton
WARD:	Loughton St Marys
DESCRIPTION OF PROPOSAL:	Demolition of the existing structures. Comprehensive residential development including the provision of amenity areas, secure cycle parking, car parking, refuse and recycling areas, landscaping, access and other associated development
DECISION:	Refuse Permission

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=585153

REASON FOR REFUSAL

- 1 By reason of its height, bulk, scale and unsympathetic design the proposed development would appear incongruous in relation to the style and scale of surrounding buildings, many of which are of domestic scale, and would appear excessively dominant when seen from the rear gardens of houses fronting Habgood Road. As a consequence the proposed development would cause harm to the character and appearance of the locality and detract from its visual amenities, contrary to Local Plan and Alterations policies CP2(iv), CP7, DBE1(i) and DBE2, which are consistent with the National Planning Policy Framework.
- 2 By reason of its height, bulk, scale and siting in relation to the Loughton Methodist Church and church hall, the proposal would cause an excessive degree of overshadowing of windows and space between the buildings such that it would have a detrimental effect upon the functioning of the Church and church hall, contrary to Local Plan and Alterations policy DBE2, which is consistent with the National Planning Policy Framework.
- 3 By reason of the relationship of the connecting wing of the proposed building to its southern and northern wings, habitable rooms in adjacent flats would be significantly overshadowed causing a harmful reduction in light received by them. Flat numbers APP 02, APP 07 and APP 10 are likely to be most severely affected. Furthermore, the relationship is such that excessive overlooking between flats, particularly but not only from balconies, would result in a significant number of flats experiencing an excessive loss of privacy. As a consequence the proposed development would create dwellings that are likely to have poor living conditions, contrary to Local Plan and Alterations policy DBE9, which is consistent with the National Planning Policy Framework.

Way forward:

Members considered an amended proposal of reduced height and bulk designed to appear more congruent in the locality and address potential harm to amenity, especially from overshadowing, could address the objections raised.

Report Item No: 2

APPLICATION No:	EPF/1919/16
SITE ADDRESS:	185 High Road Chigwell Essex IG7 6NU
PARISH:	Chigwell
WARD:	Chigwell Village
DESCRIPTION OF PROPOSAL:	Demolition of existing buildings to create new residential development providing 14 new flats and ground floor commercial/retail space.
DECISION:	Grant Permission (Subject to Legal Agreement)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=585949

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:
FMN_001
FMN_002
FMN_100 revision C
FMN_101 revision D
FMN_105 revision C
FMN_106 revision C
Noise and Vibration Assessment report by Temple dated 12 September 2014
Arboricultural Report by Andrew Day dated 29 September 2014 with Tree Protection Plan
Design and Access Statement

- 3 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.

- 4 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.

- 5 The refuse storage facility shown on the approved plan FMN_100 revision C 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.
- 6 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 1. The parking of vehicles of site operatives and visitors
 2. Loading and unloading of plant and materials
 3. Storage of plant and materials used in constructing the development
 4. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 5. Measures to control the emission of dust and dirt during construction, including wheel washing.
 6. A scheme for recycling/disposing of waste resulting from demolition and construction works.
- 7 The ground floor commercial unit shall be used solely for purposes within use class A1 (shops) of the Town and Country Planning (Use Classes) Order 1987 (as amended) and for no other purpose unless otherwise agreed in writing by the Local Planning Authority.
- 8 The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground) for all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the local planning authority which:
 - provide details on all structures
 - accommodate the location of the existing London Underground structures
 - demonstrate access to elevations of the building adjacent to the property boundary with London Underground can be undertaken without recourse to entering our land
 - demonstrate that there will at no time be any potential security risk to our railway, property or structures
 - accommodate ground movement arising from the construction thereof
 - mitigate the effects of noise and vibration arising from the adjoining operations within the structuresThe development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

- 9 Prior to first occupation of the development the vehicle parking and turning areas indicated on the approved plans shall be provided and retained in this form at all times and shall not be used for any other purpose unless otherwise agreed with the Local Planning Authority.
- 10 Prior to the first occupation of the development the access arrangements, vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The access, parking and turning areas shall be retained in perpetuity for their intended purpose.
- 11 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.
- 12 The privacy screen, as shown on the roof plan to drawing FMN_101 and rear elevation to drawing FMN_105, shall be constructed of a opaque and solid material prior to first occupation of either third floor flat and maintained as such thereafter.
- 13 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.
- 13 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.

Subject to the completion, within 6 months, of an agreement under S106 of the Town and Country Planning Act 1990 in respect of a contribution of £11,000 towards the provision of a local bus service in Chigwell.

Members requested Chigwell Parish Council be consulted on applications for approval of details of external materials submitted pursuant to condition 3 of the planning permission.

Report Item No: 3

APPLICATION No:	EPF/0513/16
SITE ADDRESS:	Land r/o 33-37 Hillyfields Loughton Essex IG10 2PT
PARISH:	Loughton
WARD:	Loughton Fairmead Loughton St Johns
DESCRIPTION OF PROPOSAL:	Proposed demolition of existing garages and erection of 8 no. dwellings (6 x three beds and 2 x two beds), with associated access and parking
DECISION:	Refuse Permission

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=582895

REASON FOR REFUSAL

- 1 By reason of the scale and siting of the proposed detached house adjacent to the rear garden boundaries of numbers 3 and 4 Cotford Close, the development would appear excessively overbearing when seen from those gardens, causing an unacceptable degree of harm to the living conditions of 3 and 4 Cotford Close. Accordingly, the proposal is contrary to Local Plan and Alterations policy DBE9, which is consistent with the National Planning Policy Framework.

Way forward:

Members considered an amended proposal that deleted the detached house from the development and proposed appropriate screening on the boundary could address the objections raised. They did not consider a single-storey house as an alternative would be likely to do so.

Report Item No: 4

APPLICATION No:	EPF/1990/16
SITE ADDRESS:	2 Connaught Avenue Loughton Essex IG10 4DP
PARISH:	Loughton
WARD:	Loughton Forest
DESCRIPTION OF PROPOSAL:	Demolition of existing building and erection of a part 2 and part 3 storey building containing six 2 bedroom flats, with provision of 6 ground level car spaces. (The application is for approval of the building shape (bulk, mass, volume), and door and window openings - with materials to elevational treatment to be conditioned as part of any planning approval.)
DECISION:	Refuse Permission

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=586116

REASON FOR REFUSAL

- 1 The proposed building, by reason of a combination of its height, massing, and proximity to side boundaries, would result in an inappropriately large and cramped development on a constrained site that would appear incongruous within its setting. The proposal would cause significant harm to the character and appearance of the locality, amounting to a poor design that would not compensate for the loss of a non-designated heritage asset. Accordingly, the proposal is contrary to Local Plan and Alterations policies CP2(iv), CP7 and DBE1, which are consistent with the National Planning Policy Framework.

Way forward:

Members considered an alternative development based on the restoration and sensitive enlargement of the existing building could address the objections raised.

Report Item No: 5

APPLICATION No:	EPF/0403/16
SITE ADDRESS:	156 High Road Loughton Essex IG10 4BE
PARISH:	Loughton
WARD:	Loughton Forest
DESCRIPTION OF PROPOSAL:	Two storey rear extension, conversion of rear ground floor and first floor to two self contained flats with access from the rear via Smarts Lane, together with retention of ground floor shop with amended store and WC facility.
DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=582604

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: 156-HR-1, 3G, 4, 5B and 6 with the exception of the specification of obscure glazing for the east facing first floor window.
- 3 Prior to the commencement of the development, details of:
 - i. external lighting to the site entrance,
 - ii. design of the refuse store,
 - iii. design of the bicycle storeshall be submitted to and approved by the Local Planning Authority. Works as agreed shall be fully implemented prior to first occupation of the residential units hereby approved.
- 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.

Report Item No: 6

APPLICATION No:	EPF/1008/16
SITE ADDRESS:	56 Tycehurst Hill Loughton Essex IG10 1DA
PARISH:	Loughton
WARD:	Loughton St Marys
DESCRIPTION OF PROPOSAL:	Demolition of existing dwelling and replacement with two and a half storey house with basements.
DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=583976

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:
FHE 2050 revision B
FHE 70
FHE 80
FHE 4000
FHE 4050 revision C
FHE 4100
FHE 3000
FHE 3050
FHE 3100
FHE 3150
FHE 3200
FHE 4150
FHE 2100

- 3 Prior to first occupation of the house hereby approved, the proposed window openings in the first floor southern elevation, to the laundry room, bathroom and dressing room 2 of bedroom 1, shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.

- 4 No development shall take place until details of surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.

- 5 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 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or of any equivalent provision in any Statutory Instrument revoking or re-enacting that Order), the basement parking hereby approved shall be retained so that it is capable of allowing the parking of cars together with any ancillary storage in connection with the residential use of the site, and shall at no time be converted into a room or used for any other purpose.
- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Classes A, B, C or E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 8 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.
- 9 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 10 Gates shall not be erected on the vehicular access to the site without the prior written approval of the Local Planning Authority.

- 11 The parking area shown on the approved plan shall be provided prior to the first occupation of the house and shall be retained free of obstruction for the parking of occupiers' and visitors' vehicles.
- 12 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.
- 13 The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site.
- Should any discoloured or odorous soils be encountered during development works or should any hazardous materials or significant quantities of non-soil forming materials be found, then all development works should be stopped, the Local Planning Authority contacted and a scheme to investigate the risks and / or the adoption of any required remedial measures be submitted to, agreed and approved in writing by the Local Planning Authority prior to the recommencement of development works.
- Following the completion of development works and prior to the first occupation of the site, sufficient information must be submitted to demonstrate that any required remedial measures were satisfactorily implemented or confirmation provided that no unexpected contamination was encountered.
- 14 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.
- 15 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.

Report Item No: 7

APPLICATION No:	EPF/2173/16
SITE ADDRESS:	Little London Farm Gravel Lane Chigwell Essex IG7 6DQ
PARISH:	Chigwell
WARD:	Chigwell Village
DESCRIPTION OF PROPOSAL:	Demolition of existing buildings and erection of 2 detached houses with detached double garages including formation of new vehicular access.
DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=586556

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:
Site location plan 3373/2A received 13 October 2016
3373/1A
1761.10
1761/11
1761/12
1761/13
1761/14
SK05
Ownership plan 3373/3
Planning Statement

- 3 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.

- 4 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.
- 5 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.
- 6 No development shall take place until details of foul and surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 7 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]
- 8 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]

- 9 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]

- 10 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.

- 11 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.

- 12 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Planning Authority.

- 13 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes of the houses and garages have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 14 Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 1995 (or of any equivalent provision in any Statutory Instrument revoking or re-enacting that Order), the garage(s) hereby approved shall be retained so that it is capable of allowing the parking of cars together with any ancillary storage in connection with the residential use of the site, and shall at no time be converted into a room or used for any other purpose.
- 15 The development hereby approved shall not be commenced until details of the limits to the curtilage of the houses hereby approved have been submitted to and approved in writing by the Local Planning Authority. Notwithstanding the extent of the application site, the curtilage of the houses shall be confined to the approved limits.
- 16 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Classes A or E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 17 No development shall commence until a scheme to enhance the nature conservation interest of the site has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented in full prior to the occupation of the development hereby approved.
- 18 The carriageway of the proposed estate road shall be constructed prior to the commencement of the erection of any dwelling proposed to have access from such a road. The footways commensurate with the frontage of each dwelling shall be completed prior to occupation of the dwellings they are to serve.
- 19 Prior to the first occupation of the development the access at its centre line shall be provided with visibility splays as shown on EAS drawing no.SK05. The visibility splays shall be retained as such and free of obstruction above 600mm in height in perpetuity.
- 20 Prior to the first occupation of the development the access arrangements as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The access shall be retained as such in perpetuity.

- 21 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 22 There shall be no discharge of surface water onto the Highway.
- 23 Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the carriageway.
- 24 Demolition of any building on the site and vegetation clearance in connection with the development hereby approved shall only take place between September and January. Prior to commencement of the development the local planning authority shall provide written acknowledgement that an appropriately accredited ecologist has submitted written confirmation that no active nest would be affected by commencement of development.
- 25 Prior to removal of the dead Ash tree to the west of building 2 as shown on the approved plans, a detailed method statement shall be submitted to and approved in writing by the local planning authority. Subsequent removal of the tree shall be undertaken under ecological supervision.
- 26 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
1. The parking of vehicles of site operatives and visitors
 2. Loading and unloading of plant and materials
 3. Storage of plant and materials used in constructing the development
 4. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 5. Measures to control the emission of dust and dirt during construction, including wheel washing.
 6. A scheme for recycling/disposing of waste resulting from demolition and construction works.
 7. Traffic management
 8. Lighting during construction
- 27 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: 8

APPLICATION No:	EPF/2125/16
SITE ADDRESS:	21 The Broadway Debden Loughton Essex IG10 3SX
PARISH:	Loughton
WARD:	Loughton Broadway
DESCRIPTION OF PROPOSAL:	Change of use from use for purposes within Use Class A1 (shops) to use for purposes within Use Class A5 (hot food take-away).
DECISION:	Refuse Permission

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=586475

REASON FOR REFUSAL

- 1 The proposed development would, without proper justification, result in over 30% of the key frontage of the Loughton Broadway town centre in non-retail use and, as a consequence would fail to safeguard its retail function, contrary to Local Plan and Alterations policy TC4, which is compliant with the National Planning Policy Framework.

Way forward:

Members considered a revised proposal accompanied by robust evidence that the shop premises is not viable for a retail use could address the objections raised.

Report Item No:9

APPLICATION No:	EPF/2159/16
SITE ADDRESS:	38 Chigwell Lane Loughton Essex IG10 3NY
PARISH:	Loughton
WARD:	Loughton Alderton
DESCRIPTION OF PROPOSAL:	Change of use and conversion of part of existing ground floor office (Use Class B1) to a convenience store (Use Class A1) including new cladding to front elevation and new pedestrian access.
DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=586541

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: FPU-099, FPU-101, FPU-102, FPU-201, FPU-202 and FPU-203
- 3 Materials to be used for the external finishes of the proposed development shall match those as outlined on the planning application form and shown on drawing no. FPU-202 of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 4 The A1 retail use hereby permitted shall not be open to customers outside the hours of 8am - 6pm on Monday to Sundays and Bank Holidays.

Report Item No: 10

APPLICATION No:	EPF/1937/16
SITE ADDRESS:	Bus Shelter on pavement outside Barclays Bank near 207 High Road Loughton Essex IG10 1AZ
PARISH:	Loughton
WARD:	Loughton St Marys
DESCRIPTION OF PROPOSAL:	Advertisement consent for proposed internally illuminated digital panel forming integral part of bus shelter.
DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=585994

CONDITIONS

- 1 The advertising to be shown on the digital panels hereby approved shall be static and not sequential, changes of image shall occur at intervals of a minimum of 10 seconds, and image changes shall be carried out via a smooth fade and not abrupt change.

Report Item No: 11

APPLICATION No:	EPF/1938/16
SITE ADDRESS:	Bus Shelter on pavement outside Pink Accessories Ltd 252A High Road Loughton Essex IG10 1RB
PARISH:	Loughton
WARD:	Loughton St Marys
DESCRIPTION OF PROPOSAL:	Advertisement consent for proposed 1x digital panel forming integral part of bus shelter.
DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=585995

CONDITIONS

- 1 The advertising to be shown on the digital panels hereby approved shall be static and not sequential, changes of image shall occur at intervals of a minimum of 10 seconds, and image changes shall be carried out via a smooth fade and not abrupt change.

Report Item No: 12

APPLICATION No:	EPF/1969/16
SITE ADDRESS:	352 Willingale Road Loughton Essex IG10 2BW
PARISH:	Loughton
WARD:	Loughton Broadway
DESCRIPTION OF PROPOSAL:	Retention of single storey ground floor rear extension (as an amendment to EPF/3268/15 which gave approval to a ground floor rear extension and two storey side extension).
DECISION:	Grant Permission

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=586076

CONDITIONS

NONE.

Report Item No: 13

APPLICATION No:	EPF/1695/16
SITE ADDRESS:	86 Tycehurst Hill Loughton Essex IG10 1DA
PARISH:	Loughton
WARD:	Loughton St Marys
DESCRIPTION OF PROPOSAL:	Ground floor and first floor front, rear and side extensions. Remodelled roof and elevations. Solar panels, extended drive access and crossover. Raised rear patio.
DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=585457

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.
- 4 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.
- 5 No development, including site clearance, shall take place until a scheme of soft landscaping and a statement of the methods, including a timetable, for its Implementation (linked to the development schedule), have been submitted to the Local Planning Authority and approved in writing. The landscape scheme shall be carried out in accordance with the approved details and the agreed timetable. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the

date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand in writing.

Report Item No: 14

APPLICATION No:	EPF/1813/16
SITE ADDRESS:	1 Chigwell Rise Chigwell Essex IG7 6AB
PARISH:	Chigwell
WARD:	Chigwell Village
DESCRIPTION OF PROPOSAL:	Proposed part single, part two storey side, rear and front extensions, alterations and new roof accommodation including front and three rear dormer windows.
DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=585713

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
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.

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.

Report Item No: 15

APPLICATION No:	EPF/2119/16
SITE ADDRESS:	4 The Meadway Buckhurst Hill Essex IG9 5PG
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
DESCRIPTION OF PROPOSAL:	Single storey 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/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=586462

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.

Report Item No: 16

APPLICATION No:	EPF/2236/16
SITE ADDRESS:	73 Meadow Road Loughton Essex IG10 4HY
PARISH:	Loughton
WARD:	Loughton Forest
DESCRIPTION OF PROPOSAL:	Rear single storey extension (reduced length), conservatory set 1m from neighbours' boundary and side first floor extension over existing utility room
DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=586721

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.

Report Item No: 17

APPLICATION No:	EPF/1103/16
SITE ADDRESS:	1 Knighton Lane Buckhurst Hill Essex IG9 5HH
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
DESCRIPTION OF PROPOSAL:	Two storey front/side extension. Single storey rear extension. New basement level at rear to provide additional accommodation. Rooms in the roof space with six roof lights.
DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=584215

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.
- 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 details of surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.

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AREA PLANS SUB-COMMITTEE SOUTH

23 November 2016

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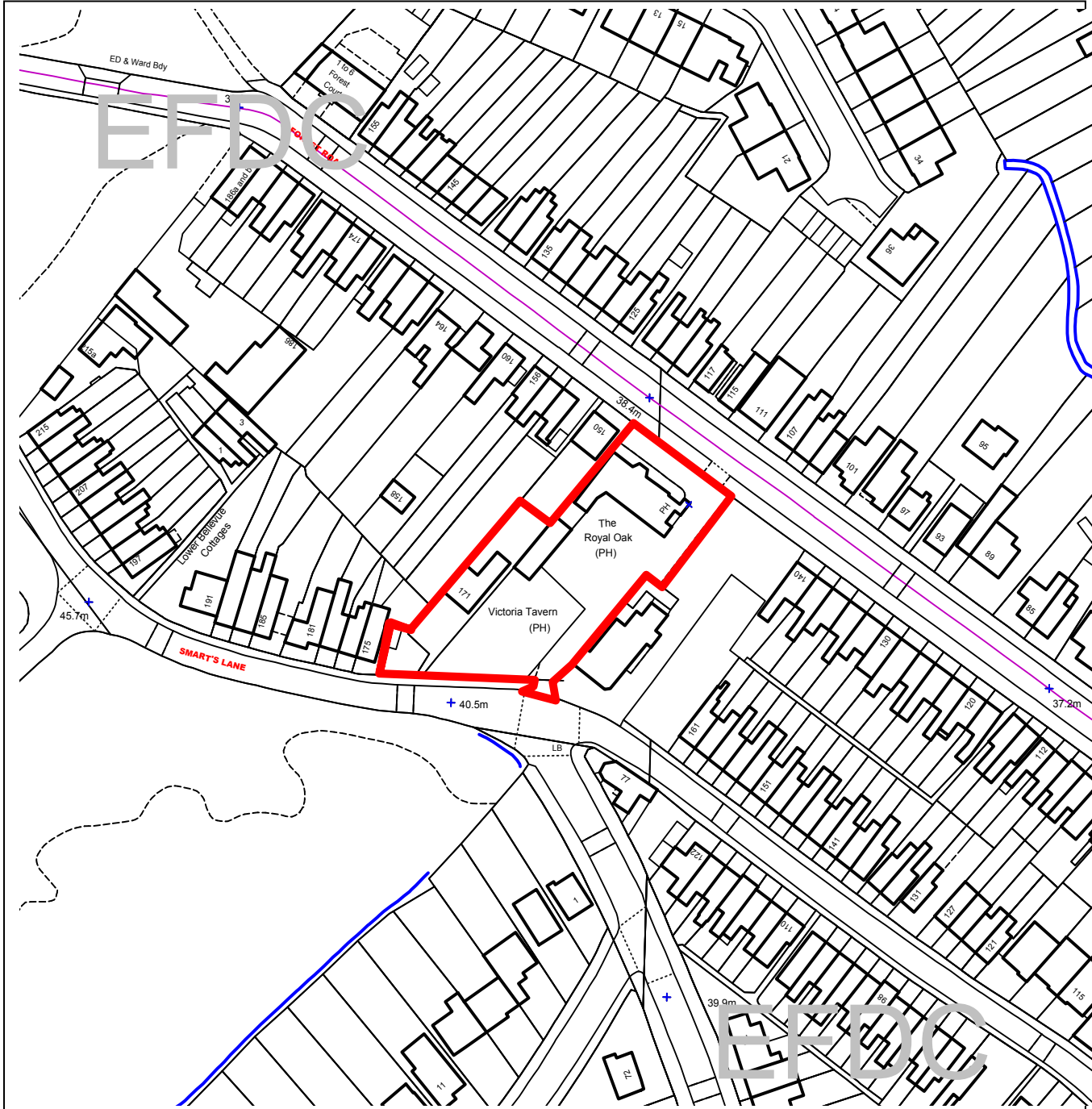
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Epping Forest District Council

Agenda Item Number 1



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Application Number:	EPF/2042/16
Site Name:	Royal Oak, Forest Road, Loughton, IG10 1EG
Scale of Plan:	1/1250

Report Item No: 1

APPLICATION No:	EPF/2042/16
SITE ADDRESS:	Royal Oak PH Forest Road Loughton Essex IG10 1EG
PARISH:	Loughton
WARD:	Loughton Forest
APPLICANT:	Mr Steve Hancocks
DESCRIPTION OF PROPOSAL:	Partial demolition and extension of the former Royal Oak public house and change of use to provide 5 flats, demolition of 171 Smarts Lane and redevelopment for 9 flats, and associated parking and landscaping (14 flats in total).
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/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=586274

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: 1496-LOC, 914170E, 914170E3, 914170G, 914170_C, 914170R, 1496-P001, 1496-P002, 1496-P003, 1496-P004, 1496-P005, 1496-P101, 1496-P102, 1496-P103, 1496-P107, 1496-P108, 1496-P109, 1496-P110, 1500-P104 and 1500-P105.
- 3 No development shall have taken place until details of the types and colours of the external finishes, including windows and 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. 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 Prior to first occupation of the development hereby approved, the proposed window opening in the flank elevation of the main Public House building (extension) facing No. 150 Forest Road shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.

- 5 Prior to first occupation of the development hereby approved, the proposed first floor window opening in the flank wall serving 'plot 14' as shown on plan no. 1496-P102 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.

- 6 Prior to first occupation of the development hereby approved, the proposed high level window openings in the first floor and above on the north west elevation shall be no lower than 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.

- 7 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.

- 8 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.

- 9 No development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The approved Plan shall be adhered to throughout the construction period. The Plan 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

- 10 Prior to the first occupation of the development the access arrangements, vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The access, parking and turning areas shall be retained in perpetuity for their intended purpose.
- 11 Prior to the 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.
- 12 There shall be no discharge of surface water onto the Highway.
- 13 The footpath as shown on plan No. 1496-P001, known as Footpath 129, shall be permanently retained in a good state of repair and accessible by the public at all times unless otherwise agreed in writing with the Local Planning Authority.
- 14 No development shall take place until details of the construction of the footpath have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 15 No development shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 16 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.
- 17 No works shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented prior to occupation and should include but not be limited to:

Surface water run-off from the development restricted to no higher than 8l/s for all storm events up to the 1 in 100 inclusive of climate change (40%) storm event. This is subject to confirmation from the relevant authority to discharge up to this maximum rate into the off-site surface water drainage network.

Surface water managed on site up to the 1 in 100 inclusive of climate change (40%) storm event. It should be demonstrated that all properties are safe from flooding up to this design event.

Groundwater testing.

Final detailed modelling of the whole pipe network and storage on site.

An appropriate amount of treatment for all areas of the site which is demonstrated to

be in line with the CIRIA SuDS Manual C753.

Detailed engineering drawings of each component of the drainage scheme.

A final drainage plan highlighting conveyance and exceedance routes, location and sizing of storage features, FFLs and ground levels, outfalls and discharge rates from the site.

- 18 No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.
- 19 No works shall take place until a Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority. Should any part be maintainable by a Maintenance Company, details of long term funding arrangements should be provided.
- 20 The applicant or any successor in title shall maintain yearly logs of maintenance which shall be carried out in accordance with any approved Maintenance Plan. These shall be available for inspection upon a request 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)), 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: Scheme of Delegation, Appendix 3) and since it is an application for residential development consisting of 5 dwellings or more (unless approval of reserved matters only) and is recommended for approval (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)

Description of Site:

The application site is an elongated irregular site covering the extent of the Royal Oak Public House and associated outbuildings and car parking areas along with No. 171 Smarts Lane. The site has frontages onto both Forest Road and Smarts Lane, with the main 2 storey Pub building fronting onto Forest Road with car parking to the rear and access to No. 171, from Smarts Lane. The site is currently hoarded up and the Pub has ceased trading for some time but access for the Public Footpath which runs through the site is still available. There are protected trees to the rear of the site (close to the Smarts Lane frontage) and the main Pub building is on the Council's Local List of Buildings of Local Architectural or Historic Interest. The site is located between Smarts Lane and Forest Road which are residential streets made up of two storey terrace housing predominantly. Directly to the south east is another Public House – The Victoria Tavern, with residential gardens and properties to the north east. To the south west is Forest land which is

within the Metropolitan Green Belt but this site is not within the Green Belt or within a Conservation Area.

