Committee Agenda

Webcast Meeting

Epping Forest District Council

AREA PLANNING SUB-COMMITTEE SOUTH
Wednesday, 30th May, 2018

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

Council Chamber, Civic Offices, High Street, Epping
on **Wednesday, 30th May, 2018**
at **7.30 pm** .

Derek Macnab
Acting Chief Executive

Democratic Services Officer A. Hendry Tel: (01992) 564243
Email: democraticservices@eppingforestdc.gov.uk

Members:

Councillors appointed to the Sub-Committee and agreed at the Annual Council on 24 May 2018.

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 - 6)

General advice to people attending the meeting is attached.

3. MINUTES (Pages 7 - 42)

To confirm the minutes of the last meetings of the Sub-Committee held on 18 April 2018 and 25 April 2018.

4. APOLOGIES FOR ABSENCE

5. DECLARATIONS OF INTEREST

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. EPPING FOREST DISTRICT LOCAL PLAN SUBMISSION VERSION - PLANNING POLICY BRIEFING NOTE

A Planning Policy Briefing Note (March 2018) has been produced by the Planning Policy Team to ensure that a consistent approach is taken to the provision of planning policy advice for the District, particularly in relation to the Epping Forest District Local Plan Submission Version, which was published on 18 December 2017.

The primary purpose of the Planning Policy Briefing Note is to inform the development management process and to provide assistance for Development Management Officers, Councillors, applicants and planning agents. The Planning Policy Briefing

Note is available at:

http://www.efdclocalplan.org/wp-content/uploads/2018/03/Planning-Policy-Briefing-Note_Mar-2018.pdf

8. DEVELOPMENT CONTROL (Pages 43 - 132)

(a) Site Visits

To identify and agree requirements for formal site visits to be held with regard to any planning application listed in this agenda for consideration under Section (b) (Planning Applications) below, prior to consideration of the application.

This opportunity for members to identify and agree requirements for formal site visits to be held prior to consideration of a planning application is being operated on a trial basis from the commencement of the 2018/19 municipal year, until 30 November 2018. The success of this arrangement will be reviewed by the Constitution Working Group at the end of the trial period.

(b) Planning Applications

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.

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.

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

Are the meetings open to the public?

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

When and where is the meeting?

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

Can I speak?

If you wish to speak **you must register with Democratic Services by 4.00 p.m. on the day before the meeting**, by telephoning the number shown on the front page of the agenda. Speaking to a Planning Officer will not register you to speak; you must register with Democratic Service. Speakers are not permitted on Planning Enforcement or legal issues.

Who can speak?

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

What can I say?

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

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

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

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

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

How are the applications considered?

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

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

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

(a) the Sub-Committee's proposed decision is a substantial departure from:

  (i) the Council's approved policy framework; or
  (ii) the development or other approved plan for the area; or
  (iii) it would be required to be referred to the Secretary of State for approval as required by current government circular or directive;

(b) the refusal of consent may involve the payment of compensation; or

(c) the District Development Management Committee have previously considered the application or type of development and has so requested; or

(d) the Sub-Committee wish, for any reason, to refer the application to the District Development Management Committee for decision by resolution.

Further Information

Further information can be obtained from Democratic Services or through our leaflet 'Your Choice, Your Voice'.

EPPING FOREST DISTRICT COUNCIL
COMMITTEE MINUTES

Committee:	Area Planning Sub-Committee South	**Date:**	18 April 2018
Place:	Council Chamber, Civic Offices, High Street, Epping	**Time:**	7.00 - 10.40 pm
Members Present:	G Chambers (Chairman), A Patel (Vice-Chairman), R Baldwin, A Beales, K Chana, S Heap, R Jennings, J Jennings, H Kauffman, J Knapman, L Mead, G Mohindra, S Neville, C P Pond, C C Pond, C Roberts, D Roberts, D Sunger and D Wixley		
Other Councillors:	R Brookes		
Apologies:	A Lion and B Sandler		
Officers Present:	S Solon (Principal Planning Officer), J Leither (Democratic Services Officer), A Rose (Marketing & Digital Content Officer), A Hendry (Senior Democratic Services Officer) and S Hill (Assistant Director (Governance))		

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60. 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.

61. MINUTES

RESOLVED:

That the minutes of the meeting of the Sub-Committee held on 21 March 2018 be taken as read and signed by the Chairman as a correct record.

62. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor G Chambers declared a non-pecuniary interest in the following items of the agenda by virtue of receiving communications from both the objectors and applicant. The Councillor had determined that his interest was non-pecuniary and that he would remain in the meeting for the consideration of the application and voting thereon:

- EPF/0307/18 – 18 Russell Road, Buckhurst Hill IG9 5QJ
- EPF/2499/17 – 13-15A Alderton Hill, Loughton IG10 3JD

(b) Pursuant to the Council's Code of Member Conduct, Councillor S Heap declared a non-pecuniary interest in the following items of the agenda by virtue of expressing views in emails about the principals involved in some of the

decisions about the sites. The Councillor had determined that his interest was non-pecuniary but he would leave the meeting for the consideration of the application and voting thereon:

- EPF/0295/17, EPF/0535/17, EPF0536/17, EPF/2315/17, EPF/2877/17 – 49 Manor Road, Chigwell IG7 5PL

(c) Pursuant to the Council's Code of Member Conduct, Councillor C C Pond declared a non-pecuniary interest in the following item of the agenda by virtue of having a discussion with a person interested in promoting this scheme but that he did not express any views. The Councillor had determined that his interest was non-pecuniary and that he would remain in the meeting for the consideration of the application and voting thereon:

- EPF/2499/17 – 13-15A Alderton Hill, Loughton IG10 3JD

(d) Pursuant to the Council's Code of Member Conduct, Councillor C P Pond declared a non-pecuniary interest in the following item of the agenda by virtue of knowing several people connected with this application. The Councillor had determined that her interest was non-pecuniary and that she would remain in the meeting for the consideration of the application and voting thereon:

- EPF/2499/17 – 13-15A Alderton Hill, Loughton IG10 3JD

63. ANY OTHER BUSINESS

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

64. EPPING FOREST DISTRICT LOCAL PLAN SUBMISSION VERSION - PLANNING POLICY BRIEFING NOTE

The Principal Planning Officer introduced the Planning Policy Briefing Note (March 2018) and informed Members of the Sub-Committee that they could contact him separately after the meeting if they had any questions.

65. DEVELOPMENT CONTROL

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

RESOLVED:

That the planning applications numbered 1 – 10 be determined as set out in the attached schedule to these minutes.

66. 49 MANOR ROAD, CHIGWELL - LAND RAISING

The Principal Planning Officer introduced a report regarding an enforcement investigation of land raising to the rear garden of 49 Manor Road, Chigwell. The Officer advised that there was a dispute between Officers and a complainant as to the precise height and extent of land raising and the consequences of the land raising for the living conditions of 47 Manor Road .

No 49 Manor Road was a detached dwelling house in the urban area of Chigwell, which was characterised by large single dwelling houses on spacious plots.

A planning application for land raising was considered at the Area Planning Sub-Committee on the 4 January 2017 and was subsequently refused.

The Officer advised the rear garden originally sloped down gently from the eastern boundary to the western boundary with No 47. The garden of No 47 was lower than that of No 49. A number of conifers were removed from the garden of No 49 but although the Tree Section did investigate, these were found not to be covered by a TPO and no offences committed under the Planning Acts were revealed.

After an investigation into the land raising it was discovered that the land had been raised along the western boundary of No 49 and it varied in height from 400mm along most of the length to 800mm maximum height.

The Officer advised that when considering whether it was expedient to take enforcement action it was the case that the planning system did not exist to punish wrong doers. It was mandated to consider what harm was caused, and if it was caused whether the steps necessary to remedy the harm required by enforcement action were proportionate to the degree of harm caused. These principals were laid out in national Policy and the adopted Local Enforcement Plan. In this case whilst the land had been raised the investigation showed that it was not as high as alleged and the harm caused, in the professional opinion of Officers, it was not sufficient as to justify the service of an enforcement notice which would stand up to scrutiny in an appeal.

Members were concerned that this application was refused at Area Plans South on the 4 January 2017 yet the Applicant still went ahead and raised the land and therefore Councillor Mohindra proposed that this application was referred to the District Development Management Committee and this was seconded by Councillor Knapman.

Members resolved to refer the report to the next meeting of the Council's District Development Management Committee. They recommended that the Council's Constitution Working Group consider Local Enforcement Plan with a view to seeking faster planning enforcement action and/or reporting back to Members following a committee decision to refuse planning permission for development that had already taken place.

RESOLVED:

That Members agreed this item be referred to the next meeting of the District Development Management Committee.

CHAIRMAN

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Report Item No: 1

APPLICATION No:	EPF/0307/18
SITE ADDRESS:	18 Russell Road Buckhurst Hill Essex IG9 5QJ
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
DESCRIPTION OF PROPOSAL:	Construction of three dwellings (Use Class C3) with associated landscaping, car parking and alterations to access arrangements from Russell Road.
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=605419

REASONS FOR REFUSAL

1 By reason of the siting of the proposed houses rear of existing houses and their modern design with flat roofs, the proposal would conflict with the prevailing pattern of development in the locality which is characterised by houses of traditional form fronting the highway. As a consequence, the proposal would not amount to high quality design that relates positively to and contribute to the distinctive character of the locality, contrary to Local Plan and Alterations policies CP2(iv), CP7 and DBE1, and to Draft Local Plan (Submission Version 2017) policy DM 9 (A and D) which are consistent with the NPPF.

2 By reason of the constrained vehicular access arrangements to the proposed houses, in particular its restricted height together with the distance of the houses from the highway, the proposal would be inaccessible to emergency vehicles, including ambulances. The inability to access the houses by ambulance would result in an unsafe environment that amounts to an unsustainable form of development. Accordingly, the proposal is contrary to Local Plan and Alterations policy CP6(i), and to Draft Local Plan (Submission Version 2017) policy T 1 (A(v) and C(ii)), both of which are consistent with the NPPF.

Way Forward

Members did not consider there is a way forward likely to address all of their objections.

Report Item No: 2

APPLICATION No:	EPF/2499/17
SITE ADDRESS:	13 -15A Alderton Hill Loughton Essex IG10 3JD
PARISH:	Loughton
WARD:	Loughton Alderton Loughton St Marys
DESCRIPTION OF PROPOSAL:	Demolition of houses at 13, 15 and 15a, Alderton Hill, and the erection of linked blocks of elderly persons apartments, with integrated care facilities (Use Class C2) with supporting amenity facilities, landscaping, 64 car spaces in undercroft parking at the rear and south side of the block, and associated ground works.
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=599913

REASONS FOR REFUSAL

1 By reason of its height and bulk the proposal would appear overbearing and incongruous within the context of the established pattern of frontage development fronting Alderton Hill, comprising of detached individually designed houses with good physical separation. As a consequence, the proposal would not amount to high quality design that relates positively to and contribute to the distinctive character of the locality, and would be a material consideration weighing in favour of similarly harmful development in the locality, contrary to Local Plan and Alterations policies CP2(iv), CP7 and DBE1, and to Draft Local Plan (Submission Version 2017) policy DM 9 (A and D), which are consistent with the NPPF.

2 Significant information contained within a viability assessment submitted in support of the application could not be validated therefore, notwithstanding the overall conclusions of the Council's consultants, it is unclear whether the proposal could not support a contribution towards the provision of off-site affordable housing. In the absence of wholly validated information it is concluded that the proposal is contrary to Draft Local Plan (Submission Version 2017) policy H2, which is consistent with the NPPF.

Way Forward

Members considered a redesign of the proposal to better reflect the character of the locality together with the resolution of areas of disagreement relating to the viability of the proposal may address their objections.

Report Item No: 3

APPLICATION No:	EPF/3475/17
SITE ADDRESS:	89 High Road Loughton Essex IG10 4JD
PARISH:	Loughton
WARD:	Loughton Forest
DESCRIPTION OF PROPOSAL:	Construction of new block of 10 flats.
DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:
http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=603837

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:
200-50
501-100
501-101
502-500
502-501
502-502 Proposed Second Floor Plan
502-502 Proposed Roof Plan
503-500
503-501 revision 01
Design and Access Statement

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

4 Prior to first occupation of the development hereby approved, the proposed window openings in the north-eastern flank elevation, the kitchen window to flats 6 and 7 on the first floor, 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 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 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 wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed. The installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.

8 If any tree, shrub or hedge shown to be retained in accordance with the approved plans and particulars is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.

9 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

10 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.

11 The turning area shown on the approved plans shall be provided prior to the first occupation of the site and retained thereafter free of obstruction to enable a vehicle to turn and leave in a forward gear.