Description of Proposal:

The application seeks consent for the partial demolition and extension of the Public House and change of use of this building to provide 5 flats, the demolition of No. 171 Smarts Lane and redevelopment of this and the land fronting Smarts Lane to provide 9 flats with associated parking and landscaping. The proposal retains the public right of way through the development which will lead onto Forest Road through an undercroft extension to the main Public House.

A projecting wing will link the main Public House building with the new elevation fronting onto Smarts Lane. Vehicle access will be from Smarts Lane with a parking court contained within the centre of the site. Parking spaces are also proposed in a driveway style to both the Smarts Lane and Forest Road frontages.

The applicant's Design 7 Access Statement indicates the mix of dwellings would be 2 x one-bedroom and 12 x two-bedroom units. However, having regard to the submitted floor plans Officer's understand the proposed mix is 1 x one-bedroom, 10 x two-bedroom and 3 x three-bedroom units. This report assesses the merits of the proposal on the basis of Officer's understanding.

Relevant History:

EPF/2508/14 - Demolition of existing building and redevelopment of the site to provide nine terraced houses, together with associated amenity space in the form of gardens, and car parking – Withdrawn (Royal Oak)

EPF/1488/16 - Demolition of existing dwelling and garage replacement with two maisonettes, associated garden bin store and car parking – Refused (171 Smarts Lane)

Policies Applied:

Epping Forest District Local Plan and Alterations

CP2 – Protecting the Quality of the Rural and Built Environment

CP3 – New Development

CP5 – Sustainable Building

CP6 – Achieving sustainable urban development patterns

CP7 – Urban Form and Quality

GB7A – Development adjacent to the Green Belt

DBE1 – Design of New Buildings

DBE2 – Effect on Neighbouring Properties

DBE3 – Design in Urban Areas

DBE8 – Private Amenity Space

HC13A – Local List of Buildings

ST1 – Location of Development

ST4 – Road Safety

ST6 – Vehicle Parking

H2A – Previously Developed Land

H4A – Dwelling Mix

LL8 – Works to preserved trees

LL9 – Felling of preserved trees

LL10 – Adequacy of provision for landscape retention

LL11 – Landscaping schemes

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

The site is listed in “Draft Policy P 2 Loughton”, which forms part of the Epping Forest District Draft Local Plan Consultation October 2016, as site SR-0527 for approximately 14 houses. At the current time, only limited material weight can be applied to the Draft Local Plan. However, the Draft Plan, and evidence base, should be considered as a material consideration in planning decisions. The site has been through the sifting process for suitable sustainable sites and has made the current Draft Local Plan that is currently out to consultation to which this proposal in principle is in accordance with.

Summary of Representations:

LOUGHTON TOWN COUNCIL: The Committee OBJECTED to this application on the following grounds.

The proposal was considered an overdevelopment of the site and the excessive bulk, out of character with the local area, which would cause loss of amenity to neighbours from overlooking. Members also voiced concern over the loss of the trees.

Members expressed concern that the Public Right of Way footpath was shown on the plans to be positioned in the middle of the access road to the development. This was considered to be dangerous to pedestrians using the PROW and therefore totally unacceptable and a highway safety issue.

The Committee was very concerned that the loss of parking was not taken into account into the scheme. The parking provision proposed was considered inadequate for the number of flats and the resultant on-street parking would exacerbate the existing congestion on Smarts Lane and Forest Road.

The Committee supported a member of the public’s concern that the plans did not appear to match the information given in the Design and Access Statement on the number of bedrooms of the flats in the scheme and that this should be clarified.

However, if the District Council was minded to grant this application, the Committee commented that future occupants of these flats should not be eligible for residents parking schemes in the town.

133 Neighbours were consulted and two Site Notices posted. The following responses were received:

58 OBJECTIONS were received from the following addresses:

LOUGHTON RESIDENTS ASSOCIATION (PLANS GROUP)

FOREST ROAD Nos: 37, 50, 67, 70, 75, 79, 95, 107, 110, 111, 115, 123, 128, 136, 139, 141, 150, 152, 153, 154, 2 Forest Court – 157, 156, 158, 160, 162, 170, 176 and 7 UNKNOWN NUMBERS ON FOREST ROAD

SMARTS LANE Nos: 24, 91, 112, 114, 116, 143, 151, 177, 175, 181, 185, 187, 203, 215, 2
LOWER BELLE VIEW COTTAGE, 3 LOWER BELLE VIEW COTTAGE and ONE UNKNOWN
NUMBER ON SMARTS LANE
HIGH BEECH ROAD Nos: 61 and 62
FOREST VIEW ROAD Nos: 4
MEADOW ROAD Nos: 34
COLES GREEN No: 3
1 UNKNOWN ADDRESS

The responses can be summarised as follows:

Objections to parking issues – already difficult in area due to commuter parking, High Street parking and local business parking, loss of parking due to parking proposed at Forest Road side, insufficient parking proposed. Area needs residents parking. Leading to problems of congestion and highway safety.

Out of character and unsympathetic to surrounding terrace properties, overdevelopment of the site, loss of a community facility, public right of way through site, disturbs Green Belt, concern over construction process (including further parking issues/congestion), loss of privacy, loss of value, loss of view, insufficient amenity space proposed, impact on local wildlife, impact on local schools, tower detail too high, concern with regards to refuse collection.

Issues and Considerations:

The main issues with this proposal relate to suitability of site, design and the Locally Listed Building, impact on amenity, highway/parking issues and tree and landscape issues.

Suitability of Site

The site is within the built up area of Loughton and is classed as a brownfield site. The site is within 1 km of Loughton Underground Station and within 500m of the extensive shops, services and facilities of Loughton Town Centre and therefore this is considered a very sustainable location.

The proposal provides for some communal amenity areas in the region of 250m² which is 100m² short of the policy requirement of 25m² per unit. The amenity space is also located in the main within the central courtyard area adjacent to the car parking area or to the front of the Smarts Lane elevation adjacent to the road which is not ideal. However, with access to Epping Forest just opposite the Smarts Lane access this is considered more than adequate for this town centre location.

Design and Locally Listed Building

The proposal was the subject of a pre-application process, with the original scheme proposing the demolition of the Public House main building. Officers were against the loss of this Locally Listed building and have negotiated for its retention with this current scheme.

The building was Locally listed in the main due to its prominent façade onto Forest Road and it was noted that it is:

'A two storey brick and render building with flank chimneys, half-timbered gables with strong barge board details and finials, casement windows with fan lights on the ground floor. There is a varying range of extensions and out buildings and the setting is dominated by car parking.'

The amount of demolition to the main building is minor. Areas that are being demolished offer little local architectural or historic interest and the bulk of the Public House is to be retained. Although the building will be extended to a large degree, the prominent façade which formed the main reason for its local listing is to be retained.

The proposed design of the extensions was also the subject of pre-application discussions and it is considered to be acceptable in that it preserves the special interest of the locally listed building. The design utilises traditional detailing, materials and massing and reads as additional accommodation and service buildings for the pub. The elevation fronting Smarts Lane consists of a row of three cottages that are sympathetic to the scale of surrounding buildings.

The extension directly to the rear of the existing Royal Oak building is unusual in that it is taller than the ridge height of the Royal Oak. This creates a feature element that forms a separation between old and new which is considered an acceptable feature.

The proposal will be a large addition to the rear of the Victoria Tavern, but it is not considered overbearing particularly given the level of separation. The Victoria Tavern has exceedingly small proportions and therefore it would be difficult to achieve a modern development to these proportions.

Amenity

The application site is bounded by the Victoria Tavern to the south east and residential dwellings to the north west of the site and dwellings opposite the site on Forest Road. Due to the dense character of the area it is likely that there will be some change to the amenities of surrounding neighbours.

With regards to No. 150 Forest Road, this is a bungalow with a garden parallel to the development site. The built form directly adjacent to No. 150 will remain broadly the same but with the removal of the large flat roof extension to the main pub building. There is a first floor side facing window proposed on the small first floor side extension, however this is secondary window for a bedroom and can be obscured glazed to avoid any actual, or perception of overlooking.

The removal of the flat roof single storey element will move development away from the shared boundary with No. 150, albeit now at two storey. A two storey with attic extension is proposed to the rear of the main Public House building which will link to the proposed development fronting onto Smarts Lane; however this will be set in from the shared boundary with No. 150 by a minimum of 7m. This is considered a sufficient distance to avoid the development appearing overbearing to No. 150 and the subsequent properties along Forest Road. Side facing windows are proposed along this two storey section, however these are high level windows to dual aspect rooms. Therefore it is considered that again this will mitigate against any actual or perception of overlooking from these windows across the rear garden of No. 150 Forest Road and beyond.

With regards to the rear facing windows from the block which fronts Smarts Lane there is a back to back distance of some 26m with the properties on Forest Road and 15m to the rear boundary of No. 150. This is just over the Essex Design Guide suggested 25m and will avoid any close overlooking with only far reaching views, if any possible.

The proposal will be located within 3m of a large swimming pool outbuilding located within the rear garden of No. 152 Forest Road which is 'L' shaped around the garden to No. 150. Concern has been raised by the neighbour regarding overlooking and loss of light to this outbuilding. There is a side facing window directly overlooking this building and the other Forest Road gardens beyond. Although this would only provide views over the rear, less private areas as it is a third window to a living space and therefore could be obscured glazed this would avoid any actual overlooking. With

regards to loss of light this is not considered a significant issue given the distance from the main house and that this is an outbuilding.

Parking is proposed on this boundary but it is not considered give rise to any excessive harm to amenity in terms of noise or disturbance above that of the use of the site as a Public House.

With regards to the element fronting Smarts Lane, this is set back from the road edge by a maximum of 15m which is far behind the building line of the adjacent terrace properties No. 175 onwards. Due to the orientation of the proposal against the existing properties it is not considered to result in any significant loss of light or outlook to this property.

Concern has been raised with regards to the proximity of parking spaces 18, 17 and 16 on Smarts Lane to No. 175. However, this is the garage forecourt area (presumably to 171 Smarts Lane) and parking could take place in this area in any event – it is therefore not considered to result in any excessive harm to the amenities of No. 175 above that of the existing situation.

To the south east of the site is the Victoria Tavern. The proposed extension to the main Public House will be within 1m of this shared boundary, however this is adjacent to the car park and no amenity issues are raised. The central connecting two storey with attic area will be within 5.5m of the shared boundary, however the first floor of the Victoria Tavern (which presumably is living accommodation) has no windows and therefore overlooking is not an issue. The 5.5m separation avoids any unacceptable loss of light to the ground floor windows of this building.

The proposal will certainly be visible to many surrounding properties due to its overall footprint and height, including those on the opposite side of the road but this does not harm the outlook to these properties. Loss of view is not a planning consideration.

Highways and Parking

A key issue raised by neighbours is the impact this proposal will have on the existing parking available for surrounding residents and the proposed number of parking spaces for the development.

Essex County Council Highways has no objection to the scheme in terms of highway safety but has requested conditions which include the requirement of a construction management plan to limit construction vehicles parking on nearby roads.

With regards to parking provision this is passed down to District level but the Highways Officer has commented that the development is *'in a very accessible location with regards to easy access to other modes of transport so a relaxation of the parking standards can be allowed'*. The proposal provides for 18 parking spaces for 14 flats which equates to 1 space per a dwelling, plus 4 visitor spaces. The Essex Parking Standards suggests parking provision should provide 1 space per a 1 bedroom dwelling and 2 spaces per a 2 bedroom (and above) dwelling together with 25% visitors parking, generating a total requirement of 34 parking spaces. However, this is caveated by the possibility that a reduction in standards can be applied *if there is development within an urban area (including town centre locations) that has good links to sustainable transport* (pg. 64).

It is appreciated from Officer site visits to the development site and from the neighbour objections received that parking along Smarts Lane and Forest Road can be difficult. However, as stated above this site is within the built up area of Loughton within walking distance of a good level of services, shops, facilities and public transport including the Central Line. It is therefore considered unreasonable to expect any further parking than that proposed given the very sustainable location.

The existing on-street parking offers limited scope to accommodate any additional on-street parking as it is restricted by private accesses and existing parking restrictions (i.e. double yellow lines at junction). Therefore it would be the case for future occupiers of 'buyer beware' as any further parking outside of the development site if required would be challenging – but this is not considered sufficient justification to refuse this development as sufficient parking is provided given the location of the development.

With the regards to the 'loss' of on-street parking, raised by neighbours, on Forest Road due to the proposed front 7 parking spaces, this area was the existing front forecourt of The Royal Oak when it traded as a Public House and this area was used for parking. As the site has been hoarded up, on-street parking currently continues across the full frontage, however, if the hoarding were removed only a small section of raised kerb would remain (offering on street parking for perhaps two cars) and therefore the resultant loss in on-street parking is considered minimal given the extent of the road frontage of the building.

It is also considered that the prevention of the development until such time as 'resident's parking' scheme is implemented would be unreasonable, particularly in the absence of a timetable of implementation. In addition resident's parking schemes are outside of any planning control and therefore not relevant to planning or to the development itself which provides sufficient parking.

In relation to a suggested condition prohibiting issue of residents parking permits to occupants of the development in the event of a residents parking scheme being introduced in the locality, that is considered to be both unreasonable and unenforceable. That is because no scheme is proposed, if one were it's operation would be outside of planning control and any enforcement action taken by the District Council would have to be against the District Council.

It is noted that the developer will have to relocate 2 lamp columns and a utility pole to provide the vehicular accesses as shown on the submitted plans. All costs associated with the aforementioned will be borne by the developer.

The proposal therefore complies with the Essex Parking standards and the proposal is not considered contrary to policies ST4 and ST6 of the Local Plan.

Public Right of Way

A Public Right of Way (PROW) runs through the site from Smarts Lane to Forest Road. The Essex County Council PROW Team has raised no objection to the proposal and are aware that the PROW will follow the vehicular access from Smarts Lane. It is noted that this is no different to the use of the PROW when the Public House was still trading as it was through the car park to this Public House.

Trees and Landscaping

The Tree and Landscape Officer has no objection to the proposal subject to conditions requesting tree protection and hard and soft landscaping. A protected Field Maple is to be removed as part of the development proposals, however the Tree and Landscape Officer has no objection on the basis that satisfactory replacement landscaping is to be implemented.

Other issues

- Refuse Collection

Concern has been raised by neighbours regarding the collection of refuse from the development a bin store that has been proposed within the extension to the main Public House building which will

open onto the walk through undercroft. The Council's Waste Management Team has no objection to the proposed arrangements for the storage and collection of waste.

- Discrepancies in plans

The plans were initially submitted incorrectly labelled for a site in Great Dunmow this was corrected by the Architects as soon as they were informed.

Concern has been raised by neighbours with regards to balconies shown on the floor plans of the Smarts Lane elevation block that are not shown on the elevation plans. These are not external balconies but full height voids to the floor below and the plans do accurately portray this.

An additional concern is the discrepancy between the proposed bedroom numbers in the design and access statement and those shown on the plans (the plans show more bedrooms or areas that could be used as bedrooms). It is the plans that are approved should planning permission be granted and it is clear from the plans the number of rooms proposed. The proposed mix as understood by Officer's is stated earlier in this report under the heading Description of Proposal. Officer's assessment the number of parking spaces required is on that basis.

Conclusion:

The proposal is considered acceptable retaining (albeit with extensions) the locally listed building, with a satisfactory design, resulting in limited impact on amenity and the development is in a very sustainable location. Although concerns have been raised regarding the existing parking situation, it is considered that the proposal provides sufficient parking for this town centre location and other factors outside of planning control (such as a residents parking scheme) may help to alleviate the existing parking problems. It is a site put forward in the Draft Local Plan currently out to consultation and the evidence basis supports the principal of the development and given that the proposal will make a meaningful contribution towards new homes in the District, in a desirable location outside of the Green Belt, approval with conditions 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: Marie-Claire Tovey
Direct Line Telephone Number: 01992 564414***

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



Epping Forest District Council

Agenda Item Number 2



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Application Number:	EPF/1904/16
Site Name:	Land to the rear of Hatfield House, E15 Acting School, Rectory Lane, Loughton
Scale of Plot:	1/2500

Report Item No: 2

APPLICATION No:	EPF/1904/16
SITE ADDRESS:	Land to the rear of Hatfield House E15 Acting School Rectory Lane Loughton Essex
PARISH:	Loughton
WARD:	Loughton St Marys
APPLICANT:	Mr Mark Freeman
DESCRIPTION OF PROPOSAL:	Phased development to provide higher education facilities (Use Class D1) and permission for the permanent retention and external upgrade of the two existing studio buildings, together with associated landscaping and highways works.
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/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=585934

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: 31464-IW-SA-00-DR-A-100 SITE LOCATION PLAN, 31464-IW-SA-00-DR-A-101 EXISTING SITE PLAN, 31464-IW-SA-00-DR-A-102 EXISTING SITE SECTIONS, 31464-IW-SA-00-DR-A-0001 PROPOSED GROUND FLOOR, 31464-IW-SA-01-DR-A-0001 PROPOSED FIRST FLOOR, 31464-IW-SA-XX-DR-A-0001 PROPOSED SITE ELEVATIONS, 31464-IW-SA-XX-DR-A-0002 EXISTING AND PROPOSED ELEVATIONS - EXISTING STUDIOS, 31464-IW-SA-XX-DR-A-0003 PROPOSED ELEVATIONS - TECHNICAL BLOCK AND LARGE STUDIO BLOCK, 31464-IW-SA-XX-DR-A-0004 PROPOSED ELEVATIONS - MAIN STUDIO BUILDING, 31464-IW-SA-00-DR-A-1010 PROPOSED SITE PLAN, 31464-IW-SA-XX-DR-A-1011 PROPOSED SITE SECTIONS and 31464-IW-SA-XX-DR-A-1012 PROPOSED LANSCAPING PLAN
- 3 Materials to be used for the external finishes of the proposed development shall match those as outlined within pages 32, 33 and 36 of the Design and Access Statement which corresponds with plan no's: 31464-IW-SA-XX-DR-A-0002 EXISTING AND PROPOSED ELEVATIONS - EXISTING STUDIOS, 31464-IW-SA-XX-DR-A-0003 PROPOSED ELEVATIONS - TECHNICAL BLOCK AND LARGE

STUDIO BLOCK and 31464-IW-SA-XX-DR-A-0004 PROPOSED ELEVATIONS - MAIN STUDIO BUILDING, unless otherwise agreed in writing by the Local Planning Authority.

- 4 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]

- 5 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]

- 6 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.

- 7 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.

- 8 The recommendations as shown in Innovation Group environmental services Phase 1 habitat survey dated May 2016 shall be followed unless otherwise agreed in writing with the Local Planning Authority.
- 9 No conversion/demolition or preliminary groundwork's of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority'.
- 10 No works shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme should include but not be limited to:
 - Provision of infiltration tests results in line with BRE365. If infiltration is found unviable, the runoff discharged from the development should be limited to not more than 5l/s.
 - Provide attenuation storage for all storm events up to and including the 1 in 100 year storm event including 40% climate change uplift.
 - Provide detailed modelling of the different SuDS features i.e. source control features dimensions and storage volumes (including design drawings).
 - Provide demonstration of enough treatment from all parts of the development in accordance with the CIRIA SuDS Manual C753.
 - Provide details of the final outfall from the development/pond. If the final outfall is to the surface water sewers, provide written permission from the relevant Water Authority to discharge into their surface water network.
 - Provide a drainage layout showing the exceedance flow routes.
- 11 No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented. The scheme shall be implemented as approved.
- 12 No works shall take place until a Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority.
- 13 The applicant or any successor in title shall maintain yearly logs of maintenance which shall be carried out in accordance with any approved Maintenance Plan. These shall be available for inspection upon a request by the Local Planning Authority.

- 14 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.
- 15 No development shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 16 No development shall take place, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 17 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.
- 18 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 an application for major commercial and other developments, (e.g. developments of significant scale and/or wide concern) and is recommended for approval (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)

Description of Site:

The application forms part of the University of Essex drama and acting campus which includes the listed Hatfield House and also the listed Corbett Theatre. The application site is located directly to the rear of Hatfield House and is an open area of unmaintained land with two 'temporary' buildings used as studios to the south east of the application site. The land rises up and is higher than Hatfield House. To the north of the site are further university buildings, to the North West are relatively new residential dwellings that are part of the old Epping Forest College land estate. To the south west is a similarly unmaintained area of land which is understood to be within the ownership of Epping Forest College. The site is designated as urban open space. The site is not within the Metropolitan Green Belt or a Conservation Area.

Description of Proposal:

The application seeks consent for the retention and upgrade of the existing 'temporary' studio buildings along with the erection of 3 two storey connected blocks providing additional teaching accommodation and studio/storage space for the University. The buildings will be contemporary in appearance and have flat roofs to a maximum height of 10m for a feature section. The proposals will be located around a central courtyard area which is accessed through an existing gap in a historic wall to the rear of Hatfield House. The proposals result in an increase in floor area of 3,551.4m. The proposal is due to the need to consolidate existing off site buildings (for example those in Oakwood Hill) to one campus site.

Relevant History:

EPF/0499/16 - Demolition of existing modern extensions, and erection of a part single-storey, part two-storey extension, with associated hard and soft landscaping – App/Con
EPF/0505/16 - Grade II listed building application for works in connection with the demolition of existing modern extensions, and erection of a part single-storey, part two-storey extension, with associated hard and soft landscaping – App/Con

Policies Applied:

Epping Forest District Local Plan and Alterations

CP1 – Achieving Sustainable Development Objectives
CP2 – Protecting the Quality of the Rural and Built Environment
CP3 – New Development
CP7 - Urban Form and Quality
ST1 – Location of development
CF5 – Educational buildings outside of the Green Belt
DBE1 – Design
DBE2 - Impact on amenity
DBE3 – Design in Urban Areas
HC12 – Setting of listed buildings
LL5 – Protection of urban open space
LL6 – Partial development of urban open space
LL11 – Landscaping scheme

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

Summary of Representations:

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

45 Neighbours were consulted and a Site Notice posted: No responses received

Issues and Considerations:

The main issues with this proposal relate to the principle of the development, design and the setting of the Listed Building, impact on amenity and tree and landscape issues.

Principle of Development

The proposal is an extension to an existing educational facility. Policy CF5 promotes replacement buildings or extensions to educational buildings provided the proposal would not result in an excessive adverse effect on townscape due to loss of open space and that it does not involve the loss of playing fields. In this case only the first part of the policy applies, as no playing fields are to be lost. The proposals are located within a relatively well screened location with only residents to the north being able to view the site and the current unmaintained land certainly is not of any townscape merit.

The whole of the university site is classed as urban open space, as are the sites to the south and west forming quite a large continuous area of urban open space. Historically the site to the north west formed part of a school with playing fields but this has been developed in recent years with housing. Policies LL5 and LL6 do allow for partial development of urban open space provided there would not be any excessive adverse effect on the spaces or to the surrounding amenity. As stated above, the site has few public view points, no public access and is of little value as open space and therefore in terms of this policy the proposal is considered acceptable.

Although designated as urban open space the site is previously developed and therefore suitable for redevelopment. Additionally the site is well located close to Debden Station and to surrounding bus networks and the site is considered sustainable. Although there is no highways work proposed Essex County Council Highways were consulted on the scheme as it is a major application – they returned no objection and noted that:

The proposal is not going to intensify the vehicular use of the site and there is sufficient staff parking existing. It is noted that students are not allowed to park on site and the applicant is increasing the cycle parking accordingly. Further to this the site is extremely well located with regards to access to public transport. Consequently the proposal will not be detrimental to highway safety, efficiency or capacity at this location or on the wider highway network.

Design and setting of the Listed Building

The site is situated to the rear of Hatfield House, a grade II listed building dating from the late 18th with 19th century alterations. The building is yellow stock brick under a plain clay tile roof and benefits from a green and well-treed outlook to the front. The site to the rear is a mostly derelict

and unkempt piece of land behind a high red brick historic wall, with this area of land contributing little to the setting of the building, particularly as the brick wall offers a degree of visual separation between the building and the site.

The principle of redeveloping the vacant site to expand and improve the current campus raises no objections. The proposed buildings are large in scale and modern in design; however, they are considered to be well designed buildings with an appropriate landscaping scheme which will improve the appearance of the site. As an established acting school, the proposed buildings contribute to the present day character and appearance of the wider site and therefore do not appear as incongruous additions within the setting of Hatfield House.

The proposed contemporary design reflects the uses of the buildings and does not compete with the listed building, preserving it as the only traditional building on this part of the site and providing a clear visual distinction between the two building elements. The materials proposed balance both modern materials needed to achieve a finish appropriate to the contemporary design of the buildings, along with more traditional brickwork panels to integrate the proposed buildings into the site and into the setting of Hatfield House.

The buildings are centred around a courtyard, which is located adjacent to the existing opening in the historic wall and although the new development will be distinct from the historic wall and Hatfield House, this arrangement creates an effective link between the old and new parts of the site.

The upgrading and retention of the temporary buildings is also an acceptable part of the scheme as they make little contribution to the overall appearance of the site. Although they are located outside of the main courtyard area they have been incorporated into the overall scheme with an upgrading of the external materials which includes the replacement of fascias and the staining or cladding of external walls. This has removed the more temporary nature 'portakabin' appearance of these two buildings which forms a more acceptable development and one that can be considered to have a degree of permanence.

Amenity

The nearest residential properties are the relatively new build properties on Leaden Close. These properties are slightly to the west of the site and do not directly front onto the proposed development. However, the development will be very clearly visible and the nearest property will be within 20m of the proposed development. Although visible the proposal is not considered to result in any excessive harm to amenity given the offset location and the ample separation distance. No other amenity concerns are raised given the distances to next nearest properties.