12 The parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents (staff) and visitors vehicles.

13 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.

14 Prior to first occupation of the development the vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall be not less than 5 metres and shall be provided with an appropriate dropped kerb vehicular crossing of the footway.

15 Any gate 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.

16 Prior to first occupation of the proposed development, the developer shall be responsible for the provision and implementation, per dwelling, of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council.

17 No bonfire shall be permitted on site throughout the demolition and construction phase of the development.

18 The refuse storage facility shown on the approved plans shall be completed prior to the first occupation of the development and shall thereafter be retained free of obstruction and used for the storage of refuse and recycling only and for no other purpose, unless otherwise agreed in writing by the Local Planning Authority.

Report Item No: 4

APPLICATION No:	EPF/3512/17
SITE ADDRESS:	Land to the rear of 33-37 Hillyfields Loughton Essex IG10 2PT
PARISH:	Loughton
WARD:	Loughton Fairmead Loughton St Johns
DESCRIPTION OF PROPOSAL:	Construction of new access with 7 no. three bed houses and 2 no. two bed houses and associated parking
DECISION:	Deferred

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=603953

Members decided to defer their decision on this application in order that the applicant may submit detailed information relating to the proposed new access and in order that Officers can confirm whether or not the Council has an interest in the application site, especially the proposed access.

Report Item No: 5

APPLICATION No:	EPF/0226/18
SITE ADDRESS:	17 Luctons Avenue Buckhurst Hill Essex IG9 5SG
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
DESCRIPTION OF PROPOSAL:	Creation of roof terrace on the flat roof of an existing ground floor extension. Installing metal framed doors within an existing window opening to allow access to the proposed terrace.
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=605033

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 obscure glazed vertical screen facing Nos 15 and 19 Luctons Avenue shall be entirely fitted with obscured glass and shall be permanently retained in that condition.

Report Item No: 6

APPLICATION No:	EPF/0295/17
SITE ADDRESS:	49 Manor Road Chigwell Essex IG7 5PL
PARISH:	Chigwell
WARD:	Grange Hill
DESCRIPTION OF PROPOSAL:	Certificate of Lawful Development for proposed loft conversion with three rear dormers.
DECISION:	Not Lawful

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=591516

REASON FOR REFUSAL

1 Evidence including the Inspector's decision in relation to an appeal against the refusal of application EPF/1593/16 (PINS ref APP/J1535/D/16/3156235) demonstrates the dormer windows had been constructed prior to the date of the application. It is therefore not possible to certify the dormer windows are a lawful proposed development under section 192 of the Town and Country Planning Act 1990. Moreover, the planning history for 49 Manor Road indicates that the original roof had been considerably enlarged prior to the submission of the application and that the amount of enlargement taken place is likely to exceed the 50 cubic metre limitation on development permitted under Class B of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development)(England) Order 2015.

Report Item No: 7

APPLICATION No:	EPF/0535/17
SITE ADDRESS:	49 Manor Road Chigwell Essex IG7 5PL
PARISH:	Chigwell
WARD:	Grange Hill
DESCRIPTION OF PROPOSAL:	First floor rear extension to eastern side of first floor bay.
DECISION:	Refuse Permission (Householder)

Click on the link below to view related plans and documents for this case:
http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=592236

REASON FOR REFUSAL

1 By reason of its bulk, siting and height in relation to a gable feature in the existing rear elevation, the proposed first floor rear extension would appear incongruous within its context harming the visual coherence and harmony of the rear elevation. As a consequence, the proposal would fail to complement the appearance of the existing house, contrary to Local Plan and Alterations policy DBE10 and to draft Local Plan (Submission Version 2017) policy DM 9 A(i) and DM 10 E, which are consistent with the policies of the National Planning Policy Framework.

Report Item No: 8

APPLICATION No:	EPF/0536/17
SITE ADDRESS:	49 Manor Road Chigwell Essex IG7 5PL
PARISH:	Chigwell
WARD:	Grange Hill
DESCRIPTION OF PROPOSAL:	First floor rear extension to western side of first floor bay
DECISION:	Refuse Permission (Householder)

Click on the link below to view related plans and documents for this case:
http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=592237

REASON FOR REFUSAL

1 By reason of its bulk, siting and height in relation to a gable feature in the existing rear elevation, the proposed first floor rear extension would appear incongruous within its context harming the visual coherence and harmony of the rear elevation. As a consequence, the proposal would fail to complement the appearance of the existing house. Moreover, the proposal would appear cramped and over dominant in relation to the site boundary with 47 Manor Road when seen from the rear gardens of both 47 and 49 Manor Road, detracting from their setting. Accordingly, the proposal is contrary to Local Plan and Alterations policy DBE10 and to draft Local Plan (Submission Version 2017) policy DM 9 A(i) and DM 10 E, which are consistent with the policies of the National Planning Policy Framework.