Trees and Landscaping

The existing site is woefully lacking in any landscaping, other than some existing trees outside of the site boundaries. The proposal will introduce a significant amount of landscaping to the site boundaries and within the site itself, greatly improving the visual amenity of the site. The Tree and Landscape Officer has no objection to the scheme subject to conditions relating to tree protection and hard and soft landscaping.

Conclusion:

The proposal is a large scheme for consolidation of this existing educational facility within Loughton. It is considered a well designed development, with minimal impact on adjacent amenity or the adjacent listed building. Although it results in the loss of an area of designated urban open

space this was very poor quality and of little public value. On this basis the application is recommended for approval.

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

***Planning Application Case Officer: Marie-Claire Tovey
Direct Line Telephone Number: 01992 564414***

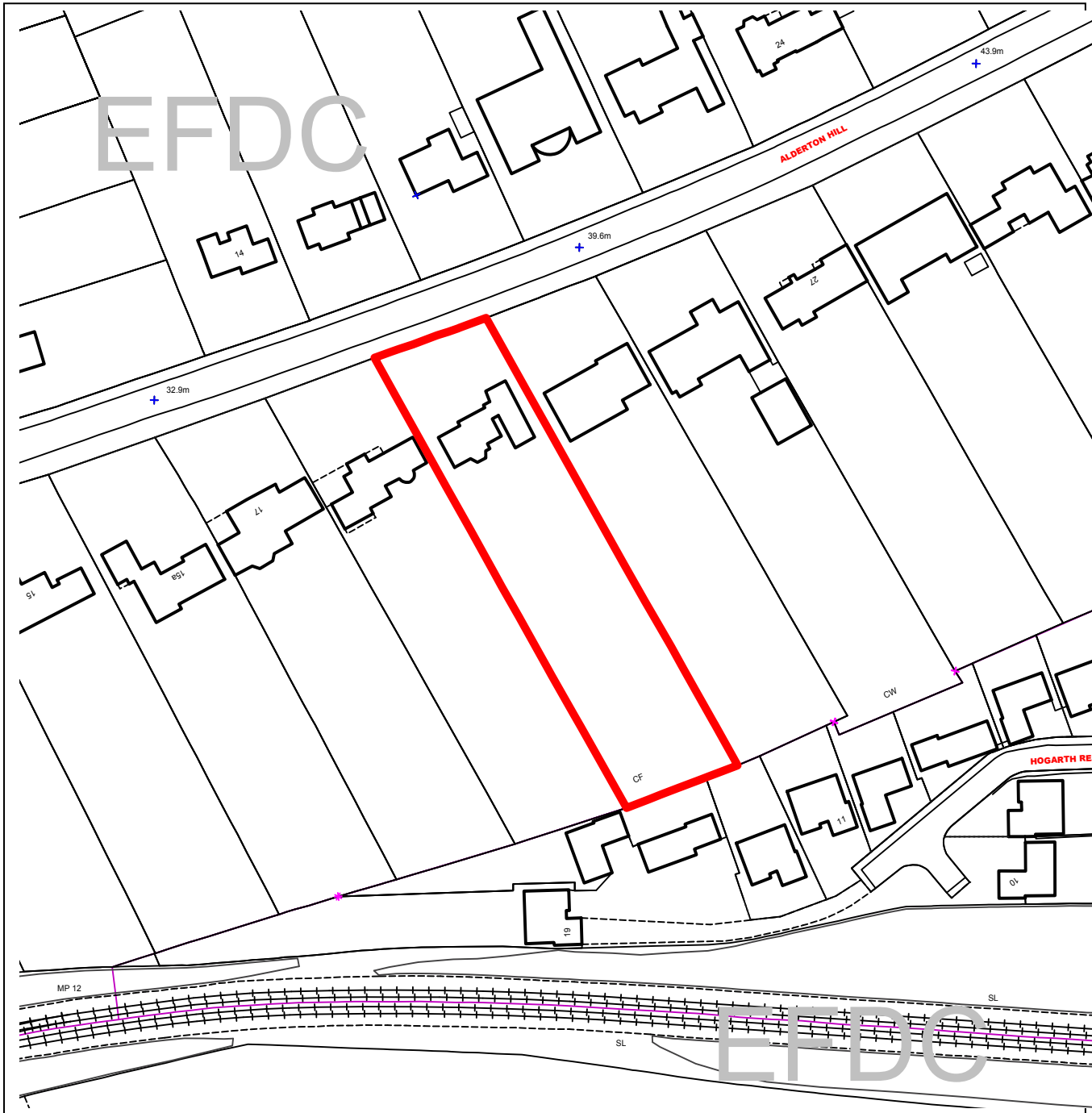
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Agenda Item Number 3



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Application Number:	EPF/1665/16
Site Name:	21 Alderton Hill, Loughton, IG10 3JD
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/1665/16
SITE ADDRESS:	21 Alderton Hill Loughton Essex IG10 3JD
PARISH:	Loughton
WARD:	Loughton Alderton Loughton St Marys
APPLICANT:	Mr R Spencer
DESCRIPTION OF PROPOSAL:	Demolition of existing property and erection of a replacement 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/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=585386

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:
Site location plan
1915:01
1915:02
1915:11 revision E
1915:13 revision B
1915:21
1915:22
1915:23

- 3 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.

- 4 No development shall take place, 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.

- 5 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.

- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Class A of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.

- 7 Prior to first occupation of the development hereby approved, the proposed window opening in the western flank elevation shall be entirely fitted with obscured glass and have a fixed frame 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.

- 8 No development shall take place until details of surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.

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

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)

Description of Site:

Plot of a now demolished detached house on the southern side of Alderton Hill. The junction with Brook Road is nearby to the west. The property has an "in and out" driveway arrangement and has railings and two sets of double gates along the front boundary. A mature tree, the subject of a TPO, is set just behind the railings next to one of the pairs of gates.

This part of Alderton Hill is at the foot of the hill, not far from Loughton Brook to the west. Nevertheless there is a noticeable slope to the surroundings to the site with ground levels falling to the west, to the right hand side when viewing the front of the site, and rising to the east, to the left hand side when viewing the front of the site. The rear garden of the application property falls to the rear, to the south.

Description of Proposal:

Demolition of existing property and erection of a replacement dwelling.

The replacement house would be 20.8m wide across the front elevation leaving a space of 1.2m from the side boundary with no. 23 and a space of 2.2m from the side boundary with no. 19. The front elevation of the replacement house would have a centrally placed two-storey front bay 5m wide by 1.6m deep. The two-storey bay would have a front gable with a height to the ridge of 8.2m. A segment shaped balcony would be set across the width of the front bay. This balcony would be 1.8m deep at its centre and act as an open fronted and open sided porch at ground floor level. Ornamental pillars would be set on the front corners of the front bay at ground floor level, beneath the edges of the balcony. A Venetian style window would be set on the front bay at first floor level, behind the balustrade of the front balcony. The replacement house would have a crown roof with a maximum height of 9.3m and the front elevation would be some 5m to the eaves. Two gable roofed dormers would be set on the front roof slope, one to either side of the front gable of the centrally placed front bay. The front elevation would have a symmetrical design save for the vehicular door of an integral double garage to the right hand side of the house when viewed from the road.

External materials would essentially be of facing brickwork to the walls and a slate roof. Stone quoins, lintels and cills would be used and windows would have white uPVC frames with the elevational drawings suggesting that the windows would be of a vertical sash type. It is understood that the relatively recent house at 25 Alderton Hill has informed the applicant's choice of materials.

The front wall of the front bay would be set back some 14m from the carriageway edge of Alderton Hill.

The two-storey form of the house, beneath the crown roof, would have a footprint 20.8m wide by 16.2m deep (excluding the front bay). A single storey rear projection 3.3m deep would be set across the full width of the house. A rear balcony would occupy a width of 13m on the some 21m wide flat roof of the rear projection. The rear balcony would be set centrally. One side of the balcony would be some 5m from the boundary with no. 23, the other side of the balcony would be some 5m from the side boundary with no. 19.

Four flat roofed dormers, each 1.6m wide by 1.6m tall, would be set across the rear roof slope.

A single storey rear projection, 9m wide and 19.8m deep from the main body of the house, would create an “L” shaped footprint to the house as a whole. This element of the house would accommodate a swimming pool, 5m wide by 10m long, and a gym. A shower, changing room, sauna and steam room would be set off the pool room. This part of the replacement house would be set to the right hand side of the rear of the house when viewed from the rear garden and would be set 0.4m from the eastern boundary, the boundary with 23 Alderton Hill. The flat roof of the swimming pool rear projection would have a maximum height of 3.3m.

The replacement house would have six bedrooms, all with en-suite dressing rooms and bathroom or shower-room.

Relevant History:

EPF/2682/15 - Demolition of existing property and erection of a replacement dwelling. – Allowed at appeal 02/03/2016

EPF/0697/16 - Demolition of existing property and erection of a replacement dwelling. – Allowed at appeal 24/08/2016

Policies Applied:

CP1	Achieving Sustainable Development Objectives
CP2	Protecting the Quality of Rural and Built Environment
CP4	Energy Conservation
CP5	Sustainable Building
H3A	Housing Density
DBE1	Design of New Buildings
DBE2	Affect on Neighbouring Properties
DBE3	Design in Urban Areas
DBE6	Car parking in new development
DBE8	Private Amenity Space
DBE9	Loss of Amenity
LL7	Planting, Protection and Care of Trees
LL10	Adequacy of Provision for Landscape Retention
LL11	Landscaping Schemes
ST6	Vehicle Parking

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

SPG Essex Design Guide

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 12

Site notice posted: No, not required

Responses received:

19 ALDERTON HILL – object – limited space to sides of proposed house would appear more of a terracing effect, very little different from a previous proposal that was refused, the size of the proposed property is excessive, overall depth would be excessive presenting a long and unsightly

appearance from my property, balcony would be an incongruous feature and result in overlooking, width and depth much greater than adjoining dwellings, re-planting should be undertaken, adverse affect on adjoining properties, bulk of building when viewed from Alderton Hill would be too great.

16 ALDERTON HILL – object - over development, existing on going building has caused disturbance, would give the impression of terracing along this road, may effect the amount of light to our property, concerned about the amount of vegetation and mature trees that have been removed from the site and worry that sufficient landscaping plans have not been given thought to.

LOUGHTON TOWN COUNCIL: The Committee OBJECTED to the application which was considered an overdevelopment of the site, and overbearing in size and proportion on the neighbouring properties. Members were also concerned by the removal of the greenery from the site boundaries.

Main Issues and Considerations:

The main issue is whether the design differs materially from designs that were given planning permission at appeal. Both designs that were the subject of appeals were considered by the Local Planning Authority to be unacceptable due to an adverse impact to the occupiers of no. 19.

The Inspector commented that in the case of both appeal schemes the proposed development would result in a building being closer to the shared boundary between No 21 and No 19 Alderton Hill. Both previous schemes involved new built form 1.2m from the boundary with no. 19. In both schemes the sides of a rear balcony would have been 5.4m from each side boundary. The only difference between EPF/2682/15 and EPF/0697/16 is that in the later application a rear corner, adjacent to no. 19, was subtracted by a sufficient amount such that a line drawn at 45 degrees from a rear window of no. 19 did not cut across the proposed built form.

The scheme the subject of this report involves new built form 2.2m from the boundary with no. 19. In all other respects the design is the same as that for planning permission EPF/0697/16.

The Inspector considered that neither of the developments the subject of the appeals would have a detrimental effect on the living conditions of the occupiers of No 19 Alderton Hill. Consequently, no conflict with Policy DBE9 of the Local Plan was found.

Conclusion:

In the light of an Inspector's decision to grant planning permission for an almost identical design, approval of the application is appropriate.

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

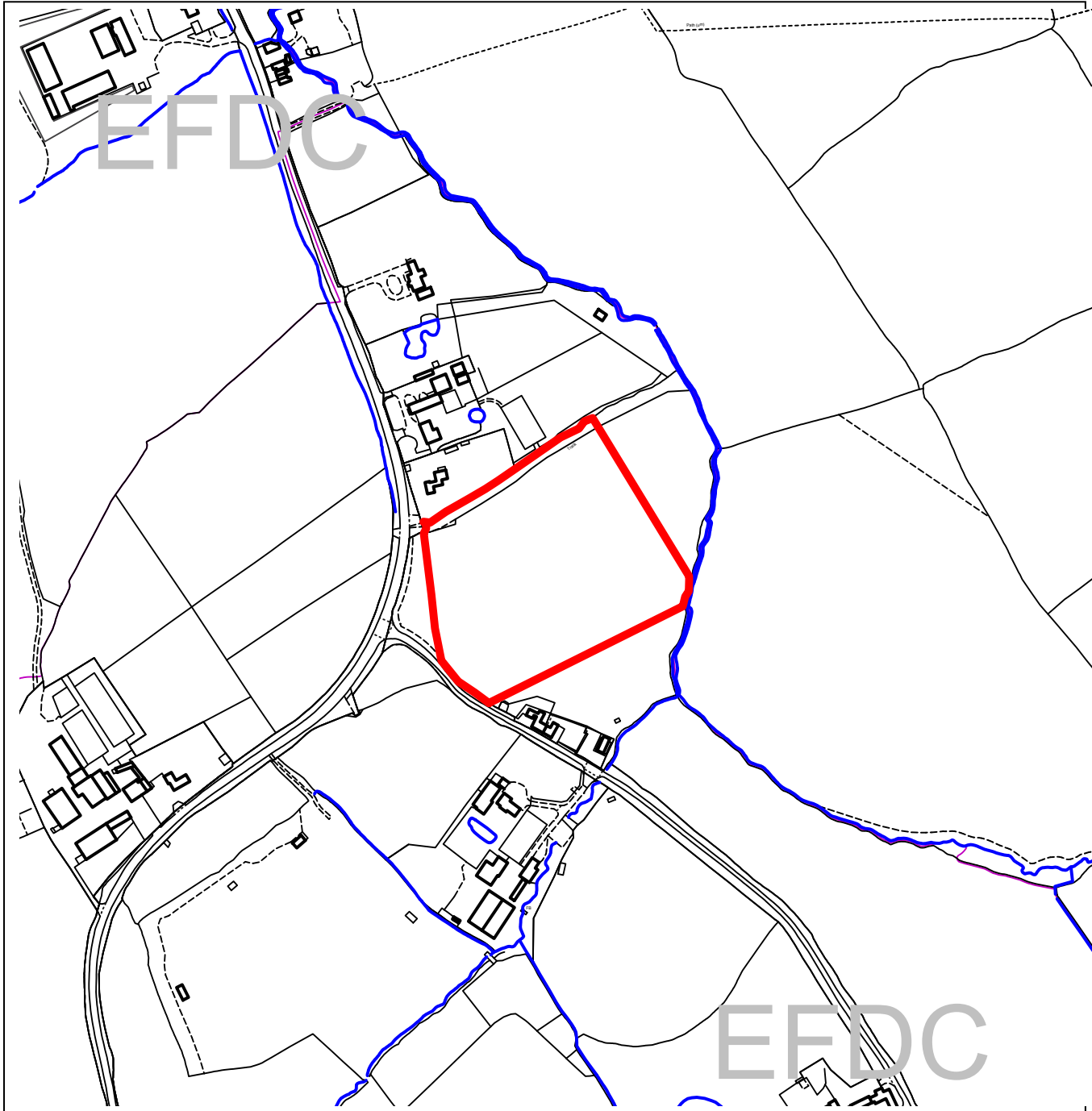
***Planning Application Case Officer: Jonathan Doe
Direct Line Telephone Number: 01992 564103***

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Agenda Item Number 4



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Application Number:	EPF/2256/16
Site Name:	Willow Park Farm, Millers Lane, Chigwell, IG7 6DG
Scale of Plot:	1/5000

Report Item No: 4

APPLICATION No:	EPF/2256/16
SITE ADDRESS:	Willow Park Farm Millers Lane Chigwell Essex IG7 6DG
PARISH:	Chigwell
WARD:	Chigwell Row
APPLICANT:	Mr Tariq Hussain
DESCRIPTION OF PROPOSAL:	New single-family dwelling house
RECOMMENDED DECISION:	Refuse Permission

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=586813

REASON FOR REFUSAL

- 1 The proposal amounts to conspicuous and inappropriate development in the Green Belt that would have an excessive adverse impact upon the openness of the Green Belt for which appropriate special circumstances do not exist. The development is therefore contrary to policies CP2, GB2A and GB7A of the adopted Local Plan, and to the NPPF and National Planning Guidance.
- 2 The proposed development would have a detrimental impact on the character and appearance of the countryside in an area of local landscape significance for which no special demonstration of need has been put forward. The proposed development is therefore contrary to policies LL1 and LL2 of the adopted Local Plan and Alterations and the NPPF
- 3 Notwithstanding the first two reasons for refusal, the proposed building and associated development by reasons of its siting, bulk, mass and form would be a prominent and intrusive development out of character with the pattern of form of development in the area and detrimental the general amenity and the character of the area, contrary to policies DBE1 and DBE4 of the adopted Local Plan and Alterations and the NPPF.
- 4 Notwithstanding the first three reasons for refusal, the application is inadequate and deficient in detail in respect of the extent of the residential curtilage of the dwelling such that the Local Planning Authority is unable to fully satisfy itself that the proposed curtilage and associated managed landscape would not further impact on the open character of the landscape, contrary to policy GB4 of the adopted Local Plan and the NPPF

This application is before this Committee since it has been 'called in' by Councillor Knapman (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)

Description of Site:

The application relates to an open field located on the north-east corner of the junction of Gravel Lane and Millers Lane. Access to the site is currently from a gated entrance at the northern end of the frontage to Gravel Lane and a single width track extends across the whole of the northern edge of the land, which contains no buildings.

The site address in the application is given as Willow Park Farm, the main buildings of which lie on the south east corner of the Gravel Lane / Millers Lane junction. There are no obvious visible connections between the two sites.

The site and surroundings lie wholly within the Green Belt. Three dwellings lie along the road frontage to the north and three immediately to the south fronting Millers Lane, otherwise the surroundings comprise open fields.

Description of Proposal:

The application proposes a detached dwelling house located centrally to the western half of the site. The building, in a mock Georgian style occupies three floors, the upper level in a mansard style roof. A driveway from the existing vehicle access is proposed to a frontage that includes 6 parking spaces: the Design & Access Statement is contradictory on this issue as it refers to a garage in the floor space figures but elsewhere refers to parking. It is noted that the building matches design of previously approved dwellings on the main Willow Park Farm site to the south.

The application has been revised to resolve inconsistencies in the original submission. The dwelling proposed would be intended to replace a dwelling approved under EPF/2862/15 which relates to the replacement of the existing dwelling on the land to the south, but with a 10%reduction in footprint on the previously agreed scheme. The applicant has indicated that they would enter a legal agreement to that effect.

Relevant History:

There are no previous applications identified specifically for the application site. Two dwellings on the land to the south have been permitted – EPF/2862/15 was a renewal of a 2012 permission to replace the existing dwelling and EPF/2864/14 replaces outbuildings to the rear (as previously developed land)

Policies Applied:

CP2	Quality of Rural and Built Environment
GB2A	Development in the Green Belt
GB7A	Conspicuous Development
GB15A	Replacement dwellings
RP4	Contaminated land
RP5A	Adverse environmental impacts
DBE1	Design of new buildings
DBE2	Effect on neighbouring buildings
DBE4	Design in the Green Belt
DBE9	Loss of Amenity
LL1	Rural landscape
LL2	Inappropriate rural development

LL11 Landscaping schemes
ST6 Vehicle parking

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

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: Four
Site notice posted: 15 September 16

Responses received:

One objection received from neighbour at THRIFT HOUSE to the north stating that the development would be inappropriate to the area, would cause overlooking and loss of privacy, and that the building would be overbearing and out of scale and character with the area.

CHIGWELL PARISH COUNCIL: Objection

“The proposed development would be thoroughly inappropriate in the Green Belt and there are no special circumstances”

It should be noted that the Parish Council were not aware when they considered the application of the proposal to surrender the earlier permission for the adjoining site and this was a primary reason for the calling in of the application.

Main Issues and Considerations:

The application falls to be determined on the Green Belt issues. This site lies wholly in the Green Belt and is agricultural land that has not previously been developed in any form. The construction of any building on the site would evidently have an impact on openness and would be conspicuous, notwithstanding the approval of the same design of building on the other site, in this location proposed the building would be bulky and visually intrusive. Thus, the proposal is contrary to Green Belt policy

The applicant has offered to surrender the existing planning permission for the rebuilding of the existing dwelling on the land to the south. The building is designed in the same style as that approved with the 10% reduction in footprint referred to above. The applicant has argued that this should be considered as very special circumstances.

Officers consider that there are significant differences between the character of the two sites. The previously approved building lies within the setting of existing buildings, notwithstanding the permission that exists to replace some of these with a second dwelling. The proposal relates to land that is evidently open in character and not previously developed. As such the significant harm to the openness and the character of the Green Belt would not satisfy any special circumstances test.

The site has also been identified as being a positive representation of the local landscape character, while the application suggests the building can be screened, it appears too large for this to be realistic and in any event the change to the identified character would have a significant impact on its landscape function. The application also fails to identify a residential curtilage, implying the whole of the site could be turned to curtilage garden with further impact on landscape character.

Representations from the neighbouring owner relating to direct impact on living conditions of Thrift House would be difficult to support, particularly as the proposed building is some 45 metres from the boundary.

Conclusion:

The Green Belt issues in this case appear to be clear and the proposal would represent inappropriate development adversely affecting the Green Belt and the local landscape.

Officers have considered the proposal to provide this as a replacement for the previously approved dwelling on the adjoining land but for the reasons set out regard this as falling substantially and fundamentally short of constituting recognised special circumstances to justify such a harmful development.

Accordingly, the application should be refused.

Way forward

For the avoidance of any doubt, the development is unacceptable in principle and Officers consider there is no way forward.

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

***Planning Application Case Officer: Ian Ansell
Direct Line Telephone Number: 01992 564481***

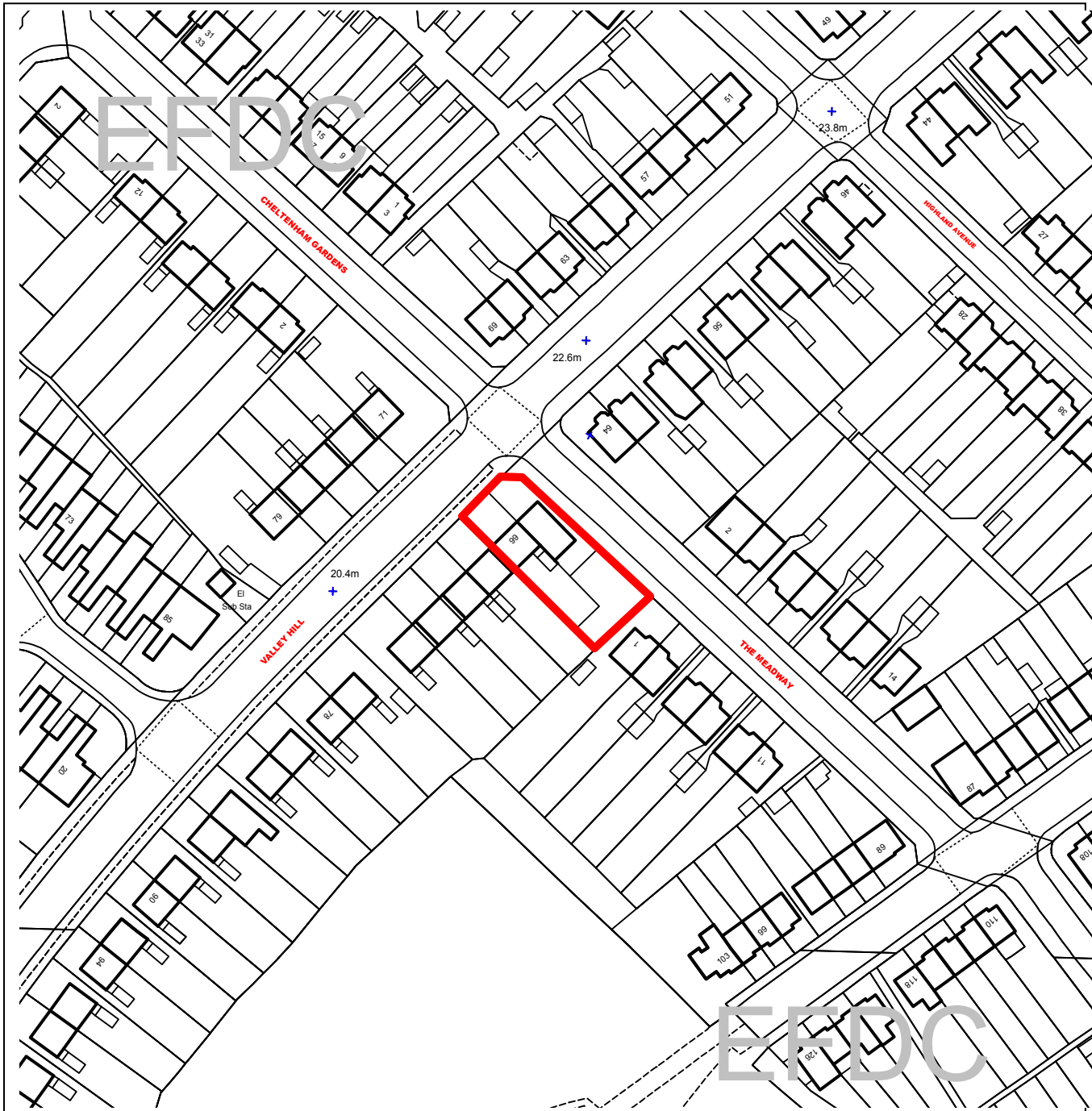
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Agenda Item Number 5



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Application Number:	EPF/2445/16
Site Name:	Flat C, 66 Valley Hill, Loughton, IG10 3AT
Scale of Plot:	1/1250

Report Item No: 5

APPLICATION No:	EPF/2445/16
SITE ADDRESS:	Flat C 66 Valley Hill Loughton Essex IG10 3AT
PARISH:	Loughton
WARD:	Loughton Roding
APPLICANT:	Mr Robin Minchin
DESCRIPTION OF PROPOSAL:	Provision of studio flat in roof space, formation of car park to rear and landscaping of front garden area.
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/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=587734

CONDITIONS

- 1 Within one month of the date of this permission, a scheme for the re-instatement of the former front garden, the area between the entrance door serving flats B and C and the footway with Valley Hill, shall be submitted in writing to the local planning authority. Such scheme is to include details of the planting of a tree, ground surface treatment and means of enclosure at the boundary with the highway. Within two months of the date of written approval of such scheme the scheme is to be implemented and retained as such.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos:
Site location plan
Block plan
R.4.A. Revision B
- 3 Within one month of the date of this permission, a scheme for parking and landscaping to the area to the rear of the flats, to the western side of The Meadway, shall be submitted in writing to the local planning authority. Within two months of the date of written approval of such scheme the scheme is to be implemented and retained as such.
- 4 Within two months of the date of this planning permission, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include five one day travel vouchers for use with the relevant local public transport operator. The Residential Travel Information Pack for sustainable transport, including vouchers,

shall be delivered to all three flats within the building hereby granted planning permission for a third flat within four months of the date of this planning permission.

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)

Description of Site:

The application site comprises a two-storey building, made up of an original end of terrace house with attached flats designed to appear as a single end of terrace house. The flats are a one-bedroom flat on the ground floor, a one-bedroom flat on the first floor and a studio flat in the roof space. The site is at a corner of Valley Hill with The Meadway.

The site has no listed building and is not in a conservation area.

Description of Proposal:

Provision of studio flat in roof space, formation of car park to rear and landscaping of front garden area.

The studio flat has been created within the roof space of the flatted part of the building. It is accessed via an entrance door in the front elevation that also provides access to the first floor flat. The studio flat is essentially of an open plan arrangement with a food preparation and dining area within a rear gable and a sleeping and sitting area taking up the remainder of the floor space. The kitchen type area is illuminated by two roof lights on a north-eastern side roof slope and the remainder of the floor space is illuminated by a window in a side facing gable.

The flat is in addition to the two flats approved under planning permission EPF/2384/10. The development includes external changes to the building comprising the provision of a gable end to the rear bay, two roof lights, a window in the side gable and an entrance door in the side elevation to serve the previously approved ground floor flat. The entrance door to the upper flat has been built in a recessed position thereby losing a sloping roof above the entrance door. The gable ended front bay has been built wider than previously approved plans and the ridge back from the apex of the gable end has been built level with the main roof ridge.

The application also proposes the formation of a 5 space car park in the rear of the site to serve all three flats and the original house. The car park would be accessed via an existing vehicular access off The Meadway. A hedge on the boundary with The Meadway would be retained as part of landscaping proposals that would achieve the greening of the front garden area of the site and its enclosure by a 0.9m picket fence.

Relevant History:

EPF/2384/10 Proposed 2 no. one bedroom maisonettes. – Granted 10/01/2011

ENF/0283/15 Investigation of alleged formation of flat in loft. Found breach of planning control had taken place and developer requested to submit a planning application for the flat.

EPF/2597/15 Retrospective application for studio flat on second floor. – Refused 06/05/2016, appeal withdrawn 04/10/2016 (*parked cars dominating streetscene, inadequate landscaping, failure to represent high quality design*)

Policies Applied:

CP2	Quality of Rural and Built Environment
CP7	Urban Form and Quality
H4A	Dwelling Mix
DBE2	Effect on Neighbouring Properties
DBE6	Car Parking in New Development
DBE8	Private Amenity Space
DBE9	Loss of Amenity
DBE11	Sub-Division of Properties
LL11	Landscaping Schemes
ST6	Vehicle Parking

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

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 11
Site notice posted: No, not required

Responses received:

1 THE MEADWAY – object – garden area to flats remains an unsightly mess, parking has caused problems, inconsiderate parking on The Meadway could block emergency vehicles and has created a hazard to for parents and children walking to a primary school off The Meadway, there is not enough amenities for three flats, the three proposed parking spaces does not belong to this plot and a right of way would prevent implementation of the parking layout.

LOUGHTON TOWN COUNCIL: Objection

The Committee deplored this retrospective application. Members OBJECTED to this application, which was considered an overdevelopment of the site. With reference to EPF/2597/15, members remained concerned by the lack of parking provision and private amenity space, and questioned whether there was now sufficient provision on these issues for the three flats. Members also commented about the lack of windows in the built studio flat.

Noting the previous application EPF/2384/10 included a tree planting scheme, the Committee expressed doubt whether the magnolia tree, shown on the current plan, would be planted on the site.

ECC Highways – confirmed in writing no comment.

Main Issues and Considerations:

The main issue is whether the design adequately overcomes the reason for refusal to the previous application, ref EPF/2597/15.

The reason for refusal to the previous design (the design as built) was:

The studio flat has necessitated physical alterations from a previously approved design. The alterations, in combination, have created a building and layout of an insufficient standard to represent high quality design. The design for which planning permission is sought in this application causes parked cars to visually dominate the streetscene and fails to provide adequate landscaping. As such the design is contrary to Policies CP2 (iv), DBE6, DBE11 (i) and (iv) and LL11 of the Local Plan and Alterations and the provisions of the National Planning Policy Framework.

The alterations from the design granted planning permission, EPF/2384/10 are broadly described above. The site is set in a suburban environment characterised by interwar housing, though with varied built development around the wider setting, which has had various modifications. Given the nature of the site and its setting it is considered that a refusal based solely on modifications made from the design approved would not be supported at appeal.

The design has been significantly altered from that previously refused in that the front garden would not to be used as a parking area. Since the site visit for the refused application this part of the site has had a 0.9m height picket fence erected around it and a bed created that could be planted up. Records show that a magnolia tree previously existed in the position contained by the picket fence. Subject to a condition to require a replacement tree, as originally envisaged when planning permission was granted for the two flats, it is considered that this aspect of the currently proposed design would be acceptable.

The current design shows 5 car parking spaces for the occupiers of the house at no. 66 and the three flats. The parking area would be largely hidden behind a privet hedge and use an existing access to the highway. The plans approved for the house at no. 66 and the two flats showed 5 car parking spaces though in a somewhat contrived arrangement that would have necessitated another dropped kerb. The presently proposed arrangement is considered to have a more acceptable arrangement and better integrates the development within the street scene.

In relation to the number of parking spaces proposed, that accords with adopted parking standards. It is noted the site is in a reasonably sustainable location with the Local commercial centre of Roding Road/Valley Hill some 400m away. Valley Hill is on a bus route. It is considered that a refusal based on parking provision would not be sustainable.

The quality of accommodation proposed is referred to in consultation responses. The Town Council's comments refer to numbers of windows for the studio flat. A neighbour refers to amenity space provision. In relation to the Town Council's comments, there is opportunity to provide additional windows for the flat in the front and rear gables that may have an acceptable appearance. This will be explored with the Applicant's Agent prior to the meeting and addressed verbally.

In order to meet the Council's adopted parking standards there has been a significant reduction in private amenity space for the flats and slight reduction for the original house compared to the originally approved development. The usable space would be reduced from some 60m² for two flats to approximately 40m² for three, whereas adopted amenity space standards require the provision of 75m² for the flats. That shortfall is somewhat mitigated by easy access to good public open space within 300m of the application site. In these circumstances it would be difficult to defend a reason for refusal on the basis of insufficient amenity space provision.

On the above analysis it is concluded the quality of accommodation proposed is adequate with some scope for improvement, which will be explored.

Conclusion:

The principle reason for refusal to the previous application was the poor appearance of parking accessing directly onto Valley Hill. It has been overcome in the current application. Other matters including the overall provision of off street parking spaces and their manner of provision together with the quality of accommodation have been assessed as adequate. Subject to a condition to require landscaping, in the form of a magnolia tree to replace one previously at this position, the three flats have no adverse impact of a degree sufficient to justify refusal.

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

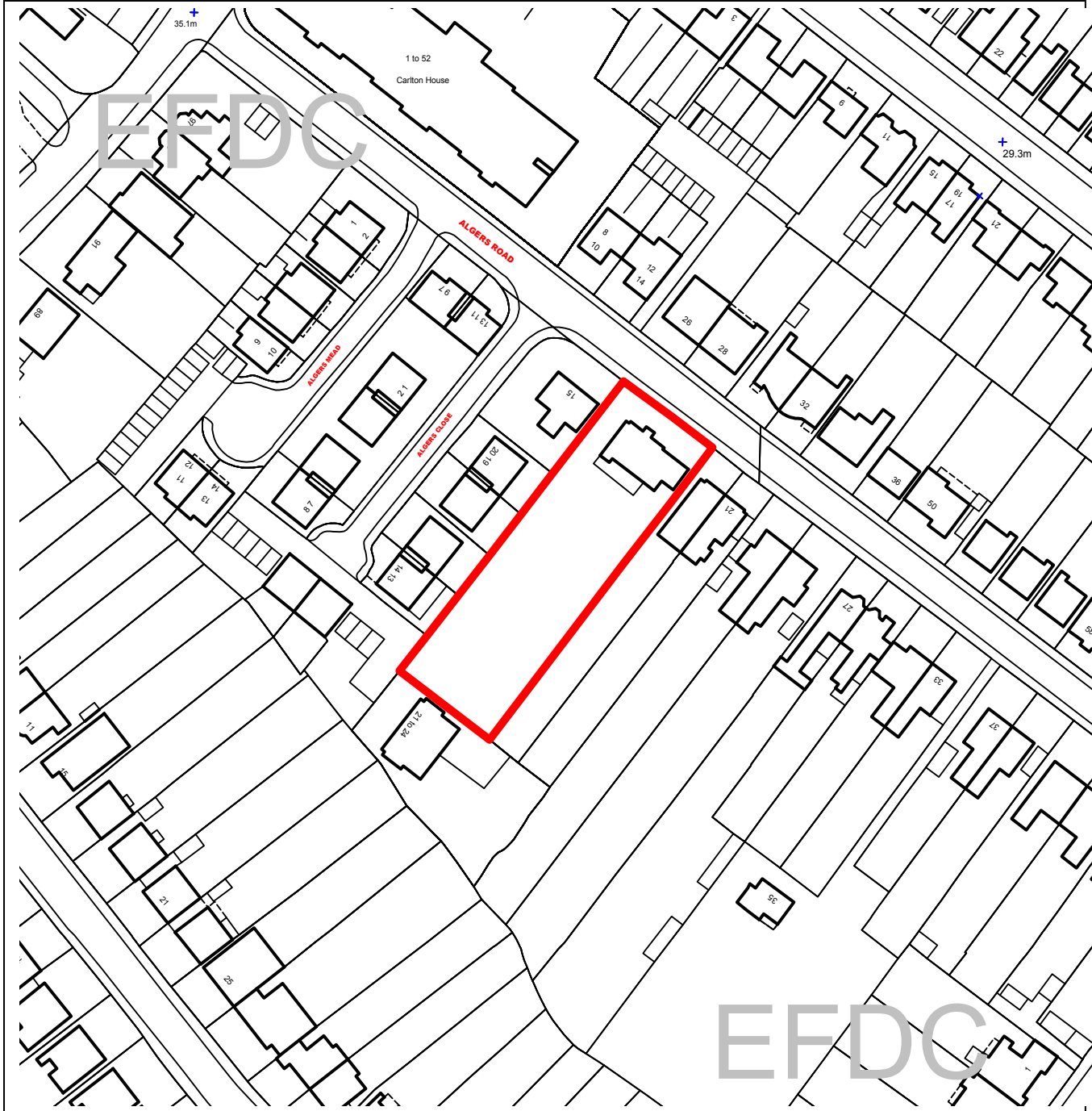
***Planning Application Case Officer: Jonathan Doe
Direct Line Telephone Number: 01992 464103***

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/1214/16
Site Name:	17 Algers Road, Loughton, IG10 4NG
Scale of Plot:	1/1250

Report Item No: 6

APPLICATION No:	EPF/1214/16
SITE ADDRESS:	17 Algiers Road Loughton Essex IG10 4NG
PARISH:	Loughton
WARD:	Loughton Forest
APPLICANT:	Ms Valerie Martin
DESCRIPTION OF PROPOSAL:	Siting of a mobile home in rear garden for use as a "granny annexe" - amended scheme deleting access from Algiers Close
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/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=584426

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 proposed development shall only be used as ancillary accommodation for the existing dwellinghouse and shall not be occupied as a unit separately from the dwelling known as 17 Algiers Road, Loughton.
- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Classes E and F of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of 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. In addition, the development is of a type that cannot be determined by Officers if more than four objections material to the planning merits of the proposal to be approved are received (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)

Description of Site:

The application site comprises of a detached two storey dwelling house located on the south west side of the road. The site occupies a significantly wider plot than others in the vicinity with a double garage to the east side of the frontage. As a result the property has a substantial rear garden of around 900 sq.m.

The site lies within a wholly residential area; properties on Algiers Road are primarily two storey, single dwellings. Much of the north western site boundary abuts properties in Algiers Close which comprise two storey purpose built flats, and the rear part of the flank adjoins a parking and turning area within Algiers Close.

Description of Proposal:

The application seeks consent for the installation of a mobile home on the rear most part of the site for use by a dependant relative. The unit measures 12.8 metres in length, 4 metres in width and 3.3 metres in height and is indicted as being sited east-west across the rear of the site. A terrace is provided along the north and east sides of the building which is sited 6 metres from the rear site boundary, 4.9 metres from the west side and 5.9 metres from the east side.

The application has been revised and all access to the unit is from the existing Algiers Road frontage.

Relevant History:

None

Policies Applied:

CP2	Quality of rural and built environment
DBE2	Effect on neighbouring properties
DBE9	Loss of amenity
DBE10	Residential extensions
ST6	Vehicle parking

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

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 29
Site notice posted: No, not required

Responses received:

All neighbour responses have been received from residents of ALGERS CLOSE; individual objections have been received from 10 properties (nos. 1, 7, 13, 14, 15, 18, 19, 20, 23 and 24) and a petition signed by owners and or occupiers of 17 of the properties in the Close. Residents were re-consulted after the plans were amended. Objections raise the following issues:

- Noise and disturbance from use
- Visual impact of the building on immediate neighbours and on general character

- Overlooking
- General parking issues in the area
- Loss of trees from the site (including general site maintenance works that had already been undertaken including some removal of unprotected trees)
- Concern at possible future use – selling the site off, occupation by others etc.
- Siting – other locations within the site, including adjacent to the building, are more suitable

Comments were also made about the initial proposal to provide access to the site from Algiers Close but this has now been removed. Comments were also made in respect of matters of sewage capacity and the impact on property values.

THE LOUGHTON RESIDENTS ASSOCIATION PLANS GROUP has also objected arguing that the proposed building is not a mobile home and concerned at the possible sub-division of the plot (an issue in the way the original site plan was submitted). If Committee is minded to approve, conditions relating to future occupation and hours of work are suggested.

LOUGHTON TOWN COUNCIL: Objection

Loughton Town Council objected to the original application which was considered a garden grabbing proposal contrary to National Planning Policies. Members were concerned by the separate entrance proposed at the rear to facilitate access to the mobile home. There was also concern for the loss of amenity to neighbours. If the Committee was minded to grant this application the Committee requested a condition to ensure ancillary use of the mobile home with the main dwelling only.

On re-consultation on the revised scheme, the Committee reiterated the previous comments made.

Main Issues and Considerations:

The mobile home is a maximum of 3.3 metres high and is located a minimum of 4.9 metres from any boundary. It is therefore significantly smaller than a garden building that could be constructed as permitted development. Thus the scale of the building is not inappropriate in this location, nor could it be argued that it has a significant physical impact on surrounding occupiers.

The application must be considered on the basis of the submitted information, that it is to be used for occupation by a member of the applicant's family and should thus be considered as a similar 'granny annexe' type building. In this regard, the character of the use and the level of activity and potential for disturbance are considered to have a minimal impact on general amenity of surrounding properties. The frontage of the building

It is evident that much local concern arose from the details submitted in the original application, particularly around the inclusion of an access from Algiers Close and the resultant nominal site boundary that implied sub-division of the plot. Algiers Close is a private road and the owners have made it clear that they would not permit this to be used. As a result the application drawings have been amended to remove any doubt on both issues.

There is a growing need for accommodation for dependant family members and there are no specific policies which would preclude such accommodation, provided it can be safeguarded against future changes to independent accommodation and sub-division. National planning policy encourages in general terms a flexible approach to ensure accommodation is adaptable to meet changing needs, and officers consider such facilities are consistent with this approach.

Conclusion:

The application should be considered on the basis of the revised submission only and should not be unduly affected by the initial suggestion of a separate access or concerns over future uses which would need to be subject to further applications.

The principle of providing additional accommodation for dependant relatives is well established and can be adequately controlled by condition. In all other regards, the building is well sited in relation to surrounding properties, is smaller than an outbuilding that could be built under permitted development and will not generate such activity as to cause undue disturbance.

The application is therefore recommended for approval.

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

***Planning Application Case Officer: Ian Ansell
Direct Line Telephone Number: 01992 564481***

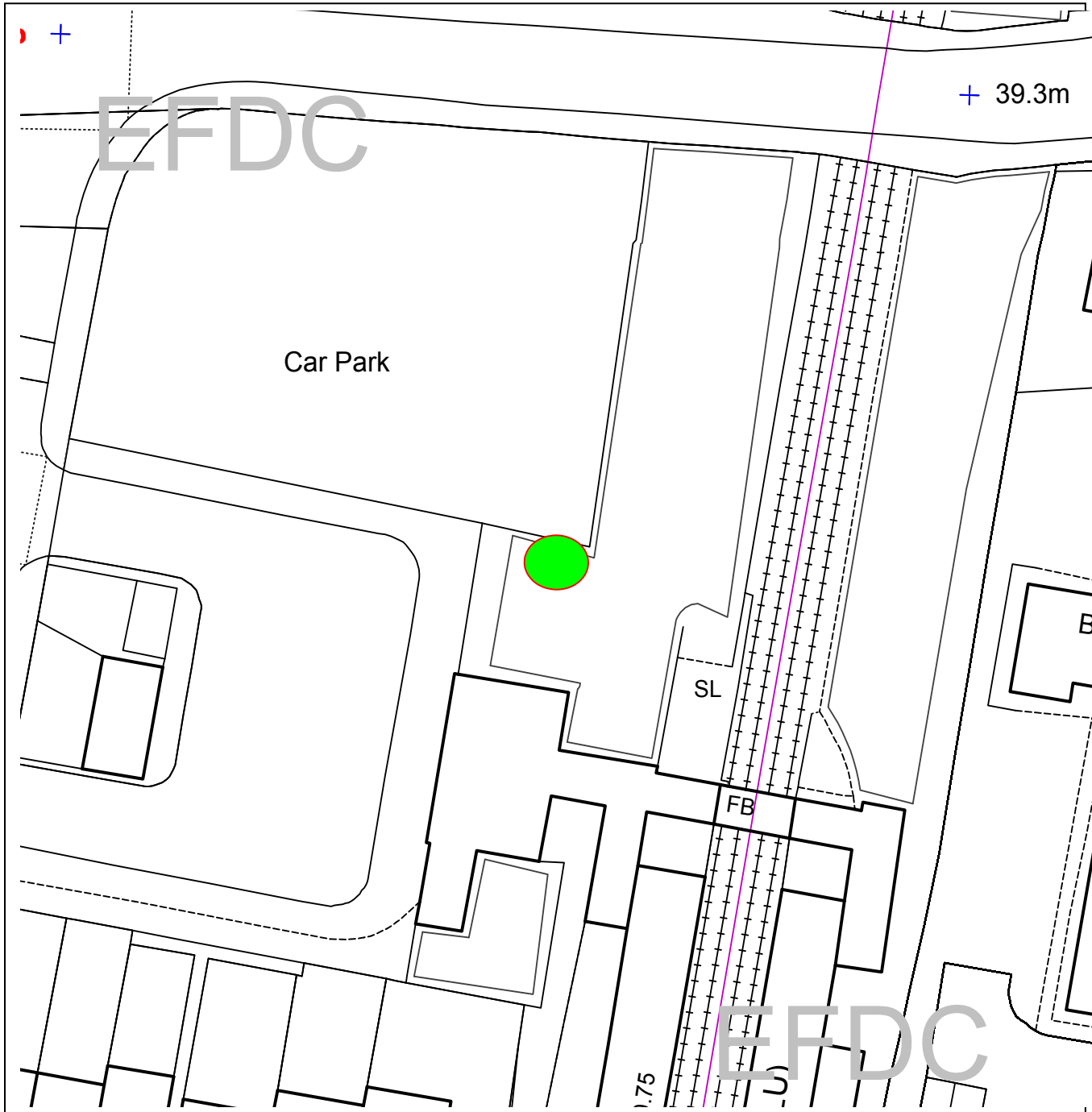
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Epping Forest District Council

Agenda Item Number 7



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Application Number:	EPF/2817/16
Site Name:	Car park adjacent to Buckhurst Hill Underground Station, Victoria Road, Buckhurst Hill, IG9 5ES
Scale of Plot:	1/500

Report Item No: 7

APPLICATION No:	EPF/2817/16
SITE ADDRESS:	Car park adjacent to Buckhurst Hill Underground Station Victoria Road Buckhurst Hill Essex IG9 5ES
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
APPLICANT:	CTIL (Vodafone and Telefonica)
DESCRIPTION OF PROPOSAL:	Prior notification application for a telecommunications installation comprising of the erection of a 12.5m high Pandora Pole supporting 3 no. shrouded antennas, the installation of 2 no. equipment cabinets located within a compound at ground level and associated development. To be located in the south east corner of the car park 8m away from the station building.
RECOMMENDED DECISION:	Prior Approval Required and Granted

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=588778

This prior approval application for a telecommunications installation is before this Committee since a decision needs to be arrived at in 55 days, and objections to the proposal may be received from Buckhurst Hill Parish Council or from 3 or more neighbours.

Description of Site:

The site is a small area of fenced off land (belonging to Transport for London) that lies between the side of the Buckhurst Hill underground station building and the commuter car park that serves the station.

Description of Proposal:

Prior approval determination for a telecommunications installation consisting of the erection of a 12.5m Pandora street works pole with 3 no. shrouded antennas, together with two ground level cabinets, to be located in an enclosed compound.

Policies Applied:

U5 - masts and aerials under 15m

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

Relevant History:

EPF/0401/11 was a refusal of prior approval for a 12.5m high pole with cabinets on a site near to the station on the south west corner of Palmerston and Victoria Roads. It was refused on grounds including its proximity to homes and adverse effect on residential amenity, and the impact of a 'pavement' installation on visual amenity in the street scene.

EPF/2649/15 was a refusal of a planning application to erect a 20m high pole with cabinets on a site some 300m to the south of the station building - in the south west corner of the Queens Road pay and display car park. It was refused on grounds including its height would make it conspicuous in the outlook residents enjoyed from their nearby homes, and that it adjoined rear domestic gardens and would therefore detract from residential amenity and security.

Summary of Representations:

At the time of writing this report only some 9 days of the 21 day consultation period has expired.

PARISH COUNCIL – comments not yet received – to be reported verbally at Committee.

76 neighbouring properties have been consulted and as yet no replies have been received. Any replies received will be reported verbally at Committee

TRANSPORT FOR LONDON – I confirm that the applicants have been in contact with us and subject to legal requirements being in place we have no objections to this proposal.

Issues and Considerations:

Telecommunication poles/columns up to 15m in height lie can be erected as permitted development. However, mobile phone companies must first of all obtain prior approval from local planning authorities (LPA's) before being able to utilise this permitted development right, and LPA's can only consider issues of siting and appearance in their assessment of whether prior approval should be granted or refused. Section 5 of the NPPF supports the development of high quality communications infrastructure, and advises Local Planning Authorities to deal with applications in a positive and constructive manner.

This proposed monopole installation would be shared by two mobile phone companies Telefonica (O2) and Vodaphone. The application is accompanied by various written submissions and one section states that *'coverage plots are submitted with this application and it can be seen that there are (network) coverage holes. The site will provide much needed coverage and capacity to this area of Buckhurst Hill where there are no other existing sites, or suitable buildings where there is a willing landlord.'*

In refusing the 2011 prior approval proposal at the corner of Palmerston Road and Victoria Road planning officers suggested that a less problematic site could be the station car park to this underground station. However the agents have stated that at that time TFL 'did not work with' telecommunications operators – but this position has now changed – and hence this new application has been submitted.

The site comprises a small section of the car park and a slightly larger area of enclosed land also in TFL's ownership. Trees around the car park site provide some screening of the site from a majority of dwellings in the neighbourhood. However 3 houses at 11, 13, and 15 Palmerston Road do not have intervening screening trees - but the proposed pole would lie some 58m from the front windows of these houses. At this distance the proposed pole, of a relatively modest height of 12.5m, will not cause a significant loss of outlook, and nearby trees on the railway embankment to

the immediate east of the installation, together with the backcloth of the station building, will also help to reduce the conspicuousness of the proposed pole. Furthermore the applicants have agreed to paint the pole and cabinets dark green rather than steel grey and this too will help in making the pole less strident in appearance. For these reasons the proposed pole will not unduly detract from the visual amenity of residents living in the locality.

In terms of visual amenity in the street scene, or rather in the station forecourt, the pole structure will have some detrimental impact. However the general appearance of the station car park and surroundings is somewhat utilitarian in nature. In addition the ground level cabinets will be screened from view by an existing front wall and in this respect the proposals will be an improvement on other installations that are found in more open positions on the back edge of street pavements.

Conclusions:

It is difficult to find an ideal site for a telecommunication pole and associated cabinets. The better sites are those where trees and greenery provide some of screening or background, and where installations are not close to windows of houses. This particular site goes some way to meeting these general requirements, and given the need for these installations to improve personal and business communications, and general Government support for them, it is recommended that prior approval 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/2269/16
Site Name:	16 Scotland Road, Buckhurst Hill, IG9 5NR
Scale of Plot:	1/1250

Report Item No: 8

APPLICATION No:	EPF/2269/16
SITE ADDRESS:	16 Scotland Road Buckhurst Hill Essex IG9 5NR
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
APPLICANT:	Mr Vijay
DESCRIPTION OF PROPOSAL:	Two storey rear extension (Revision to withdrawn application EPF/0899/16)
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/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=586894

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 flank elevations of the extension hereby approved and of the original house shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 4 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)

Description of Site:

The application site is a two storey semi-detached property with two storey flat roof side extension located on the south side of Scotland Road within the built up area of Buckhurst Hill. Scotland Road has a mix of detached and semi-detached properties of varying designs. The property follows the same building line as those to the west but is set some 11m forward of the unattached property at No. 14 Scotland Road. The site is not within the Green Belt or a Conservation Area.

Description of Proposal:

The application seeks consent for part single storey, part two storey rear extension. The single storey element will have a maximum depth of 4.5m and have a slightly angled side wall to the east due to the angled boundary. The first floor element will have a depth of 3m and width of 3.9m and located centrally on the main house. The first floor element will have a pitched roof with the remainder of the single storey element having a flat roof. The proposal also shows some new windows – a Juliet balcony to the rear, and side facing ground and first floor windows.

Relevant History:

EPF/0899/16 – Two storey rear extension – Withdrawn

EPF/1087/15 - Proposed loft conversion with 1 x roof light on front roof slope. (Part of the loft conversion previously approved under Ref. No. EPF/2949/14) – App/Con

EPF/1088/15 - Proposed loft conversion. (Part of the loft conversion previously approved under Ref. No. EPF/2949/14) – Refused

EPF/1089/15 - Proposed loft conversion (Part of the loft conversion previously approved under Ref. No. EPF/2949/14) – App/Con

EPF/1090/15 - Proposed loft conversion with rear dormer and juliet balcony, 3 x roof lights on front roof slope, 1 x roof light on rear flat roof – Refused

EPF/2949/14 - Change roof form to extend pitched roof across to side. Flat roofed rear dormer with Juliet style balcony. Two rooflights on front roof slope. Rooflight on side roof slope. Rooflight on rear roof slope – App/Con

Policies Applied:

Epping Forest District Local Plan and Alterations

CP2 – Protecting the Quality of the Rural and Built Environment

DBE9 – Impact on Amenity

DBE10 – Design

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

Summary of Representations:

BUCKHURST HILL PARISH COUNCIL: Objection – Concerns over the first floor design. Out of keeping with the rest of the building.

11 Neighbours consulted:

14 SCOTLAND ROAD – Strong Objection concern from new side facing windows due to overlooking, litter throwing, loss of security, trespassing

Issues and Considerations:

The main issues with this proposal are considered to be impact on neighbours and design.

Neighbouring Amenity

The proposal results in a 4.5m deep single storey rear extension at the boundary with the attached property (No. 18). Although relatively deep it is not dissimilar to other neighbouring extensions. The roof height will be kept low at 2.9 and therefore this will mitigate against any excessive loss of light or outlook. The first floor element is set in from the shared boundary with No. 18 by 2m and respects the 45 degree rule in plan form from the nearest first floor window. In terms of light to the ground floor window there may be some loss of light but given the relatively low height of the two storey element and the 2m set in from the boundary again this is not considered so excessive to justify a refusal.

With regards to the unattached neighbour at No. 14, the existing relationship between these two properties is poor due to the set back from the road edge of No.14. The single storey element is set in from the shared, angled boundary by a minimum of 0.5m and due to this angle will not be prominently visible from No. 14 particularly given the existing fencing and low roof height. It is unusual as this 'rear' extension will in part be to the front of No. 14 but this is alone is not justification for refusal. The first floor element is set in from the shared boundary by a minimum of 1.9m to a maximum of 2.9 and this set in, coupled with the overall low height is again considered to minimise any excessive impact on the amenity of No. 14 and does not exacerbate the existing unusual situation.

The neighbour at No. 14 has particular concerns with regards to the side facing windows on the existing gable. Planning permission is not required for the proposed windows provided any first floor side facing windows are obscured glazed. The relationship between the two properties, as stated above, is unusual and the concerns of the neighbour are noted, however the proposed windows do not require planning permission in their own right. However, as they have been shown on the proposed plans, for the avoidance of any doubt in the future, it is considered reasonable to condition that all side facing windows on both the existing and the proposed extension are obscured glazed to avoid any overlooking issues.

Design

The proposed design is considered acceptable. It follows a withdrawn design which was for a two storey flat roof addition the full width of the main house. Although there is a two storey flat roof side extension it was not considered appropriate to repeat this to the rear. The proposed extension is subservient to the main house and although slightly unusual, as it results in a double ridge, is considered to complement the existing property. In addition there is no uniformity to the extensions to properties in Scotland Road.

The proposal will be partly visible from the streetscene due to the large set back of the neighbouring property. However as the two storey element is set in from the side boundary it will not result in any excessive increase in the size of the large flank wall.

Conclusion:

The proposal is not considered to cause significant harm to the amenity of neighbours given the modest height and set in from the boundaries and is considered an acceptable design therefore approval with conditions.

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

***Planning Application Case Officer: Marie-Claire Tovey
Direct Line Telephone Number: 01992 564414***

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 9



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Application Number:	EPF/2295/16
Site Name:	33 Amberley Road, Buckhurst Hill, IG9 5QW
Scale of Plot:	1/1250

Report Item No: 9

APPLICATION No:	EPF/2295/16
SITE ADDRESS:	33 Amberley Road Buckhurst Hill Essex IG9 5QW
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
APPLICANT:	Mr Paul Hiam
DESCRIPTION OF PROPOSAL:	Single storey side extension.
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/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=587095

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 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.
- 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 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.

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 the Site:

A chalet bungalow with rooms in the roof space, located on irregular shaped but a generous corner plot, at the junction of Russell Road and Amberley Road. Ground levels fall towards the west and north of the site. As such, the existing building sits on lower ground levels. The site is well screened from all the surround roads by a timber fence of about 1.8m high. The site is not in a conservation area and the property is not listed.

Description of the Proposal:

Single storey side extension.

Details of Proposal:

- Depth: 5.57m
- Width: 3.5m
- Height: 5m
- Roof: Pitched with roof light to front and rear roof slope.
- Set in by: 1.66m from the front wall of the original house.
- Set in by: 2.3m from the rear wall of the original house.
- Set down by: 1m from the ridge of the original house.
- External materials/finish: White painted render & grey weather boarding.
- Due to site constraints, ground will be excavated to create a favourable level to sit the extension –a condition will be required to remove excavated materials.
- Retaining wall is proposed with wider access around the development from the front to the rear.

Site History

No relevant planning history.

Policies Applied

Local Plan Policies:

CP2	Protecting the Quality of the Rural and Built Environment;
DBE9	Loss of Amenity;
DBE10	Residential Extensions;

The National Planning Policy Framework (NPPF) has been adopted as national policy since 27 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

Number of neighbours consulted: 11
Site notice posted: No, not required

Responses received:

Two responses were received from neighbours at 26 and 28 Amberley Road objecting to the proposed development on the following grounds:

- Objections from 26 AMBERLEY ROAD:
 1. Unacceptably high density of the development.
 2. Impact on adjacent trees; I would prefer TPO trees to remain.
 3. Similar development was refused in December 2001.

- Objections from 28 AMBERLEY ROAD;
 1. I did not receive a notification letter from the Council but I am on neighbours list.
 2. Overdevelopment of the site.
 3. Unacceptable high density.
 4. Impact on adjacent trees; the tree officer's concerns should be dealt with.

BUCKHURST HILL PARISH COUNCIL: Objection

Unacceptably high density and overdevelopment of the site.
Tree Officer's concerns shared.

Trees and Landscaping Team: No objection in principle subject to a tree related condition which will be reflected on the decision notice in the event that the application was approved.

Main Issues and Considerations:

The main issues in this case are:

- Design.
- Living Conditions.
- Impact on Trees.

Design:

- The design complements the character and appearance of existing building, particularly in terms of scale, form and materials.
- The extension has been set in from the front and rear wall, and also set down from the ridge of the existing building. As such, it will not dominate the original house in terms of size and height.
- The design takes into account the changes in ground levels within the site. It has a substantial setback from Amberley Road which, together with the screening effect of existing timber fencing around the site boundaries, will ensure the proposal would have limited visibility from any vantage point.
- On the matter of design, it is concluded the proposed side extension will harmonise well with the original appearance of the building itself and would not be detrimental to the character and appearance of the street scene and general locality.

Living Conditions:

The proposed side extension is positioned away from any neighbouring boundaries and it would therefore not result in any harmful impact upon the living conditions of neighbouring occupiers.

Impact on Trees:

There are trees adjacent to the development, which are the subject of Tree Preservation Orders (TPO). The Council's tree and landscaping team was consulted on the application. It initially commented that the submission did not include sufficient information regarding all the trees in the vicinity of the development and requested the submitted tree report be updated to deal with those matters. The requested information was subsequently submitted and assessed by the tree and landscape officer who stated she has no objection to the approval of the proposed development in principle. Notwithstanding the submission of additional information, the tree and landscape officer requests a standard planning condition dealing with the protection of trees in the course of construction.

Discussion of objection received:

Buckhurst Hill Parish Council objected to the proposed development primarily on the grounds that it considers the proposal to result in an unacceptably high density of development amounting to an overdevelopment of the site. The application site is a corner plot. Whilst this site is constrained by significant changes in ground levels, there is sufficient land to the west which would be more than enough to accommodate the proposed development without resulting in a cramped appearance.

In addition, number 33 Amberley Road on which the proposal relates is the only building on site. This existing building is a bungalow that occupies a footprint of 75.2m². The proposed extension would project from the site of the existing building into a rising land by way of some excavation work. Retaining walls will be constructed and a path around the extension from the front to the rear shall be created, ensuring circulation around it and site. The proposal would occupy a footprint of about 20m², which is considered proportionate in relation to the footprint of the existing building and the size of the application site.

In light of these findings, there would be no way the proposed development could be said to have resulted in unacceptable density or overdevelopment of this site. Indeed, it would make the best use of that part of the site. The Local Planning Authority could therefore not refuse the application on these grounds.

Objections were also received from the occupiers of neighbouring properties no.26 and 28 Amberley Road. However, these objections have generally been covered in the body of this report.

Conclusion:

The proposal represents a simple and well designed single storey side extension that would sit comfortably within this corner plot without harming the character and appearance of the locality. In addition, the design approach makes the best use of the existing site levels to screen the development. Furthermore, circulation around the development and the site in generally is taken into account which will ensure no cramped appearance would result from this scheme. Therefore, having taken all the material considerations into account, including the objections received from the Parish Council and neighbours, it is concluded the proposal is acceptable. Accordingly, it is recommended that planning permission be granted.

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

**Planning Application Case Officer: Moses Ekole
Direct Line Telephone Number: 01992 564109**

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



Epping Forest District Council

Agenda Item Number 10



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Application Number:	EPF/2406/16
Site Name:	131 Queens Road, Buckhurst Hill, IG9 5BH
Scale of Plot:	1/1250

Report Item No: 10

APPLICATION No:	EPF/2406/16
SITE ADDRESS:	131 Queens Road Buckhurst Hill Essex IG9 5BH
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
APPLICANT:	Mr Mark Sathyaseelan
DESCRIPTION OF PROPOSAL:	Rear extension, of a single storey, with a floor level set some 0.7m lower than the floor level of the lower ground floor; with a floor level 3.5m lower than natural ground level. Sunken courtyard to side of proposed extension with steps up to rear garden.
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/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=587594

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.
- 3 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.

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)

Description of Site:

The application property is a detached house on northern side of Queens Road. It is set 1m from the site boundary with 129 A Queens Road, three-storey house set at slightly lower ground level. The western flank of the house is set on the boundary with 133 Queens Road. The house at no 133 projects 1.2m beyond the adjacent rear elevation of the house at the application site and is set at slightly higher ground level.

The existing rear elevation consists of a lower ground floor, ground floor and first floor then side gable roof. There is a rear projection adjacent to the boundary with 129A Queens Road. It is set approximately 1m from the common boundary. Off the lower ground floor, between the rear projection and boundary with 133 Queens Road, is a small courtyard set below natural ground level. The courtyard is some 1.8m in depth. Steps lead up from the courtyard to the garden. The courtyard is accessed from the house by a door at lower ground floor level. A door at first floor level has steps leading directly down to the garden.

The application property is not listed nor in a Conservation Area.

Description of Proposal:

Rear extension, of a single storey, with a floor level set some 0.7m lower than the floor level of the lower ground floor; with a floor level 3.5m lower than natural ground level. Sunken courtyard to side of proposed extension with steps up to rear garden.

The proposal is essentially for a basement with a side access to an enlarged open courtyard. A replacement side boundary wall and two balustrades would be the only elements that would be above natural ground level.

The open courtyard would have open steps up to the rear garden. A glass balustrade would be set around one side and the rearmost edge of the open courtyard. The side of the open courtyard on the boundary with no. 133 would be a retaining wall continued up 1.2m in height above natural ground level.

The property as existing has a sunken courtyard next to the boundary with no. 133 measuring 4.2m wide (including the steps) by 1.8m long back into the rear garden. The sunken courtyard as proposed would be 2.2m wide by 7.4m long into the rear garden.

The basement would have a side elevation onto the open courtyard. This elevation would consist for the greatest part of full-height glazed sliding doors. Another extensive glazed area would be set on the rear elevation of the existing footprint of the lower ground floor and this would face onto the sunken courtyard.

The lower ground floor of the house as existing is set 2.75m below natural ground level. The floor of the proposed basement would be set another 0.7m lower, at 3.5m below natural ground level.

The rear extension/basement would be 7.5m wide by 7.4m long into the rear garden.

The sunken courtyard as proposed and rear extension/basement would take up the full width of the house.

Relevant History:

EPF/1419/16 Rear extension at lower ground floor level with excavated area for lower ground floor courtyard. Rear extension at ground floor level with full-height glazed section to side and rear sliding doors. – Refused 22/07/2016

EPF/2321/16 Extension of lower ground courtyard. Extension of ground floor with new rear sliding doors and new brickwork to match existing stock. – Undetermined, recommended for approval on this agenda.

Policies Applied:

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

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

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted. 21
Site notice posted: No, not required

Responses received: No response received from neighbours.

BUCKHURST HILL PARISH COUNCIL: OBJECTION.

Over-bearing in character and appearance to Neighbours. Unacceptably high density. Visual impact of the building, particularly at the rear. Adverse effect on the residential amenity of neighbours, by reason of overlooking and loss of privacy.

Main Issues and Considerations:

The main issue with this application is considered to be whether any adverse impact would result to any neighbour.

Although the proposal involves extensive glazing on a side elevation to a rear extension, this rear extension would be below ground. The extensive glazing would look onto a retaining wall to the sunken courtyard.

The design the subject of this application has something of a similarity with the non-contentious part of a proposal previously refused, application ref EPF/1419/16.

This proposal effectively relates to the below ground level works only. Since they would be below adjacent ground level, there is no possibility of them causing any harm to the living conditions of neighbouring houses. Those elements above ground level – a 1.2m high above ground projection of a retaining wall and glazed balustrades – would also have no adverse impact on the living conditions of neighbouring houses.

Having regard to the objections raised by the Parish Council, they appear to be more relevant to application EPF/2321/16 for a ground floor addition. That application is assessed elsewhere on this agenda. Of the objections raised, that relating to density, which is equivalent to scale of development at the site, is relevant. In this case the house to be enlarged is a large structure. Furthermore, the size of the rear garden at just under 11m wide and over 30m in length is also considerable. Having regard to that context it is considered that the proposed below ground level rear addition would not amount to a disproportionate enlargement of the house and would not

amount to a quantum of built form on the site that is inconsistent with the prevailing pattern of development.

Conclusion:

As a below ground level structure, the proposal would not result in any harm to the living conditions of neighbours. Moreover, the proposal would not result in a disproportionate enlargement of the house or amount to development that does not respect the character of the locality. On that basis it is concluded the proposal complies with relevant planning policy and it is recommended that planning permission be granted.

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

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

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

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Epping Forest District Council

Agenda Item Number 11



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Application Number:	EPF/2321/16
Site Name:	131 Queens Road, Buckhurst Hill, IG9 5BH
Scale of Plan:	1/1250

Report Item No: 11

APPLICATION No:	EPF/2321/16
SITE ADDRESS:	131 Queens Road Buckhurst Hill Essex IG9 5BH
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
APPLICANT:	Mr Mark Sathyaseelan
DESCRIPTION OF PROPOSAL:	Extension of lower ground courtyard. Extension of ground floor with new rear sliding doors and new brickwork to match existing stock.
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/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=587213

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 Brickwork of external walls of the proposed development shall match that of the existing house, unless otherwise agreed in writing by the Local Planning Authority.
- 3 Prior to first occupation of the development hereby approved, the proposed window opening in the rear elevation to the cloakroom shall be entirely fitted with obscured glass and have a fixed frame to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no window or other opening shall be created to either flank of the rear extension hereby permitted at ground floor level without the prior written permission of the Local Planning Authority.
- 5 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.

- 6 Access to the flat roof over the extension hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a seating area, roof garden, terrace, patio or similar amenity area.
- 7 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)

Description of Site:

The application property is a detached house on northern side of Queens Road. It is set 1m from the site boundary with 129 A Queens Road, three-storey house set at slightly lower ground level. The western flank of the house is set on the boundary with 133 Queens Road. The house at no 133 projects 1.2m beyond the adjacent rear elevation of the house at the application site and is set at slightly higher ground level.

The existing rear elevation consists of a lower ground floor, ground floor and first floor then side gable roof. There is a rear projection adjacent to the boundary with 129A Queens Road. It is set approximately 1m from the common boundary. Off the lower ground floor, between the rear projection and boundary with 133 Queens Road, is a small courtyard set below natural ground level. The courtyard is some 1.8m in depth. Steps lead up from the courtyard to the garden. The courtyard is accessed from the house by a door at lower ground floor level. A door at first floor level has steps leading directly down to the garden.

The application property is not listed nor in a Conservation Area.

Description of Proposal:

It is proposed to enlarge the existing lower ground courtyard and construct a single-storey rear extension to enlarge the ground floor of the house. This application proposal is designed to overcome the reasons for refusal of application reference EPF/1419/1.

The extended courtyard would be set 0.5m deeper into the ground, infilling the area between the existing rear projection and boundary with 133 Queens Road at lower ground floor. Adjacent to that boundary a replacement flight of steps leading up to the garden would be constructed beyond the rear of the courtyard. The courtyard and steps would be contained by a retaining wall on the boundary with 133 that would project 1.2m above the ground level at 133.

The proposed rear extension would wrap around the rear and side of the existing rear projection, oversailing half the width of the proposed lower ground floor courtyard. The extension would have a flat roof enclosed by a parapet that would be 3.4m above adjacent natural ground level. The roof would be a sedum green roof surface and contain two roof lights. The extension would project some 3.5m beyond the rear wall of the existing rear projection. It would project 6.8m from the

recessed rear wall of the house and be set 2.5m from the common boundary with 133 Queens Road. Patio doors would be provided in the rear elevation and external materials would match those of the existing house. No windows would be in the flank walls.

Nearly all of the rear elevation of the rear extension would be taken up by full-height glazed double doors. The current proposal differs from the previous application in that both side elevations to the rear extension would be solid, without glazing, being wholly of matching brickwork. The previous proposal that was refused included a substantial amount of glazing on the side elevation facing no. 133 Queens Road.

Relevant History:

EPF/1419/16 Rear extension at lower ground floor level with excavated area for lower ground floor courtyard. Rear extension at ground floor level with full-height glazed section to side and rear sliding doors. – Refused 22/07/2016

- 1. The proposals, by reasons of the position and relative height to natural ground level of the glazing on the western elevation of the ground floor rear extension and of the proximity to the boundary and relative height to natural ground level of the roof at the side of the lower ground floor rear extension, would result in overlooking of the property at 133 Queens Road to an extent that would be materially detrimental to the residential amenity of the occupiers of the property. As such the proposals would be contrary to Policy DBE9 of the Local Plan and Alterations and the provisions of the National Planning Policy Framework requiring high quality design.*
- 2. By reason of a combination of the overall height of the proposed extension, its siting adjacent to the boundary with 129A Queens Road, the fact that the application site is at higher level than 129A Queens Road together with the distance the ground floor of the proposal would project adjacent to the boundary with 129A Queens Road, the development is likely to appear excessively overbearing when seen from the rear garden of 129A Queens Road. As a consequence, the proposed development would cause significant harm to the living conditions of 129A Queens Road, contrary to Local Plan and alterations policy DBE9, which is consistent with the National Planning Policy Framework.*

EPF/2406/16 Rear extension, of a single storey, with a floor level set some 0.7m lower than the floor level of the lower ground floor; with a floor level 3.5m lower than natural ground level. Sunken courtyard to side of proposed extension with steps up to rear garden. – Pending decision, reported elsewhere on this agenda.

Policies Applied:

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

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

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted. 21
Site notice posted: No, not required

Responses received: No response received from neighbours.

BUCKHURST HILL PARISH COUNCIL: OBJECTION.

Over-bearing in character and appearance to Neighbours. Unacceptably high density. Visual impact of the building, particularly at the rear. Adverse effect on the residential amenity of neighbours, by reason of overlooking and loss of privacy.

Main Issues and Considerations:

The main issue is whether the current application is to a design which sufficiently overcomes the previous proposal's two reasons for refusal: loss of privacy to 133 and overbearing nature to 129A. The proposals relate to the rear of the house and would not be seen from the public realm.

The current application differs from that previously refused principally by the deletion of glazing on a side elevation facing no. 133 Queens Road. Subject to a condition that no glazing be added at a later date without details being submitted, the proposal is now considered acceptable with regard to the living conditions of no. 133 since there would be no possibility of it giving rise to excessive overlooking of that neighbour. The previously refused extension would not have resulted in any excessive loss of privacy for 129A Queens Road and that remains the situation for the current proposal since the only windows proposed are in the rear elevation of the proposed extension.

The extension would be to the northern elevation. The existing built form of the house creates a shadow to neighbours. It is considered that the proposed extensions would make no material difference to existing overshadowing that could reasonably form a reason for refusal.

In relation to no. 133 Queens Road, the rear extension would be set 4m from the nearest flank of no 133, placing it outside of a 45 degree line taken from the nearest edge of the adjacent rear window at no. 133. As a consequence, the extension would not only have no impact on light, it would also not have any harmful impact on outlook from no. 133.

In relation to no. 129A Queens Road, the depth of the proposed rear extension has been reduced such that it would project 0.55m less than the depth of an existing rear extension to 129A. The reduction in depth in relation to no. 129A, together with the fact that it would be set 1m from the common boundary and approximately 1.8m from the flank of 129A, is sufficient to ensure the proposal will not appear overbearing when seen from the rear garden of 129A Queens Road. Moreover, no harm to outlook would arise and, as indicated above, there would be no impact on light.

In addition to raising concerns about the potential impact of the proposal on light, outlook and privacy, which are considered above, the Parish Council raises concern about the scale of the development and its impact on the appearance of the building. These matters, although not part of the reasons for refusal of application EPF/1419/16, are considered below.

In relation to scale, having regard to the large size of the existing house and the size of the rear garden (just under 11m wide and over 30m in length), it is considered the proposed single-storey extension would be a proportionate enlargement of the existing house that would respect the character of the locality. That conclusion is reinforced by the finding that the proposal would safeguard the living conditions of neighbours. In relation to design, the proposal would be of simple form that would not dominate the rear elevation. Such designs are not uncommon and it is concluded the proposal, which it to the rear elevation of a house, would complement the appearance of the existing house.

Conclusion:

This amended design, with glazing to the side elevation deleted and a reduction in depth to rearward projection, successfully overcomes the reasons for refusing application EPF/1419/16. The proposal safeguards the living conditions of neighbours and is a proportionate enlargement of the existing house that complements its appearance. It therefore complies with relevant planning policy and it is recommended that planning permission be granted.

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

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

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

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**Epping Forest
District Council**

Report to Area Plans Sub-Committee

Date of meeting: Plans South – 23rd November 2016

Subject: Probity in Planning – Appeal Decisions, 1st April 2016 to 30 September 2016

Officer contact for further information: Nigel Richardson (01992 564110)

Democratic Services Officer: Jackie Leither (01992 564243)

Recommendation:

That the Planning Appeal Decisions be noted.

Report Detail:

Background

1. (Director of Governance) In compliance with the recommendation of the District Auditor, this report advises the decision-making committees of the results of all successful allowed appeals (i.e. particularly those refused by committee contrary to officer recommendation).
2. The purpose is to inform the committee of the consequences of their decisions in this respect and, in cases where the refusal is found to be unsupportable on planning grounds, an award of costs may be made against the Council.
3. Since 2011/12, there have been two local indicators, one of which measures all planning application type appeals as a result of committee reversals of officer recommendations (GOV08) and the other which measures the performance of officer recommendations and delegated decisions (GOV07).

Performance

4. Over the six-month period between 1 March 2016 and 30 September 2016, the Council received 49 decisions on appeals (48 of which were planning related appeals, the other 1 was enforcement related).
5. GOV07 and 08 measure planning application decisions and out of a total of 48, 18 were allowed (37.5%). Broken down further, GOV07 performance was 8 out of 32 allowed (25%) and GOV08 performance was 10 out of 16 (62.5%).

Planning Appeals

6. Out of the planning appeals that arose from decisions of the committees to refuse contrary to the recommendation put to them by officers during the 6-month period, the Council was not successful in sustaining the committee's objection in the following cases:

COMMITTEE - APPEALS ALLOWED:

Area Committee South

Buckhurst Hill

EPF/1812/15	Proposed demolition of existing building and construction of a replacement building providing 13 flats	West Lodge 32 Palmerston Road
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Chigwell

EPF/1279/15	Proposed two storey new build house (Revision to EPF/1505/14)	26 Meadow Way
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EPF/3207/15	Provision of front basement extension part completed.	170 Manor Road
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Loughton

EPF/2418/15	Demolition of existing bungalow and erection of 2 no. 3 bed dwellings.	21 Priory Road
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EPF/2983/15	Demolish garage and replace with two-storey side extension. Attached replacement garage with granny flat above. Front dormers. Ground floor and two-storey rear extension. Accommodation within roof space.	24 Alderton Hill
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EPF/2580/15	Prior notification for a telecommunications installation comprising the erection of 13.5m high dual stack monopole supporting 6 no shrouded antennas, a 0.3m dish, 2 no. equipment cabinets and ancillary development (Revised proposal to previously refused EPF/0386/11 - it is now not proposed to erect the installation on the pavement - it is now proposed 6.5m to the rear of the pavement in a grassland area).	Land close to junction of Westall Road and Burney Drive
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Area Committee East

Epping

EPF/1399/15	Conversion of existing annexe to separate dwelling, provision of car port, front canopy and rear decking.	15 Bell Common
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EPF/2163/15	Erection of 18 dwellings, including access, parking, amenity and landscaping.	Allotments rear of 8 to 22 Institute Road Coopersale
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Lambourne

EPF/0300/14	Retrospective application for replacement dwelling incorporating further revisions to roof and dormers and provision of	Great Downs Farm London Road Abridge
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landscaping. (Amended from EPF/2414/09 and EPF/1737/11)

North Weald Bassett

EPF/0183/15	Erection of three storey building to accommodate 20 no. apartments (to replace existing clubhouse and Essex barn to be demolished under Prior Notification application EPF/0267/15)	North Weald Golf Club Rayley Lane
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Area Committee West

None

7. The appeal performance for GOV08, committee reversals, was outside of target at 62.5%. It is of course understood that these are the more contentious planning applications but the committees are urged to continue to heed the advice that if they are considering setting aside the officer's recommendation, it should only be in cases where members are certain they are acting in the wider public interest and where the committee officer can give a good indication of some success at defending the decision. The 6 cases where the committees were successful are as follows:

COMMITTEE - APPEALS DISMISSED:

Area Committee East

Epping

EPF/1783/15	Demolish existing dwelling, erection of two storey structure with rooms within roof space providing 4 no. self contained two bed roomed flats. Removal of Cypress tree.	16 Kendal Avenue
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EPF/2484/15	Demolition of existing two storey dwellinghouse and garage, the construction of a new two storey residential building with loft and basement accommodation containing 3x1 bed and 4x2 bed apartments, with associated car, bicycle parking and refuse facilities.	33 Chapel Road
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EPF/3024/15	Demolition of a two storey extension and conservatory on the rear elevation of Dane Lodge and its conversion into three apartments, the demolition and replacement of the rear outbuildings to provide one apartment and the erection of a new detached two storey building providing two mews houses, together with the provision of associated on-site covered parking and a bin store.	9 Church Hill
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North Weald Bassett

EPF/1737/15	Proposed 1 no. 2 bed flat and 1 no. 1 bed flat in existing roof of the property and front, rear and side dormer and raised ridge height level to rear roof.	94 - 96 High Road
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Area Committee South Loughton

EPF/1973/15	Demolition of existing house and construction of eight residential flats with associated car parking spaces, amenity space and refuse collection area.	51 High Road
EPF/2111/15	Subdivision of site and proposed 1 no. 1 bed dwellinghouse with parking and garden area.	257 Chester Road

Area Committee West

None

8. Out of 1 **ENFORCEMENT NOTICE APPEAL** decided, 1 was **allowed**. This is as follows:

ENF/0249/14	Without planning permission the change of use of stables to a building used as a single residential dwelling	The Outlook Moreton Bridge Moreton
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COSTS

9. There was no award of costs against the Council for unreasonable behaviour in the reasons for refusal in this 6 month period.

10. National Planning Practice Guidance on Award of Costs advises that, irrespective of the outcome of the appeal, costs may only be awarded against a party in the following two circumstances:

- a party has behaved unreasonably; and
- the unreasonable behaviour has directly caused another party to incur unnecessary or wasted expense in the appeal process.

Conclusions

11. Whilst performance in defending appeals at 37.5% appears high, there is no national comparison of authority performance. Members and Officers are reminded that in refusing planning permission there needs to be justified reasons that in each case must be not only relevant and necessary, but also sound and defensible so as to avoid paying costs. Whilst there is clearly pressure on Members to refuse in cases where there are objections from local residents, these views (and only when they are related to the planning issues of the case) are one of a number of relevant issues to balance out in order to understand the merits of the particular development being applied for.

12. Finally, appended to this report are the appeal decision letters relevant to each Plans sub-committee area, which are the result of Members decision at planning committees.

13. A full list of appeal decisions over this six month period appears below.

Total Planning Application Appeal Decisions 1st April 2016 to 30th September 2016

Allowed With Conditions

Buckhurst Hill

- | | | | |
|---|-------------|--|----------------------------------|
| 1 | EPF/1812/15 | Proposed demolition of existing building and construction of a replacement building providing 13 flats | West Lodge
32 Palmerston Road |
| 2 | EPF/1348/15 | Demolition of the existing outbuildings to the rear of 158 Queens Road. Erection of two part 2 and part 3 storey buildings at the rear containing 4 flats. Ground floor rear extension of the retail units proposed. First floor part rear extension proposed. New gable roof proposed with 3 dormer windows in connection with conversion of floors above shop to 2 flats. (Revised application to EPF/1684/13) | 158 Queens Road |

Chigwell

- | | | | |
|---|-------------|---|----------------|
| 3 | EPF/3207/15 | Provision of front basement extension part completed. | 170 Manor Road |
| 4 | EPF/1279/15 | Proposed two storey new build house (Revision to EPF/1505/14) | 26 Meadow Way |

Epping

- | | | | |
|---|-------------|---|---|
| 5 | EPF/2163/15 | Erection of 18 dwellings, including access, parking, amenity and landscaping. | Allotments rear of 8 to 22 Institute Road
Coopersale |
| 6 | EPF/1399/15 | Conversion of existing annexe to separate dwelling, provision of car port, front canopy and rear decking. | 15 Bell Common |

Lambourne

- | | | | |
|---|-------------|---|--|
| 7 | EPF/0300/14 | Retrospective application for replacement dwelling incorporating further revisions to roof and dormers and provision of landscaping. (Amended from EPF/2414/09 and EPF/1737/11) | Great Downs Farm
London Road
Abridge |
|---|-------------|---|--|

Loughton

- | | | | |
|----|-------------|--|---|
| 8 | EPF/2442/15 | Single storey front extension and new external front steps. | 62 Queens Road |
| 9 | EPF/2580/15 | Prior notification for a telecommunications installation comprising the erection of 13.5m high dual stack monopole supporting 6 no shrouded antennas, a 0.3m dish, 2 no. equipment cabinets and ancillary development (Revised proposal to previously refused EPF/0386/11 - it is now not proposed to erect the installation on the pavement - it is now proposed 6.5m to the rear of the pavement in a grassland area). | Land close to junction of
Westall Road and
Burney Drive |
| 10 | EPF/0194/16 | Two storey rear extension with balcony, balustrades and 2m high privacy screens on either side of the balcony area. Relocation of | 71 Queens Road |

existing external steps and landing area to provide egress and access to the garden.

11 EPF/2983/15 Demolish garage and replace with two-storey side extension. Attached replacement garage with granny flat above. Front dormers. Ground floor and two-storey rear extension. Accommodation within roof space. 24 Alderton Hill

12 EPF/2682/15 Demolition of existing property and erection of a replacement dwelling. 21 Alderton Hill

13 EPF/2418/15 Demolition of existing bungalow and erection of 2 no. 3 bed dwellings. 21 Priory Road

14 EPF/0697/16 Demolition of existing property and erection of a replacement dwelling. 21 Alderton Hill

Nazeing

15 EPF/0437/16 Raise ridge height to bungalow and provide loft extension 2 Middle Street

16 EPF/1060/13 Change of use of land for stationing of caravans for occupation by Gypsy/Traveller families with ancillary works (demolish two rows of glasshouses, fencing, portacabin amenity blocks, hardstanding and septic tank). Part Retrospective. Sedgigate Nursery Sedge Green

North Weald Bassett

17 EPF/0183/15 Erection of three storey building to accommodate 20 no. apartments (to replace existing clubhouse and Essex barn to be demolished under Prior Notification application EPF/0267/15) Appeal Lodged 21/9/15 North Weald Golf Club Rayley Lane

Waltham Abbey

18 EPF/2021/15 Double storey side and single storey rear extension. 20 Halfhides

Dismissed

Chigwell

19 EPF/0957/16 Two storey side extension 11 Ely Place

20 EPF/1621/15 Use of double garage as a dwelling house, and carrying out associated external alterations Land adjacent to 26 Maypole Drive Chigwell Row

Epping

21 EPF/1783/15 Demolish existing dwelling, erection of two storey structure with rooms within roof space providing 4 no. self contained two bedroomed flats. Removal of Cypress tree. 16 Kendal Avenue

22	EPF/2484/15	Demolition of existing two storey dwellinghouse and garage, the construction of a new two storey residential building with loft and basement accommodation containing 3x1 bed and 4x2 bed apartments, with associated car, bicycle parking and refuse facilities.	33 Chapel Road
23	EPF/0109/16	Single storey front extension.	100 Hemnall Street
24	EPF/3024/15	Demolition of a two storey extension and conservatory on the rear elevation of Dane Lodge and its conversion into three apartments, the demolition and replacement of the rear outbuildings to provide one apartment and the erection of a new detached two storey building providing two mews houses, together with the provision of associated on-site covered parking and a bin store.	9 Church Hill
Fyfield			
25	EPF/2154/15	Proposed first floor side extension. Two storey rear extension with first floor balcony. Loft conversion including dormers to rear. Enlarged patio area to rear. Two storey bay windows to front elevation. Two vehicle standing areas.	Blakeney Clatterford End
High Ongar			
26	EPF/3026/15	Formation of a second vehicular entrance to the property	Harley Cottage 202 Nine Ashes Road
Loughton			
27	EPF/0181/16	Retrospective application for two storey side extension, loft conversion, including rear dormer, porch and single storey rear extension.	7 Colebrook Lane
28	EPF/3245/15	First floor rear extension.	26 The Crescent
29	EPF/2706/15	Two storey side extension.	47 Deepdene Road
30	EPF/2255/15	Change of use of the premises 6a Valley Hill from use as shop premises (Use Class A1) to use as a hot food takeaway (Use Class A5).	6A Valley Hill
31	EPF/2855/15	Demolition of existing bungalow and erection of two detached bungalow-style townhouses, with integral garages.	54 Ollards Grove
32	EPF/0866/15	Two detached two storey cottage properties, with garages at basement level.	54 Ollards Grove
33	EPF/1973/15	Demolition of existing house and construction of eight residential flats with associated car parking spaces, amenity space and refuse collection area.	51 High Road

34	EPF/2990/15	Retention of existing annex as separate dwelling.	56 Oakwood Hill
35	EPF/2111/15	Subdivision of site and proposed 1 no. 1 bed dwellinghouse with parking and garden area.	257 Chester Road
Nazeing			
36	EPF/3158/15	Extensions to and conversion of double garage to form a two bedroomed self-contained granny annexe to Nonsuch Cottage	Nonsuch Cottage Back Lane
37	EPF/2015/15	Conversion of existing bungalow into 2 no. detached dwellings. Small frontal extension and partial demolition to achieve separation. Raise ridge height and erect front dormer windows.	2 Middle Street
North Weald Bassett			
38	EPF/1737/15	Proposed 1 no. 2 bed flat and 1 no. 1 bed flat in existing roof of the property and front, rear and side dormer and raised ridge height level to rear roof.	94 - 96 High Road
39	EPF/2218/15	Retention of workshops and storage units in buildings 15 & 16	Chase Farm Vicarage Lane
Ongar			
40	EPF/1628/15	Single storey rear extension.	Orchard Cottage Greensted Hall Church Lane
41	EPF/1721/15	Grade II* listed building application for a single storey rear extension.	Orchard Cottage Greensted Hall Church Lane
Roydon			
42	EPF/3215/15	To replace the front garden fencing around Grade II listed building, with the same height and length of fencing as the existing, but with an altered design and materials.	Brick Lock Cottage
Stanford Rivers			
43	EPF/2737/15	Detached dwelling	153 London Road
Theydon Mount			
44	EPF/0949/16	Retention of raised patio with addition of natural screening	6 Hill Hall Cottages Mount Road
Waltham Abbey			
45	EPF/3230/15	The extension and conversion of an existing dwelling to create two dwellings. The erection of a new dwelling, creating three dwellings in total	North Villa Mott Street
46	EPF/3032/15	Proposed 3 bedroom bungalow in the rear garden of 16 Pick Hill.	Rear garden of 16 Pick Hill

Waltham Abbey

47 EPF/2512/15	Application for approval of details reserved by condition 2 'Materials', condition 5 'Landscape Scheme' and condition 6 'Flood Risk Assessment' of planning permission EPF/2101/12 (Extension of time limit on EPF/0025/10) (which gave approval to the erection of a two storey detached house to replace existing dwelling.)	Bantham Cottage Wellington Hill and Bowls Club Site Rats Lane
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Willingale

48 EPF/0551/16	Erection of stables and change of use of land for the keeping of horses	Tarrymans Birds Green
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Enforcement Appeals

Allowed With Conditions

ENF/0249/14	Without planning permission the change of use of stables to a building used as a single residential dwelling	The Outlook Moreton Bridge Moreton
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Appeal Decision

Site visit made on 15 June 2016

by **John Morrison BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 30 August 2016

Appeal Ref: APP/J1535/W/16/3146296 21 Priory Road, Loughton, Essex IG10 1AF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Brendan McParland on behalf of Brenland Ltd against the decision of Epping Forest District Council.
 - The application Ref EPF/2418/15, dated 25 September 2015, was refused by notice dated 6 January 2016.
 - The development proposed is the demolition of existing bungalow and erection of 2 no. 3 bed dwellings.
-

Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing bungalow and erection of 2 no. 3 bed dwellings at 21 Priory Road, Loughton, Essex IG10 1AF, in accordance with the terms of the application, Ref EPF/2418/15, dated 25 September 2015 and subject to the conditions listed in the attached schedule.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The street scene is characterised by a mix of semi-detached and detached dwellings of mostly two storeys with the exception of the existing dwelling and another to the opposite side of the road. Built development lines either side of Priory Road, set in from the back edge of the footway and off street parking is provided to front gardens. There is a large detached red brick flat roofed telephone exchange building adjacent to the appeal site.
4. The proposed development would involve the demolition of a detached bungalow and the erection of a pair of semi-detached dwellings with a similar set in from the back edge of the footway. The proposed dwellings would also follow the building line of the established street scene and introduce a form of development which is prevalent in the area.
5. I acknowledge that the proposed development would use a simpler and modern design approach to the frontage which would contrast with more traditional two storey gable roofed designs with forward projecting bay windows. However, this proposed frontage would be in the context of a number of mixed dwelling

- types, designs and heights. In addition, the proposed development would have a symmetrical frontage and a mixed render and brick finish, both of which are very typical of the street scene and the wider area.
6. The proposed development would be wider in the plot than that the existing detached bungalow and as a result would bring a new building closer to the boundary of the immediate neighbour at Number 23. However, this would be in the context of a lack of general uniformity to building spacing or garden dimensions in the area owing to the existence of, amongst other things, single storey detached buildings to side elevations, side and front extensions as well as the mixed nature of development in the area more generally.
 7. The proposed pair of semi-detached dwellings would be narrower than some others that are established in the street scene and wider area and as a result their respective internal floor areas and indeed their gardens would be smaller. I am not provided with any evidence to suggest however that these matters in themselves would necessarily result in any material planning harm. The size of the resulting dwellings in terms of their internal floor area and garden size was not a matter on which the Council objected to the scheme.
 8. I also consider that the proposed development would represent, in overall height terms, a pair of two storey semi-detached dwellings. The design would include a third bedroom in the roof space and the use of dormer windows. The proposed dormer windows would be of the box type design with a flat roof. However, they would be well contained within the roof space, set in from the side, the ridge and the eaves. They would be in proportion with the fenestration detail of the rear elevation and being to the rear would be well screened from any public views in any event. I therefore do not consider that they would result in any adverse visual effect.
 9. For the above reasons, the proposed development would not introduce an uncharacteristic form, siting, design or pattern of development that would result in harm to the character and appearance of the area.
 10. Consequently, I find no conflict with saved Policies CP2, CP7 or DBE1 of the Local Plan¹. These Policies seek to ensure that, inter alia and along with section 7 of the Framework², new development is of a good quality and contextually appropriate design and safeguards and enhances the setting, character and townscape of the urban environment and maintains the environmental quality of existing urban areas.

Other Matters

11. Whilst there would be some reduction of light into the side kitchen window of Number 23 Priory Road as a result of the proposed development, the kitchen window is within close proximity to and directly faces the side elevation of the existing bungalow and thus light into it is already constrained. Whilst the proposed development would be taller against this window, the affected room also has double patio style doors facing into the rear garden which afford the room considerable light. I do not therefore consider that light into this room would be constrained by the proposed development to the extent that it would justify dismissal of the appeal.

¹ The Adopted Epping Forest District Local Plan 1998 and Alterations 2006

² The National Planning Policy Framework 2012

12. Any views from first floor or roof space windows of the proposed development would be of the far end of neighbouring gardens which is not an uncommon situation in suburban areas. The main area of private garden space to a dwelling is commonly the immediate rear of the dwelling and as such the proposed development would not impinge on the privacy of the occupiers of neighbouring dwellings.
13. I note that there is some dispute over the precedent value that has been attributed to other examples of similar developments in the area that have been recently approved. In this case I have not had regard to any other examples of recently approved developments in my findings and consequently have considered the proposed development entirely on its own merits.
14. I acknowledge that the adjacent telephone exchange building by virtue of its large scale and utilitarian design is not a positive feature in the street scene. This is an existing situation over which the proposed development would have no direct influence. I do not agree therefore that, in the context of the lack of harm that I have identified in respect of the effect of the proposed development on the character and appearance of the area, the proposed development, on its own merits, would in any way exacerbate the existing situation.
15. I note the concern expressed over the effect of the proposed development on highway safety with specific regards to possible increased demand for on street parking. However the proposed development would include a single off street parking space per dwelling which the Council considered appropriate. I also note that the proposed development would be within easy reach of a range of local services, all of which can be accessed via sustainable means. I am therefore satisfied that the proposed development would not actively encourage parking on the street and consequently would not have a detrimental effect on highway safety.
16. Some concern has been expressed over the loss of the existing bungalow that would, in itself, be of benefit to the elderly community. With respect to this matter I do not have any evidence before me to suggest that bungalow accommodation is in short supply in the area relative to demand and as such can afford this matter limited weight in my findings.

Conditions

17. I have had regard to the various planning conditions that have been suggested by the Council. In addition to the standard condition which limits the lifespan of the planning permission I have, for certainty, specified the approved plans. I have also imposed conditions requiring the agreement of external materials and finishes to ensure that the appearance of the proposed development would be satisfactory which, since it goes to the heart of the planning permission, need to be agreed prior to the commencement of development.
18. Since they are not stated clearly on the approved plans and in the interests of ensuring that levels are not built up in gardens which may compromise the privacy of the occupiers of neighbouring dwellings, I have included a condition requiring details of finished external site levels. I do not consider details of finished internal floor levels are required since they are specified on the approved plans and thus addressed by a separate condition.

19. To ensure the proper functioning of the proposed development I have imposed a condition requiring the agreement of a scheme to control the discharge of foul and surface water and to limit the effect of noise disturbance to neighbouring residents I have imposed a condition restricting the hours for demolition and construction. Since there is no dispute over the timings for this as suggested by the Council, I agree that they are reasonable.
20. I do not consider it necessary however to require the landscaping of private gardens and nor do I find there to be any exceptional circumstances that would justify the removal of rights under permitted development. In addition, the appeal site is within a residential area and development would take place within an existing garden and as such I cannot agree that the provision of wheel washing facilities is necessary to make the development acceptable.
21. I have not been provided with any evidence relating to land contamination that is specific to the appeal site and as such I do not agree that conditions requiring further information or work in response to these matters can be justified.

Conclusion

22. For the reasons given above, I conclude that the proposed development would not give rise to harm to the character and appearance of the area and as such the appeal is allowed.

John Morrison

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 2015-687-001, 2015-687-002 Rev A, 2015-687-010 Rev A, 2015-687-011 Rev A, 2015-687-012 Rev A and 2015-687-014.
- 3) No development shall commence until details/samples of the materials and finishes to be used in the construction of the external surfaces of the dwellings hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details/samples.
- 4) No development shall take place until full details of finished external site levels have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 5) No development shall take place until details of methods for the disposal of foul and surface water have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 6) Demolition or construction works shall take place only between the hours of 07:30 and 18:30 Mondays to Fridays, 08:00 and 13:00 on Saturdays and shall not take place at any time on Sundays or on Bank or Public Holidays.

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Appeal Decision

Site visit made on 21 June 2016

by **S J Buckingham BA (Hons) DipTP MSc MRTPI FSA**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 11th August 2016

Appeal Ref: APP/J1535/D/16/3149197

24 Alderton Hill, Loughton, Essex, IG10 3JB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Balbir Bagria against the decision of Epping Forest District Council.
 - The application Ref PL/EPF/2983/15, dated 20 November 2015, was refused by notice dated 3 February 2016.
 - The development proposed is two storey side extensions, part single and part two storey rear extensions, dormer windows and associated alterations.
-

Decision

1. The appeal is allowed and planning permission is granted for two storey side extensions, part single and part two storey rear extensions, dormer windows and associated alterations at 24 Alderton Hill, Loughton, Essex, IG10 3JB in accordance with the terms of the application, Ref PL/EPF/2983/15, dated 20 November 2015, and the plans submitted with it, subject to the conditions set out in the schedule to this decision.

Main Issues

2. The effect on the living conditions of the occupiers of number 26 Alderton Hill with respect of outlook and sunlight and daylight.

Reasons

Outlook

3. Alderton Hill is a residential area consisting of large detached houses sitting in large plots. Number 24 Alderton Hill sits just downhill and to the south-west of number 26 and has a front building line that sits just forward of the garage of number 26. The boundary between the two properties at the front of the site is a brick wall of something over 3m in height, and further in is characterised by mature vegetation.
4. The appeal proposal includes two flank extensions, that to the left-hand side comprising a granny-annexe over a garage. The proposed extension to the right-hand side would be set around a metre back from the flank boundary wall, and would be around 7 metres away from the main flank elevation of number 26. The two storey element would roughly follow the footprint of the existing garage, projecting back from the front building line to around halfway

along the garage of number 26, and some distance forward of the rear elevation of that house.

5. Being set forward in this way, the two storey element of the proposal would not be visible from principal windows to the rear of number 26, and views of it from the front would be oblique or and shielded at ground floor level by the flat roofed canopy, walkway and garage of number 26. I do not consider therefore that it could form an obtrusive element in the outlook of the occupiers of that property.
6. I do not consider that the proposed extension would appear overbearing in the outlook of the occupiers of number 26, and that it would not therefore conflict with policy DBE9 of the local plan, which seeks to protect the outlook of adjoining occupiers where buildings are extended.

Sunlight and Daylight

7. The orientation of the appeal property and its neighbour mean that direct sunlight to the north-west facing garden elevations is already limited. The garden room to number 26 is a glass-roofed lean-to attached to the high boundary wall, therefore precluding sunlight from the south-west also. At the time of my site visit, I noted from the highway that the flat roofed walkway from the house to the garage is open sided, and that in the mid-morning light was passing through and over that to reach the garden room from the south east. Given these facts, the proposed two storey extension element, located to the south west is not likely to make a material difference to levels of sunlight or daylight reaching the garden room or sitting out area of number 26.
8. The appeal includes a sunlight and daylight study which supports this assessment, concluding that there would be a limited effect by the appeal proposal in terms of reductions in daylight or sunlight.
9. I do not, therefore, consider that the proposed extension will cause an unacceptable loss of daylight or sunlight to number 26, and will not therefore conflict with policy DBE9 of the local plan which seeks to protect the daylight and sunlight conditions for adjoining occupiers where buildings are extended. .
10. In arriving at this conclusion I have taken into account the previous appeal decision. However, the massing and siting of the proposed extension in relation to number 26 have changed, and information has been submitted which clarifies the effect of the proposed extension in terms of sunlight and daylight. This does not, therefore, alter my decision.

Other Matters

11. An objection to the proposal suggested that the proposed two storey extension on the left hand side of number 24 would affect the privacy of the occupiers of number 22 Alderton Hill through overlooking. This extension would contain a garage at ground floor level, and the residential accommodation at first floor level would have only an obscured glazed window on the flank elevation adjoining number 22. The installation and retention of obscured glazing can be secured by condition. I conclude therefore that the living condition of the occupiers of number 22 would not be compromised.

Conditions

12. I have had regard to the various planning conditions that have been suggested by the Council. Drawing 1406/304 Revision D indicates that the granny-annexe will have an internal link to the main house, and will share the drive and parking, so I do not, therefore, consider it necessary to impose a condition to ensure that it shall not be occupied as other than for purposes ancillary to the residential use of the main house. I have attached a condition specifying the relevant drawings, as this provides certainty. A condition relating to materials is appropriate in the interests of character and appearance. Conditions securing the installation and retention of obscured glazing and controlling the insertion of new windows in the flank elevations are necessary in the interests of the privacy of the occupiers of adjoining premises. Adequate off street parking should be retained in the interests of highways safety, and I have therefore imposed a condition to secure the retention of parking in the new garage. A condition limiting the hours of construction and demolition works is attached to safeguard the living conditions of the occupiers of adjacent properties.

Conclusion

13. For the reasons given above therefore, and having regard to all other matters raised, I conclude that this appeal should be allowed.

S J Buckingham

PLANNING INSPECTOR

SCHEDULE

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, 1406/100; 1406/102; 1406/107 Revision A; 1406/303 Revision B; 1406/304 Revision D; 1406/305 Revision B; 1406/306.
- 3) The external surfaces of the development hereby permitted shall be constructed in the materials to match those used in the existing building unless otherwise agreed in writing by the Local Planning Authority.
- 4) The extensions hereby permitted shall not be occupied until the windows to the eastern and western flank elevations above ground level, comprising those to the granny flat/studio, bedroom 2, bedroom 3, bedroom 4, bedroom 6 and bedroom 7, have been fitted with obscured glazing, and no part of those window that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Once installed the obscured glazing shall be retained thereafter.
- 5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows other than those expressly authorised by this permission shall be constructed on the flank elevations of the house without the prior written permission of the local planning authority.
- 6) The garage hereby permitted shall be kept available at all times for the parking of motor vehicles by the occupants of the dwelling and their visitors, and for no other purpose.
- 7) Demolition or construction work shall take place only between the hours of 07.30 to 18.30 Monday to Friday, 08.00 to 13.00 on Saturday and shall not take place at any time on Sundays or on Bank or Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

Appeal Decision

Site visit made on 22 March 2016

by Andrew McCormack BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 09 May 2016

Appeal Ref: APP/J1535/W/15/3139227
26 Meadow Way, Chigwell, Essex IG7 6LR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Peter Argyrou against the decision of Epping Forest District Council.
 - The application Ref PL/EPF/1279/15, dated 19 May 2015, was refused by notice dated 26 August 2015.
 - The development proposed is a two storey new build house.
-

Decision

1. The appeal is allowed and planning permission is granted for a two-storey new build house at 26 Meadow Way, Chigwell, Essex IG7 6LR in accordance with the terms of application ref: PL/EPF/1279/15, dated 19 May 2015 and subject to the conditions set out in the attached schedule to this decision letter.

Main Issues

2. The main issues are the effect of the proposed development on:
 - the character and appearance of the area; and
 - the living conditions of neighbouring residents with particular regard to outlook, noise and disturbance.

Reasons

Character and appearance

3. The surrounding area is one of large detached dwellings, positioned on generous plots within a well-landscaped streetscene, establishing an open and verdant character. The appeal site consists of an area of grass land situated within a gated cul-de-sac accessed from Meadow Lane which serves three detached dwellings. The appeal site is situated towards the front of the cul-de-sac between 22 and 28 Meadow Way (Nos 22 and 28), in front of 24 Meadow Way (No 24) but behind a sizeable front boundary gate and wall. It is adjacent to, but not within, the Chigwell Village Conservation Area (CA), albeit the south western boundary wall of the site does form the boundary of the CA.
4. The proposed dwelling would be of a traditional design which would be in keeping with the prevailing character of the nearby dwellings and the surrounding area. In terms of its elevations, the dwelling would have a dual

- aspect design which would address the main Meadow Way frontage to the south east, as well as the private road of the cul-de-sac to the north east.
5. When viewed from Meadow Way the scheme would appear somewhat smaller in scale than its neighbouring properties. However, while there are larger properties in the immediate locality, a number have been extended over time and were originally smaller dwellings and the proposed dwelling's appearance would reflect its surrounding context well and would not be inappropriate or out of keeping. The position of the proposed dwelling and its set back from the main building line between Nos 22 and 28 would not have a significantly adverse effect on the streetscene.
 6. The dwelling would be partially concealed behind the substantial front boundary wall of the cul-de-sac and also behind the mature trees to the front on Meadow Way. Furthermore, given the separation distances to neighbouring properties, the dwelling would complement the character and appearance of the area by providing a more defined frontage to Meadow Way than is currently provided by No 24 which is set back considerably further.
 7. Whilst I accept that the scheme would introduce further built form to the area, the design and scale of the proposed dwelling would not reduce the spacious character and the generous plot sizes to the surrounding properties would be maintained. The proposed private garden space comfortably exceeds the relevant requirements. Furthermore, the proposed dwelling would sit comfortably on, and be in proportion to, its slightly smaller plot and would not represent cramped development.
 8. Whilst the proposed dwelling would result in the loss of a grassed area within the gated cul-de-sac, it would provide a new dwelling in an established residential area. The scheme would be proportionate in size and scale to its plot and although it would be smaller than its neighbouring properties, its traditional design would be in keeping with its surroundings. As a result, its position and appearance would not have an adverse effect on the area. Consequently, in my assessment, the proposed development would not cause any significant harm to the character and appearance of the surrounding area.
 9. Accordingly, I conclude that the appeal scheme would comply with Policies CP2(iv), CP7 and DBE3 of the adopted Epping Forest Local Plan and Alterations (the Local Plan). These policies, amongst other matters, seek to ensure that development safeguards and enhances the character and townscape of the area, makes full use of existing urban areas where it would not result in over-development, unsympathetic change or loss of amenity and provides defined spaces which are functional, attractive and safe.

Living conditions: neighbouring residents

10. The proposed dwelling would be positioned approximately 32 metres in front of No 24 to the north and be separated by approximately 11 metres from No 28 to the east. The effect on the outlook of neighbouring occupiers would therefore be limited. Whilst the view from No 24 would clearly be altered, the separation would be sufficient such that there would be no undue loss of outlook. Furthermore, from No 28, while the new dwelling would be visible, it would be set behind the principal windows and at sufficient distance and angle such that it would not have an adverse effect on outlook, particularly given the residential nature of the area.

11. The scheme would result in some additional traffic passing along the private lane to the courtyard and garage area. There would be additional manoeuvring within the courtyard and the possibility of cars meeting along the access lane. However, such movements already exist and the small increase represented by this additional dwelling would be insufficient to lead to material harm to the living conditions of neighbouring occupiers as regards noise and disturbance associated with this.
12. Consequently, I conclude that the proposed development would not cause any significant harm to the living conditions of neighbouring occupiers. It would therefore conform with Policies CP7 and DBE9 of the adopted Local Plan which, in part, seek to ensure that development does not result in any loss of amenity for neighbouring occupiers.

Other matters

13. I note local residents' concerns regarding the loss of views, sunlight and privacy. The right to a view is not a material planning consideration and therefore I do not give this any significant weight in my decision. With regard to potential loss of sunlight, there would be sufficient separation between the proposed dwelling and nearby properties so as not to cause any substantial overshadowing of other nearby gardens or dwellings. Any loss of sunlight experienced by the occupiers of 28 and 30 Meadow Way would be during late afternoon or evening and the effect of such loss would be limited due to the screening effect of the existing dense tree cover along the public footpath. Accordingly, I find that any such loss of sunlight would not have a material effect on the levels currently enjoyed by neighbouring occupiers.
14. With regard to privacy, the separation distance to No 24 would be sufficient to protect privacy. Other neighbouring occupiers have raised concerns about overlooking from the proposed windows positioned on the north eastern elevation of the proposed scheme. However, the windows to the proposed stairwell and the first floor en-suite bathroom, which would face the private road and the rear gardens of Nos 28 and 30 beyond, would be obscure glazed. Indeed, such a measure could be secured by condition. The ground floor windows facing north east would not have any substantial adverse effect on privacy due to their height, their distance from, and the screening effect of the boundary fencing of No 28. Furthermore, in my assessment, any variance in ground level as a result of the scheme would be unlikely to have any substantive adverse effect on the privacy issues raised. However, a levels condition could be imposed to ensure that levels do not alter significantly as a result of the proposed development.
15. Concerns regarding highway safety and parking, access for emergency service vehicles, the potential impact on bats and on trees and ecology have also been raised. The proposed dwelling would create a requirement for two additional parking spaces. Planning permission for, and the construction of, the garaging associated with the proposed development has already occurred. Thus, the provision of two additional parking spaces, which can be secured by condition, would be sufficient. I note also that the highway authority has raised no objection to the scheme in this regard. From what I have seen before me and on my site visit, I have no reason to differ from that view.
16. The proposed dwelling would not alter the existing arrangements for access by emergency service vehicles and I, therefore, have no substantive concerns

regarding this matter. In relation to the potential impact on bats, trees and ecology, any effects would be limited, and tree protection can be secured by condition.

17. The Council raise the issue of the potential lack of natural daylight and sunlight available to the future occupiers as a result of the relationship with the boundary wall. In light of the design and orientation of the property, with its dual aspect configuration, I am satisfied that any effect arising from the close proximity of the wall would be insufficient to warrant dismissal of the appeal.

Conditions

18. I have had regard to the planning conditions that have been suggested by the Council. Where necessary, and in the interests of conciseness and enforceability, I have altered the suggested conditions to better reflect the relevant parts of the Planning Practice Guidance (PPG). I have not imposed some suggested conditions for the reasons set out below.
19. In addition to the standard implementation condition (1), I have imposed a condition specifying the relevant plans as this provides certainty (2). Conditions relating to materials (3), landscaping (4, 5) and tree protection (6) are appropriate in the interests of character and appearance. A condition relating to the protection and retention of the south western boundary wall (7) is appropriate and necessary for similar reasons. Further conditions relating to site levels (8), land contamination (9), a construction method statement (10), windows (11) and foul and surface water drainage (12) are necessary to ensure that living conditions are satisfactory for future and neighbouring occupiers. I have imposed a condition to require that the approved garaging is retained solely for the parking of cars in the interests of highway safety (13). Given the residential character of the area, it is appropriate that controls are placed upon the hours of construction work and I impose a condition accordingly (14).
20. I have not imposed a condition relating to the Public Right of Way as I do not consider this to be necessary or relevant to the approved development. I am also not persuaded that it is necessary to remove permitted development rights, as the Council suggests. The PPG indicates that such restrictions should be exceptional and I do not consider the circumstances in this case to be so. It is essential that the requirements of conditions 3, 4, 6, 7, 8, 9 and 10 are agreed prior to development commencing to ensure an acceptable form of development in respect of the design, landscaping, tree protection, contamination and preservation of the character of the CA.

Conclusion

21. For the above reasons, having regard to all matters raised and subject to the conditions set out in the attached schedule, I conclude that the appeal should be allowed.

Andrew McCormack

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing nos. 2015.105.PA-01; 2015.105.PA-02 rev A; 2015.105.PA-03; 2015.105.PA-04; 2015.105.PA-05; 2015.105.PA-06; 2015.105.PA-07; 2015.105.PA-08 rev A; 2015.105.PA-09 rev A; 2015.105.PA-10 rev A; 2015.105.PA-11 rev A; 2015.105.PA-12 rev A; 2015.105.PA-13 rev A; 2015.105.PA-14 rev A; 2015.105.PA-15 rev A and 2015.105.PA-16 rev A.
- 3) No development shall commence until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to, and approved in writing by, the local planning authority. Development shall be carried out in accordance with the approved details.
- 4) No development shall commence, including site clearance or other preparatory work, until details of both hard and soft landscape works (including tree planting and an implementation programme) have been submitted to, and approved in writing by, the local planning authority. The hard landscaping details shall include:
 - i) earthworks showing existing and proposed finished levels or contours;
 - ii) means of enclosure and retaining structures;
 - iii) car parking layouts; and
 - iv) minor artefacts and structures, including signs and lighting and functional services above and below ground.The details of soft landscape works shall include:
 - v) planting plans;
 - vi) written specifications (including cultivation and other operations associated with plant and grass establishment); and
 - vii) schedules of plants noting species, plant supply sizes and proposed numbers/densities where appropriate.
- 5) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the completion of the development hereby permitted; and any trees of plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 6) No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees (the tree protection plan) and the appropriate working methods (the arboricultural method statement) in accordance with paragraphs 5.5 and 6.1 of British Standard BS5837: Trees in relation to design, demolition and construction – Recommendations (or in an equivalent British Standard if replaced) shall have been submitted to, and approved in writing by, the local planning authority. The scheme for the protection of the retained trees shall be carried out as approved. In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars.
- 7) No development shall commence until details of how the existing wall along the south western boundary that forms part of the Chigwell Village

Conservation Area shall be retained and protected during construction is submitted to, and approved in writing by, the local planning authority. The development shall then be carried out and maintained thereafter in accordance with the approved details.

- 8) No development shall take place until full details of all finished floor levels, above ordnance datum, in relation to existing and proposed site levels for the building and external space and to the adjacent buildings have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved levels.
- 9) No development shall commence until an assessment of the risks posed by any contamination, carried out in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), shall have been submitted to, and approved in writing by, the local planning authority.

If any contamination is found, a report specifying the measures to be taken, including the timescale, to remediate the site to render it suitable for the approved development shall be submitted to, and approved in writing by, the local planning authority. The site shall be remediated in accordance with the approved measures and timescale and a verification report shall be submitted to, and approved in writing by, the local planning authority.

If, during the course of development, any contamination is found which has not been previously identified, work shall be suspended and additional measures for its remediation shall be submitted to, and approved in writing by, the local planning authority. The remediation of the site shall incorporate the approved additional measures and a verification report for all the remediation works shall be submitted to the local planning authority within 30 days of the report being completed and approved in writing by the local planning authority.

- 10) 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 Statement shall provide for:
 - i) the parking of vehicles of site operatives and visitors;
 - ii) loading and unloading of plant and materials;
 - iii) storage of plant and materials used in constructing the development;
 - iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - v) wheel washing facilities;
 - vi) measures to control the emission of dust and dirt during construction;
 - vii) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
 - viii) the approved Construction Method Statement shall be adhered to throughout the construction period for the development.
- 11) The building hereby permitted shall not be occupied until the proposed window openings at the first floor level of the north eastern flank elevations have been fitted with obscured glazing, and no part of those windows that is less than 1.7 metres above the floor of the room in which they are installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to, and approved in writing by, the local planning

authority before the windows are installed and once installed the obscured glazing shall be retained thereafter.

- 12) The building hereby permitted shall not be occupied until the foul and surface water disposal works shall have been completed in accordance with details that have first been submitted to, and approved in writing by, the local planning authority.
- 13) Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or of any equivalent provision in any Statutory Instrument revoking or re-enacting that Order), the garage indicated on drawing 2015.105. PA-08 rev A for use for number 26a, shall be permanently retained for use for number 26a so that it is capable of allowing the parking of cars together with any ancillary storage in connection with the residential use of the site, and shall at no time be converted into a room or used for any other purpose.
- 14) Construction works shall take place only between 0800-1800 Monday to Friday and 0800-1300 on Saturdays and shall not take place at any time on Sundays or on Bank or Public Holidays.

END OF SCHEDULE

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Appeal Decision

Site visit made on 26 April 2016

by Helen Hockenhull BA(Hons) B.PI MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 09 June 2016

Appeal Ref: APP/J1535/W/16/3143162
51 High Road, Loughton, Essex IG10 4JE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Spring Grove Limited against the decision of Epping Forest District Council.
 - The application Ref EPF/1973/15, dated 10 August 2015, was refused by notice dated 25 November 2015.
 - The development proposed is the demolition of the existing dwelling and construction of eight residential flats with associated car parking spaces, amenity space and refuse collection area.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are:
 - the effect of the proposed development on the character and appearance of the area;
 - the effect of the development on the living conditions of future occupiers of the building with particular regard to outdoor amenity space and of neighbouring residents with regard to outlook and privacy;
 - the effect of the development on highway safety with particular regard to car parking provision;
 - whether the loss of a non designated heritage asset can be justified.

Reasons

Character and appearance

3. The appeal site is occupied by a large detached late Victorian/early Edwardian dwelling and is located in a prominent corner at the junction of High Road and Spring Grove, Loughton. Spring Grove is residential in character with large semi detached and detached properties of various architectural styles, constructed in a range of materials including brick, render and timber boarding. Properties have front gardens bounded by low walls with mature landscaping. The part of High Road in the vicinity of the appeal site is more mixed in character with older Victorian terraced cottages and more modern flat roofed

- three storey flats together with open land bounded by fences and vegetation forming either part of the playing fields to Oaklands School or part of Epping Forest.
4. The appeal proposes a large part three storey part two storey development of a traditional design and materials with gable features, balconies and roof lights to be constructed in brick with render and a tiled crown roof. Having regard to the mixed character of High Road and variety of architectural style on Spring Grove, I consider that the overall design of the appeal building and use of materials would be in keeping with the character and appearance of the area.
 5. The building would be sited approximately one metre back from the plot boundary with High Road and at its closest point approximately the same distance back from Spring Grove. In relation to the High Road frontage, other neighbouring properties are set close to the highway, particularly the Victorian cottages which have a small frontage area bounded by railings. Other more modern substantial buildings such as The Willows flat development are set further back to allow for boundary planting and screening. In the case of the appeal proposal, this would form a large development on a prominent corner site. The close proximity of the building to High Road results in a limited ability to provide screening to create a setting to the building. This would accentuate the building's scale and prominence in the street scene. In an area where, with the exception of the historic cottages, buildings are set back from the highway with significant mature boundary planting, I consider that the proposal would not maintain the quality of the built environment in this locality.
 6. In relation to existing properties on Spring Grove, the appeal proposal would be positioned much closer to the highway with little frontage planting. This would be at odds with the character of this area with properties set back from the road with landscaped front gardens. I therefore consider that the development would not be in keeping with the established pattern of development on Spring Grove and would not respect the prevailing character of the area.
 7. The Council has raised concern about the proposed crown roof, that it may not be successful in appearing as a hipped roof when viewed from Spring Grove. However as a result of the level differences, with Spring Grove sloping up to the appeal site and High Road, I consider that the crown roof would be effective. The Council has also commented about the position of the terrace balcony to Flat 3 facing High Road and the relationship of this to the narrow strip of boundary planting and boundary wall detail on this frontage. This close relationship would, in my view, accentuate the lack of visual setting and landscaping to the building and result in a cramped appearance detrimental to the street scene.
 8. The appellant has commented that the provision of landscaping could be the subject of appropriate conditions should the appeal be allowed. However it is my view that in this case, landscaping cannot be left to be resolved by conditions because of the importance of ensuring that the proposed development would not have an adverse impact on the street scene and character of the area.
 9. Bringing the above points together, I consider that the appeal proposal would cause harm to the character and appearance of the area. The scheme would conflict with saved policies CP2(iv), CP7, DBE1(i), LL10 and LL11 of the Epping

Forest District Local Plan and Alterations 2006 (LP) which amongst other things seek to achieve buildings of high quality design, appropriately landscaped, respecting their setting, and improving, maintaining and conserving the quality of the built environment. I consider these policies to be generally consistent with the National Planning Policy Framework (the Framework), in particular paragraphs 17 and 56 which aim to secure high quality design.

Living conditions

10. The appeal proposal does not provide communal outdoor amenity space but instead each flat has a terrace or patio area, varying in area from around 20 sq metres for the ground floor Flats 1 and 2 to approximately 3 sq metres for the single bed Flat 5. The Essex Design Guide requires 25 sq metres of outdoor amenity space for a 2 bedroom flat. It welcomes a similar provision for single bed flats but recognises that the occupants of such accommodation may be happy to forgo this amenity and make use of other local open space. In terms of the appeal proposal, a development of two 3 bed flats, five 2 bed flats and a one bed flat, the level of provision proposed would be below that recommended.
11. The appellant has provided evidence to demonstrate that there are areas of public open space, including Epping Forest within 200 metres of the appeal site. It is not uncommon for flat developments to have little or no communal amenity space but to have private balconies or terraces providing private amenity space. The Council has raised concern that many of the proposed balconies would be open to public view and not particularly private; however this is very often the case in this type of development.
12. I consider that having regard to the above points, the proposed amount of outdoor amenity space to serve the future occupiers of the development would be acceptable and would not result in harm to their living conditions.
13. Turning to the impact of the development on the outlook of neighbouring properties, the appeal proposal would provide a building occupying much of the site. The three storey element of the building would extend no further into the site than the existing dwelling. It would be set back approximately one metre from the common boundary with No. 53 High Road where it neighbours the dwelling itself and would then be set back into the site by approximately 3 metres. The building then continues at two storey height and because of the angled nature of the side boundary at this point, would be between 2 and 3 metres from the boundary with the neighbouring property.
14. No.53 has a long but very narrow rear garden. I consider that the three storey element of the proposed building would have little additional impact than the existing dwelling on the neighbouring property in terms of outlook. However, the appeal proposal would result in two storey built development in close proximity to and extending along most of the side boundary with No.53. I consider this would result in a significant enclosing and overbearing effect, particularly in relation to the narrow rear garden. This poor outlook would adversely affect the living conditions of the occupiers of the property.
15. With regard to privacy, the proposed window openings on the north east elevation of the building overlooking the garden of No. 53 would serve either bathrooms or storage rooms and are proposed to be fitted with obscure glazing or would be high level windows serving circulation areas. I therefore consider

that there would be no loss of privacy for the occupants of the neighbouring property.

16. I note the sunlight and daylight evidence put forward by the appellant that demonstrates that the development would comply with BRE guidelines in terms of daylight, sunlight and overshadowing. This is not disputed by the Council.
17. In summary whilst I have found that the appeal proposal would provide adequate outdoor amenity space for future occupants and would not result in the loss of privacy for adjoining neighbours, I consider that it would result in harm to the living conditions of the occupants of No.53 High Road in terms of outlook. The development would therefore conflict with saved LP Policies DBE2 and DBE9 which aim to safeguard the amenity of neighbouring properties. I consider these policies to be generally consistent with the Framework in particular paragraph 17 which seeks to secure a good standard of amenity for all existing and future occupiers of land and buildings.

Highway safety

18. The proposed development includes undercroft car parking providing 8 spaces, one per flat. The Council have raised concern that this level of parking would be insufficient and would be below the minimum 19 spaces required by the Essex Parking Standards 2009. In the submitted Transport Statement the appellant suggests a parking level of 15 spaces would be required, however it appears to me that parking for visitors has not been included in this assessment. The Standards allow for a reduction in car parking where a site is located within an accessible urban area. High Road is a bus route with regular services to Walthamstow, Loughton, South Woodford and Debden. The site is also within walking distance of Loughton Underground Station and the shops and facilities that Loughton provides. The appeal site can therefore be considered to be in a sustainable location.
19. I have also noted the appellant's parking survey assessing the parking stress within 200 metres of the site. This concludes that 22 vehicles were parked within 129 available spaces, an average parking stress of 17%. I note that Spring Grove the closest road to the appeal site exhibited significant on street car parking with a parking stress level of over 90%, however Newham Close an adjoining side road had a very low stress level of around 16%. The Council has not disputed the survey results and I note the lack of objection to the proposal from the Highway Authority.
20. Having regard to the sustainable location of the appeal site, together with the car parking survey results, I consider that the 8 parking spaces proposed would be adequate to serve the development. Additional demand for on street parking would be modest and would be absorbed onto surrounding streets without severe impact on highway safety.
21. I consider the appeal proposal to be acceptable in terms of highway safety and in compliance with saved LP Policy ST6 which aims to ensure adequate car parking in line with the adopted standards, a policy generally consistent with the Framework.

Non designated heritage asset

22. The Framework in paragraph 135 states that the effect of an application on the significance of a non designated heritage asset should be taken into account in

determining the application. It also states that a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. The Council considers that the loss of the appeal building, a non designated heritage asset, would be harmful to the character and appearance of the area and that it can only be justified if it is replaced by a development of high quality design.

23. The appeal building forms an attractive late Victorian/early Edwardian Arts and Crafts style property. It is not a building on the Council's Local List of heritage assets. I have been provided with very little evidence, such as a heritage statement, to explain the significance of this building. I observed on my site visit that the dwelling, whilst being attractive, forms a typical property of its age and I have sympathy for the Council's view that it would be preferable for the building to be converted and extended.
24. I have also had regard to the Council's view that the loss of the dwelling could be justified if the building that replaces it would be of a high standard of design. Bearing in mind my findings that the proposal would cause harm to the character and appearance of the area, I consider that the proposal would not be of a sufficiently high quality design to justify the loss of the building. It would therefore conflict with saved LP Policies CP2 (iv) and CP7 which seek to maintain the environmental quality of the urban area and the objectives of the Framework to conserve and enhance the historic environment.

Conclusion

25. I have found that the appeal proposal would not cause harm to the living conditions of future occupants with regard to the provision of outdoor amenity space and that it would be acceptable in terms of highway safety and the provision of car parking. Whilst these factors weigh in favour of the proposal they do not significantly or demonstrably outweigh the harm I have identified to the character and appearance of the area, the living conditions of the occupants of the neighbouring property at No. 53 High Road and the lack of justification for the loss of the building, a non designated heritage asset.
26. For the reasons given above and having regard to all matters raised, I dismiss this appeal.

Helen Hockenhull

INSPECTOR

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Appeal Decision

Site visit made on 25 August 2016

by Timothy C King BA (Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19 September 2016

Appeal Ref: APP/J1535/D/16/3152857
170 Manor Road, Chigwell, Essex, IG7 5PX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Sylvein Pinto against the decision of Epping Forest District Council.
 - The application Ref PL/EPF/3207/15, dated 22 October 2015 was refused by notice dated 30 March 2016.
 - The development proposed is '*Basement Extension.*'
-

Decision

1. The appeal is allowed and planning permission is granted for a basement extension at 170 Manor Road, Chigwell, Essex, IG7 5PX in accordance with the terms of the application Ref PL/EPF/3207/15, dated 22 October 2015, subject to the following conditions:
 - i) The development hereby permitted shall be carried out in accordance with the following approved plans: SK/201015.1 and 201015.2.
 - ii) Prior to the basement, hereby approved, being brought into use, sufficient provision shall be made for the parking of two private motor vehicles, in accordance with drawing No SK/201015.1, and the two spaces shall be retained for such purposes thereafter.

Procedural Matter

2. It appeared at my site visit that the proposal is currently in the process of being implemented, pursuant to a previous planning application relating to the dwelling's extension and also general renovation works. This has not affected my conclusions and I am treating the intended basement extension as a development proposal.

Main Issue

3. The main issue in this appeal is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal property, similar to No 168, its semi-detached neighbour, comprises a two-storey dwelling which has recently undergone development by way of
-

front and rear extensions approved under an earlier planning permission ref: EPF/1271/13. Both dwellings are significantly set back from the footway, and the appellant intends to use this area to the front of No 170 as a driveway. Accordingly, the submitted drawing No SK/20105.1 shows two cars easily accommodated within.

5. The Council's concerns, by way of its reason for refusal, relate to the proposed basement's size being inappropriate and disproportionate to the size of the dwelling involved and inconsistent with the character of the locality. The basement would be significantly larger than the one that was granted by way of the previous planning permission. However, despite representations made to the contrary, the officers' case report confirms that the extended basement's roof would be no higher than that of the original ground level or the ground levels of the neighbouring properties. Indeed, my site visit gave no indication of a departure from this. The only features that would be visible are three small proposed lightwells that would be installed into the driveway, but significantly set back from the front boundary with the public footway, and an additional lightwell below the steps to the dwelling's front door entrance. The intended boundary walling is not untypical in its context.
6. Given that the enlarged basement is fully accommodated underground I cannot see how the development can adversely affect the property's appearance, irrespective of the additional floorspace involved. The small lightwells would not be unsightly and, save for these, there would be no indication as to the accommodation situated below. The recently built front extension, although appearing as an unusual physical arrangement, has the benefit of an earlier planning permission. Consequently, the character of the immediate locality would be unaffected by the basement development.
7. The Council's other two concerns relate to an absence of landscaping and the lack of provision made for Sustainable Drainage Systems (SUDS). However, although SUDS is desirable for rainwater run-off I understand that the said 2013 planning permission did not require for such measures to be incorporated and neither was there a requirement for a planting or landscaping scheme to be incorporated into the development. As such, the use of the property's front curtilage and its appearance is a matter for the householder. In this instance it is intended that space be allotted for the parking of two cars, as the Council has suggested in its list of recommended conditions should this appeal be allowed and planning permission granted.
8. Interested parties have made representations objecting to the proposal, some of which I have already covered. A common ground of complaint is that the excavation works were commenced without the necessary planning permission. This is not an offence in itself so long as the unauthorised development is subsequently regularised. In instances where planning applications are made retrospectively the fact that development has already been carried out should not advantage the applicant but, equally, it should not be to the applicant's disadvantage as the development must be assessed on its planning merits, or otherwise. The issue of Building Regulations is a separate matter with planning permission and approval under current building regulations not necessarily being concurrent or mutually dependent.

9. I have not found that any harm in planning terms would result from the enlarged basement, and the Council has not justified its consideration that the proposal represents an unsustainable form of development. Also, the explanatory text to Policy LL.11 of the Epping Forest District Adopted Local Plan (LP), cited in the Council's reason for refusal, refers to new developments which require 'comprehensive landscaping'. In essence, such a requirement must relate to larger proposals for development which go beyond that of householder scale such as is the case with the current appeal. Accordingly, I do not find this policy to be directly applicable in this instance.
10. I conclude that the development would not be harmful to the character and appearance of the area, and there would be no material conflict with LP Policy LL.11, Policy CP3(v) of the Council's Local Plan and Alterations nor relevant advice within the National Planning Policy Framework.
11. For the above reasons, and having had regard to all other matters raised, the appeal succeeds. In terms of conditions, as the development has already been partially implemented and due to its nature, it is only necessary, out of the standard three conditions applied to householder proposals, for me to impose a condition requiring that the development be implemented in accordance with the approved plans. This will be for the avoidance of doubt and in the interests of good planning. Finally, I have imposed a condition relating to off-street parking, in the interests of highway safety.

Timothy C King

INSPECTOR

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Appeal Decision

Site visit made on 19 July 2016

by **Patrick Whelan BA(Hons) Dip Arch MA MSc ARB RIBA RTPI**
 an Inspector appointed by the Secretary of State for Communities and Local Government
 Decision date: 15 August 2016

Appeal Ref: APP/J1535/W/16/3149541

257 Chester Road, Loughton, Essex IG10 2LW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Dean Shea against the decision of Epping Forest District Council.
 - The application Ref EPF/2111/15, dated 23 August 2015, was refused by notice dated 25 November 2015.
 - The development proposed is the subdivision of the site and the erection of 1 no. 1-bed dwelling house.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the development on the character and appearance of the area; and,
 - whether the proposed development would provide acceptable living conditions for future occupiers in terms of private, amenity space.

Reasons

The character and appearance of the area

3. The site of the proposed house is the side garden and part of the rear garden of an end of terrace house whose plot adjoins a large corner of open space laid to grass. Open corners like this are a distinctive and common feature of the area, which occur between two perpendicular rows of housing. A similar open corner lies opposite the site, and more open corners lie in the same street, and in the wider area which is distinguished by its spacious character derived in large part from the strategic arrangement of small, open spaces between rows of houses and greater areas of soft landscape in the public realm.
 4. The Council finds the proposal's departure from the established plot width, and street elevation arrangement would make it appear cramped. Together with the incongruous form of the skewed ground floor, which would be unlike any comparable building in the area, it finds the proposal would dominate the space around it.
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5. I acknowledge the concern about the design of the building; however, the two-storey element would be similar in form to the other houses in the terrace. While the width of the house would be less than its neighbours and the spacing of openings more confined, the openings in the street elevation would be well arranged and balanced. The skewed ground floor projection would be little different in its height and location to garages erected on similar corner plots in the area.
6. While the development would incorporate very little soft landscape between the building and the street, this would be little different to the front gardens of many neighbouring houses which have been given over to parking for cars. Though the proposal is for a one-bedroom house unlike the rest of the houses in the terrace which appear to have three-bedrooms, these factors do not suggest that the proposal would appear cramped or as an overdevelopment of the site.
7. Notwithstanding that the proposal successfully ties into the existing terrace, the development of two storeys right up to the side boundary of the plot would overbear the open, corner space. It is similar to other corner spaces in the area which are characterised by the breathing space between their edges and the flanks of adjacent houses provided by their side gardens which are generally undeveloped or developed only in single storey. In this context, the development would undermine the distinctive character of the open corner spaces between right-angled terraces which are a feature of the spacious pattern of development in the area.
8. I note the appellant's reference to a similar house at 14 Audley Gardens, built beside an open corner space. While I have not been provided with the details of the circumstances which led to that development, I note that it pre-dates the publication of the National Planning Policy Framework 2012 (the Framework). Moreover, it is an isolated case whereas the majority of plots next to open corner spaces in the area appeared to me to be more sensitively developed than the proposal in this case.
9. I conclude on this issue that the proposed development would harm the character and appearance of the area. It would be in conflict with Policies CP2(iv) and CP7 of the Local Plan Alterations 2006 which seek, amongst other things, to protect and enhance the built environment by safeguarding and enhancing its setting, character and townscape. It would be at odds too with Policy DBE1 of the Local Plan 1998 which requires, amongst other things, that new buildings respect their setting including in terms of siting.
10. It would run against the advice in paragraphs 56, 58 and 61 of the Framework which sets out the importance the Government attaches to design and that decisions should ensure that developments respond to local character and address the integration of new development into the built environment. It would be contrary to the advice in the Planning Practice Guidance¹ which suggests that new development should respond appropriately to the existing layout of buildings, streets and spaces, and that the layout of areas, whether existing or new, should be considered in relation to adjoining buildings.

¹ Planning Practice Guidance, DCLG 2014 as amended, Paragraph: 024, ID 26-024-20140306

Living conditions of future occupiers

11. The Council considers that the back garden of the proposal, because of its tapered shape and by being overlooked by the existing house and dominated by its garden, would provide an unacceptable amount of usable amenity space.
12. Given that the proposal is for a one-bedroom house unlikely to be occupied by older children, and that the bin store is indicated to be located in the front garden which provides ample space for a car and good access with a degree of soft landscaping, the size of the back garden would meet the needs of future occupiers.
13. I agree that the proposed back garden has an odd shape and it would be overlooked by neighbouring upper floor windows. However, its shape would provide sufficient usable depth directly beside the back of the house and the taper would not make the remaining area unusable. The mutual overlooking of back gardens is common in the area because of the street block layout and appears to be accepted. I note that the proposed garden would oversail the direct line of vision from the closest windows in the existing house, however with suitable screening or planting much of this could be eliminated to provide an area of private garden which would have a clear aspect to the west, accessed directly from the house.
14. In respect of this issue, the proposal would not conflict with saved Policy DBE8 of the Local Plan 1998 which requires development to provide private amenity space of a reasonable size, shape and nature, as well as being accessible, to the rear and with a good and sunlit aspect. Nor would it be at odds with one of the core principles of the Framework which seeks to secure a good standard of amenity for future occupants of land and buildings.

Conclusion

15. Whilst the development would provide a modest benefit of one additional house to local housing supply, this is outweighed by the unacceptable harm it would cause to the character and appearance of the area, which is in clear conflict with the policies of the development plan and the Framework. For the reasons given above, and taking account of all matters raised, I conclude that the appeal should be dismissed.

Patrick Whelan

INSPECTOR

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Appeal Decision

Site visit made on 2 August 2016

by **Nick Palmer BA (Hons) BPI MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 22 August 2016

Appeal Ref: APP/J1535/W/16/3145592
Land at the junction of Westall Road/Etheridge Road, Loughton, Essex
IG10 2HX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under a development order.
- The appeal is made by CTIL & Telefonica UK Ltd against the decision of Epping Forest District Council.
- The application Ref EPF/2580/15, dated 13 October 2015, was refused by notice dated 7 December 2015.
- The development proposed is a 13.5m dual stack monopole supporting 6 № shrouded antennas, a 0.3m dish, 2 № equipment cabinets and development ancillary thereto.

Decision

1. The appeal is allowed and approval is granted under the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) for the siting and appearance of a 13.5m dual stack monopole supporting 6 № shrouded antennas, a 0.3m dish, 2 № equipment cabinets and development ancillary thereto at land at the junction of Westall Road/Etheridge Road, Loughton, Essex IG10 2HX in accordance with the terms of the application Ref EPF/2580/15, dated 13 October 2015, and the plans submitted with it, subject to the following conditions:

- 1) No development shall commence until there shall have been submitted to and approved in writing by the local planning authority a scheme of landscaping. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the completion of the development; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 2) The monopole and cabinets shall be painted Fir Green (RAL 6009) before they are brought into use.

Procedural Matter

2. The GPDO requires the local planning authority to assess the proposed development solely on the basis of its siting and appearance. I have determined this appeal in the same manner.
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Main Issue

3. The main issue in the appeal is the effect of the proposal on the character and appearance of the area.

Reasons*Character and Appearance*

4. Etheridge Road is separated from Burney Drive by a watercourse which runs through an area of open space. The open space is grassed and there are trees along the watercourse. Houses along both roads face onto the open space which provides an attractive setting to the area. The houses on Burney Drive are at a higher level than those on Etheridge Road.
5. The site is adjacent to a public house on the corner of Etheridge Road and Westall Road. I saw on my visit that there is an outdoor seating area at the front of that property but that the main windows of the property do not face the site directly. The nearest houses on Etheridge Road are some distance away from the site in both directions and their windows would not directly face the proposal although views at an oblique angle may be possible. The trees along the watercourse provide a significant level of screening from the houses on Burney Drive but the upper section of the monopole would be visible above those trees.
6. Landscape planting is proposed which would screen the equipment cabinets from view. The monopole would however be higher than other street furniture in the vicinity and its upper part would be quite bulky in comparison to those existing structures.
7. Policy U5 of the Epping Forest District Local Plan (1998) requires a number of matters to be taken into account including topography, views of the site, possible screening by vegetation and proximity to residential property and prominence from public rights of way. For the above reasons I find that although the proposal would affect the character and appearance of the area this would be mitigated by existing and proposed landscaping and the location of the proposal in relation to the nearest dwellings. On this basis the proposal would accord with policy U5 of the Local Plan. Class A of Part 16 of the GPDO does not require regard to be had to the development plan but this is a material consideration in my decision.
8. The proposal would provide improved coverage for two telecommunications operators, namely Vodafone and Telefonica. It would provide a 4G service as well as upgrading the existing 2G and 3G services. The sharing of the mast by two operators would accord with the National Planning Policy Framework (the Framework)¹ in terms of avoiding an unnecessary proliferation of masts. This also weighs in favour of the proposal in terms of mitigating its effect on the character and appearance of the area.
9. The appellant has investigated the possibility of using existing buildings and other telecommunications installations in the surrounding area. There are no suitable roof structures available and the use of other installations would not be compatible with the network requirements in terms of providing the required level of coverage.

¹ Section 5

10. Interested parties have referred to other possible locations including the junction of Willingale Road and Rookwood Avenue and an existing mast site at Pyles Lane. With respect to the former, the appellant states that a taller mast would be required at that location to provide the same level of coverage as the proposal and there is no evidence to the contrary before me. With respect to the latter site, the appellant has investigated the use of installations that are closer to the appeal site and which would not provide the required level of coverage.
11. For the above reasons the effect of the proposal on the character and appearance of the area would be limited and on this basis although harmful, I give limited weight to that harm.

Other Considerations

12. The Framework is supportive of telecommunications development which is of social and economic benefit. Paragraph 46 of the Framework states that local planning authorities should not seek to prevent competition between different operators or question the need for the telecommunications system. The social and economic benefits of improved telecommunications coverage weigh in favour of the proposal and I give significant weight to these considerations reflecting the support given by national policy.

Other Matters

13. Interested parties have raised concern about potential impacts on health. Such concerns are a material consideration but the appellant confirms that the proposal has been designed to comply with the guidelines published by the International Commission on Non-Ionising Radiation Protection. In these circumstances, the Framework advises that health safeguards are not something for decision-makers to determine. No evidence has been adduced of sufficient authority to justify setting aside this advice.
14. An interested party has raised concern about a lack of pre-application consultation but the appellant has confirmed that pre-application consultation letters were sent to the Council, Loughton Town Council, District Councillors, the Member of Parliament and the Head Teacher of the nearby school as well as to the adjacent public house and a number of local residents.
15. Concerns were expressed about the effect of the proposal on the use of the open space as a recreational facility but the installation would occupy a small area of that space and would not impair its function in this respect. Representations were also made about highway safety but the proposal would be set back from the footway and would not impede pedestrian movement. I have taken into account all other matters raised, including flooding and pollution but those matters do not alter my conclusions.

Balance

16. I have given significant weight to the benefits of the proposal both economically and socially. That significant weight outweighs the limited weight that I have given to the identified harm to the character and appearance of the area.

Conditions

17. I have imposed conditions as suggested by the Council requiring the painting of the monopole and cabinets and the provision of landscape planting in accordance with the plans in order to reduce the visual effect of the installation and help it to blend in with its surroundings.

Conclusion

18. For the reasons given I conclude that the appeal should be allowed.

Nick Palmer

INSPECTOR

Appeal Decision

Site visit made on 26 April 2016

by Helen Hockenhull BA(Hons) B.PI MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 09 June 2016

Appeal Ref: APP/J1535/W/15/3139697

West Lodge, 32 Palmerston Road, Buckhurst Hill, Essex IG9 5LW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Paul Spencer against the decision of Epping Forest District Council.
 - The application Ref EPF/1812/15, dated 24 July 2015, was refused by notice dated 28 October 2015.
 - The development proposed is the demolition of existing building and construction of replacement building for 13 flats.
-

Decision

1. The appeal is allowed and planning permission is granted for the demolition of the existing building and construction of 13 flats at West Lodge, 32 Palmerston Road, Buckhurst Hill, Essex IG9 5LW in accordance with the terms of the application, Ref EPF/1812/15, dated 24 July 2015 subject to the conditions in the attached Schedule.

Main Issues

2. The main issues in this case are:
 - the effect of the proposed development on the character and appearance of the area;
 - whether the proposed development provides acceptable living conditions for future occupants with particular regard to outdoor amenity space;
 - the effect of the proposal on highway safety;
 - whether the loss of a non designated heritage asset can be justified.

Reasons

Character and appearance

3. West Lodge forms a large detached late 19th century Victorian building previously in use as a Care Home that has been altered and extended over time. The site slopes up to the west where it is neighbored by a pair of semi-detached Georgian dwellings, Nos.34 and 36 Palmerston Road. Down the slope to the east is a traditional style two storey building providing 8 flats, known as Richard Burton Court. The area is predominantly residential in character with

- large Victorian dwellings together with modern two, three and four storey flats, resulting in a variety of design and materials in the locality.
4. The Council has raised concern about the height, bulk and density of the appeal proposal particularly in relation to the neighbouring properties. It would be part three storey and part four storey with the lower part of the building neighbouring Richard Burton Court. The appeal building would be between 2 metres and 4.5 metres higher than Richard Burton Court and would have a flat roof whilst the neighbouring property has a pitched roof. I consider the stepped nature of the building, together with the site being at a higher level to Richard Burton Court, results in a proposal that would not appear overly bulky or dominant. The proposed development would therefore provide an acceptable transition between the two sites which would be in keeping with the character and appearance of the area. The appellant has brought my attention to a revised proposal for 12 flats on the site which was approved by the Council on 2 March 2016¹. I am mindful that this approved scheme is similar to the appeal proposal in terms of its height and relationship to Richard Burton Court.
 5. With regard to the relationship of the appeal proposal to No.34 Palmerston Road, the appeal building would be approximately 1.1 metres higher than its neighbour at its highest point and have a slightly lower ridge height than the existing building on the site. The neighbouring property has a pitched roof with a gable facing the boundary with the appeal site and a hipped roof element to the other side of the building. The proposed roof structure would be hipped, reducing the bulk and mass of the roof and reflecting the hipped roof design of No 34. The roof top apartment and associated roof structure would be set back from the front elevation which would assist to reduce its bulk and prominence in relation to the neighbouring property and in the wider street scene. The use of slate materials for the roof structure responds to the slate roof of the neighbouring property and assists to blend this floor of the building into the roof scape. Whilst the orientation of the roof would be different to the buildings on each side, having regard to the variety of roof design in the wider area, I consider that the proposal would not be materially out of character or adversely affect the street scene.
 6. The appeal proposal would therefore comply with Policies CP2 (iv), CP7 and DBE (i) of the Epping Forest District Local Plan and Alterations 2006 (LP) which aim to safeguard the setting, townscape and environment of urban areas and achieve high quality design. These policies I consider to be generally consistent with the National Planning Policy Framework (the Framework) in particular paragraphs 17 and 56 which seek to secure high quality design.

Living conditions

7. LP Policy DBE8 requires 25 square metres of outdoor amenity space per each unit of accommodation which would result in a requirement of 325 sq metres for the appeal proposal. The Essex Design Guide however requires a lesser amount of outdoor amenity space, seeking 25 sq metres for a two bedroom flat. In terms of a single bed flat the Guide welcomes but does not require a similar provision recognising that the occupants of small flats may be happy to forego this amenity if there is access to other local open space. On this basis the minimum requirement for the appeal development would be 175 sq metres.

¹ Application Ref EPF/3035/15

8. The appeal proposal includes a rear communal garden area of around 181 sq metres which would be above the requirement of the Essex Design Guide. However this space is also used to gain access to the car parking area. I consider that this factor would discourage future occupants from using this facility. However all but four of the proposed flats are proposed to have a private balcony or patio space which would provide a further amenity area for future occupants. Furthermore as the appeal site is located within walking distance of other public areas of open space, I consider that adequate provision for outdoor amenity space would be provided.
9. The development would therefore provide acceptable living conditions for future occupants in respect to outdoor amenity space. Whilst it would not comply with LP Policy DB8, in this instance, having regard to the requirements of the Essex Design Guide, appropriate provision of outdoor amenity space would be made.

Highway safety

10. Vehicular access to the site would be from the rear off Westbury Lane. The proposed development would provide 13 car parking spaces in the basement of the building accessed via a car lift. This would equate to one space per flat. The Council have raised concern that this level of provision would be inadequate and would fail to meet the minimum 24 spaces required by the Essex Parking Standards 2009. The Council acknowledges that the Standards do allow a reduction in the number of spaces required if a site is located within an urban area, however in this instance the Council considers that a reduced level to 13 spaces cannot be justified having regard to the site's location and the level of facilities in the vicinity.
11. The site is within approximately 5 minutes walk of Buckhurst Hill Underground Station and Palmerston Road forms a bus route with regular services to Chigwell, Loughton and Ilford. Local shopping facilities are available on Queens Road around 4 minutes walk from the site. The appeal site would therefore be in a sustainable location where alternatives to the car are easily accessible. I consider that in line with the Essex Parking Standards, a reduction in on site parking provision to one parking space per flat would be acceptable in this location. I note the Highway Authority comments that the development would be acceptable in regard to highway and transportation matters.
12. I therefore conclude that the appeal proposal would not cause harm to highway safety and would comply with LP Policy ST6 which aims to ensure adequate car parking in line with the adopted standards, a policy generally consistent with the Framework.

Non designated heritage asset

13. The Framework in paragraph 135 states that the effect of an application on the significance of a non designated heritage asset should be taken into account in determining the application. It also states that a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. LP Policy CP7 does not specifically refer to non designated heritage assets but aims to protect and enhance buildings of historic importance in order to maintain the environmental quality of the urban area. The Council considers the loss of the appeal building, a non designated heritage asset, would be harmful to the character and appearance of the area.

14. The appeal property forms an attractive Victorian building which was originally square in plan form. It is not a building on the Council's Local List of heritage assets. It has been considerably altered and extended to the side and rear. A further addition has been the mock Tudor bethan timber motifs to the front elevation as well as the conversion of the roof space and installation of roof lights. These alterations have resulted in the building's form and many of the original features being lost.
15. As referred to earlier in this decision, the Council has recently given approval to a revised scheme on the site for 12 flats. The demolition of the appeal building has therefore been accepted by the Council.
16. Accordingly, I consider that the building no longer retains its historic significance and its demolition would in my view not be harmful to the character and appearance of the area. The loss of the building would therefore be consistent with the objectives of LP Policy CP7 and the Framework.

Conditions

17. I have had regard to the conditions suggested by the Council in light of the requirements of the national Planning Practice Guidance and the Framework. In addition to the standard timeframe condition I consider it necessary for the avoidance of doubt that the development should be carried out in accordance with the approved plans. I also consider it necessary to impose conditions regarding materials, hard surfacing, soft landscaping and tree protection measures in order to ensure a high quality development and protect the character and appearance of the area.
18. The Council has suggested conditions regarding the submission of floor and ground level details. As a result of level differences I consider such a condition is required. A condition regarding surface water disposal I consider to be necessary in order to appropriately manage surface water drainage from the site. The Council has suggested an additional condition regarding the submission of a flood risk assessment and management and maintenance plan. I do not consider this to be necessary as surface water management would be addressed in an appropriate surface water disposal scheme.
19. The Council has suggested conditions requiring a construction method statement and hours of working on the site which I consider to be necessary to protect the amenity of adjoining neighbours. A condition regarding the provision of obscured glazing to angled windows in the flank elevations is also required to maintain the privacy and living conditions of adjoining neighbours. Conditions regarding the construction of the private drive, dropped kerb crossings and the surfacing of the access are necessary in the interests of highway safety.
20. The Council has suggested a condition regarding the provision of a residential information pack for sustainable transport. I have not been provided with any evidence to explain why this is necessary or the policy basis for it. I have therefore not imposed this condition.
21. Where necessary and in the interest of clarity and precision I have amended the conditions to better reflect the guidance.

Conclusion

22. I have found that the appeal proposal would not cause material harm the character and appearance of the area or the living conditions of future occupiers with regard to outdoor amenity space. The proposal would also be acceptable in terms of highway safety and the loss of the building, a non-designated heritage asset, would be acceptable.
23. For the reasons given above and having regard to all other matters raised, I allow this appeal.

Helen Hockenhull

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: drawing numbers: 269-EX-01, 269-EX-02, 269-PL-01, 269-PL-02, 269-PL-03, 269-PL-04 Rev A, 269-PL-05, 269-PL-06, 269-PL-07 and 269-PL-08.
- 3) No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes of the building have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 4) No development shall take place until details of surface water disposal have been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with such agreed details prior to the first occupation of the development.
- 5) No development shall take place including site clearance or other preparatory work until full details of both hard and soft landscape works (including tree planting) and an implementation programme (linked to the development schedule) have been submitted to and approved in writing by the local planning authority. These works shall be carried out as approved. The hard landscaping details shall include details of existing features to be retained, hard surfacing materials, vehicle and pedestrian access and circulation areas and means of enclosure. The details of soft landscape works shall include planting plans and full written specifications and schedules of plants, including species, plant sizes and proposed numbers/densities where appropriate. Any tree, shrub or plant, which within a period of five years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species.

- 6) No site clearance, preparatory work or development shall take place until a scheme for the protection of retained trees (the tree protection plan) and the appropriate working methods (the arboricultural method statement) in accordance with paragraphs 5.5 and 6.1 of BS:5837:2012 Trees in relation to design, demolition and construction - Recommendations) have been submitted to the local planning authority and approved in writing. The scheme for the protection of retained trees shall be carried out as approved.
- 7) No development shall take place until full details of the proposed finished floor levels of the building, hard landscaped surfaces and landscaping areas have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 8) All material excavated from the below ground works hereby approved shall be removed from the site.
- 9) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - i) the parking of vehicles of site operatives and visitors
 - ii) loading and unloading of plant and materials
 - iii) storage of plant and materials used in constructing the development
 - iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - v) wheel washing facilities
 - vi) measures to control the emission of dust and dirt during construction
 - vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.
- 10) Prior to the first occupation of the development, the proposed private drive shall be constructed to a minimum width of 5 metres for at least the first 6 metres from the back of carriageway and provided with an appropriate dropped kerb crossing of the footway. The private drive as constructed shall be retained thereafter.
- 11) Prior to first occupation of the development the existing dropped kerb crossings to the site off Palmerston Road shall be fully reinstated to full height kerbing and footway across the site frontage and thereafter retained.
- 12) There shall be no discharge of surface water onto the Highway.
- 13) No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 14) 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.

- 15) The building hereby permitted shall not be occupied until windows in the flank elevations have been fitted with obscured glazing and no part of these windows that is less than 1.7 metres above the floor level of the room in which it is installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the window is installed and once installed the obscured glazing and means of restricting opening shall be retained thereafter.

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