Members gave weight to the proximity of the proposed extension to the site boundary with 47 Manor Road, its elevated position in relation to the garden of 47 Manor Road and its projection rear of the rear main wall of 47 Manor Road. They concluded that, notwithstanding the presence of trees adjacent to the common boundary of the two properties, the proposal is likely to give rise to excessive overlooking of the rear garden of 47 Manor Road. Members were aware that unauthorised ground raising works and the erection of an outbuilding adjacent to the site boundary at the application site threatened the health of trees on the boundary such that their potential to mitigate any overlooking in the longer term is compromised. Members considered the degree of overlooking likely to arise would cause an excessive loss of privacy at 47 Manor Road undermining the ability of its occupants to enjoy their garden and swimming pool. The degree of harm caused by the likely overlooking was considered to amount to significant harm to the living conditions of 47 Manor Road.

Members did not consider there to be a way forward that is likely to overcome their objections.

Report Item No: 9

APPLICATION No:	EPF/2315/17
SITE ADDRESS:	49 Manor Road Chigwell Essex IG7 5PL
PARISH:	Chigwell
WARD:	Grange Hill
DESCRIPTION OF PROPOSAL:	Erection of ground floor front extensions and front porch/portico with balcony over.
DECISION:	Deferred

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=598933

Members decided to defer their decision on this application until the meeting scheduled for 25 April in order that they may be presented with additional information clarifying the consequence of the proposal for the street scene, the relationship to 47 Manor Road and the height of the balcony proposed.

Report Item No: 10

APPLICATION No:	EPF/2877/17
SITE ADDRESS:	49 Manor Road Chigwell Essex IG7 5PL
PARISH:	Chigwell
WARD:	Grange Hill
DESCRIPTION OF PROPOSAL:	Retrospective planning application for ground floor rear storage shed
DECISION:	Refuse Permission (Householder)

Click on the link below to view related plans and documents for this case:
http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=601573

REASON FOR REFUSAL

1 The proposed storage shed, by reason of its poor design and prominent elevated and cramped siting between a swimming pool building and site boundary with 47 Manor Road fails to achieve a high quality standard of design and detracts from the visual amenities of the rear garden at 47 Manor Road, amounting to harm to the living conditions of 47 Manor Road. Accordingly, the proposal is contrary to Local Plan and Alterations policies DBE1(i) and DBE9(i) and to draft Local Plan (Submission Version 2017) policy DM 9 A (i) and H (iii), which are consistent with the National Planning Policy Framework.

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EPPING FOREST DISTRICT COUNCIL
COMMITTEE MINUTES

Committee:	Area Planning Sub-Committee South	**Date:**	25 April 2018
Place:	Council Chamber, Civic Offices, High Street, Epping	**Time:**	7.30 - 10.10 pm
Members Present:	G Chambers (Chairman), R Baldwin, A Beales, K Chana, R Jennings, H Kauffman, A Lion, L Mead, G Mohindra, C P Pond, C C Pond, D Sunger and D Wixley		
Other Councillors:	R Brookes		
Apologies:	A Patel, S Heap, J Jennings, J Knapman, S Neville, C Roberts, D Roberts and B Sandler		
Officers Present:	S Solon (Principal Planning Officer), J Leither (Democratic Services Officer), J Shutt (Senior Housing Development Officer) and A Hendry (Senior Democratic Services Officer)		

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67. WEBCASTING INTRODUCTION

The Democratic Services Officer 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.

68. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor D Sunger declared a non-pecuniary interest in the following item of the agenda by virtue of knowing one of the objectors. The Councillor had determined that his interest was non-pecuniary and that he would remain in the meeting for the consideration of the application and voting thereon:

- EPF/2758/17 – 12 High Elms, Chigwell IG7 6NF

(b) Pursuant to the Council's Code of Member Conduct, Councillor G Chambers declared a non-pecuniary interest in the following item of the agenda by virtue of viewing one of the properties with the intent of being a prospective buyer. The Councillor had determined that his interest was non-pecuniary and that he would remain in the meeting for the consideration of the application and voting thereon:

- EPF/0319/18 – 52 & 54 Palmerston Road, Buckhurst Hill IG9 5LH

69. ANY OTHER BUSINESS

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

70. DEVELOPMENT CONTROL

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

RESOLVED:

That the planning applications numbered 1 – 11 be determined as set out in the attached schedule to these minutes.

CHAIRMAN

Report Item No: 1

APPLICATION No:	EPF/2315/17
SITE ADDRESS:	49 Manor Road Chigwell Essex IG7 5PL
PARISH:	Chigwell
WARD:	Grange Hill
DESCRIPTION OF PROPOSAL:	Erection of ground floor front extensions and front porch/portico with balcony over.
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=598933

CONDITIONS

1 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 49-RP-200, 49-RP-201, 49-RP-202, 49-RP-203, 49-RP-204 REV. A, 49-RP-205 REV. A, 49-RP-206 REV. A. The underside of the balcony shall not exceed a height of 2.6 metres above the highest adjacent ground level.

Report Item No: 2

APPLICATION No:	EPF/0319/18
SITE ADDRESS:	52 & 54 Palmerston Road Buckhurst Hill Essex IG9 5LH
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
DESCRIPTION OF PROPOSAL:	Retaining wall and fencing to front and proposed parking bays and new crossovers for nos 52 and 54.
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=605478

CONDITIONS

1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.

Report Item No: 3

APPLICATION No:	EPF/2758/17
SITE ADDRESS:	12 High Elms Chigwell Essex IG7 6NF
PARISH:	Chigwell
WARD:	Grange Hill
DESCRIPTION OF PROPOSAL:	Demolition of existing bungalow and replacement with 2 no. two storey dwellings with basements.
DECISION:	Deferred

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=601074

This application was deferred in order that the Applicants are given an opportunity to submit a Basement Impact Assessment and in order that Officers assess any submission, in accordance with the provisions of Draft Local Plan (Submission Version 2017) policy DM 12.

Report Item No: 4

APPLICATION No:	EPF/3177/17
SITE ADDRESS:	105 Manor Road Chigwell Essex IG7 5PN
PARISH:	Chigwell
WARD:	Grange Hill
DESCRIPTION OF PROPOSAL:	Proposed demolition of existing property and erection of a development of 3 no. 2 bed flats and 1 no. 1 bed flat including car 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=602734

REASONS FOR REFUSAL

1 By reason of its poor form and detailed design the proposal would fail to respect its setting or make a positive contribution to the street scene. As a consequence the proposal would cause harm to the character and appearance of the locality and serve as a material consideration that weighs in favour of permitting similarly harmful development in the locality. Accordingly, the proposal is contrary to Local Plan and Alterations Policies CP2(iv), and DBE1(i) and to Draft Local Plan (Submission Version 2017) policy DM 9, para A (i) & (ii), which are consistent with the National Planning Policy Framework.

2 By reason of the failure to provide adequate private amenity space for the residents of the proposed flats, the proposal would create poor living conditions for those residents, contrary to Local Plan and Alterations policy DBE8, which is consistent with the National Planning Policy Framework.

3 By reason of the failure of the proposal to provide off-street car parking in accordance with the provisions of the Essex County Council Parking Standards (September 2009), the proposal would be likely to give rise to conflicts between manoeuvring vehicles within the vicinity of the access to the car park within the car park and on the adjacent highway to the detriment of the free and safe flow of on Manor Road. In particular, insufficient numbers of parking spaces are proposed and their dimensions are significantly smaller than the specified preferred bay size for cars. As a consequence the proposal would cause harm to the interests of highway safety, contrary to Local Plan and Alterations Policies ST4(ii) & (iii) and ST6 and to Draft Local Plan (Submission Version 2017) policy T1 para C(iv) and para F(iv) which are consistent with the National Planning Policy Framework.

Way Forward:

Members were open to an alternative proposal that addressed their objections a set out in the reasons for refusal.

Report Item No: 5

APPLICATION No:	EPF/3210/17
SITE ADDRESS:	Former Delivery Office 256 High Road Loughton Essex IG10 1RB
PARISH:	Loughton
WARD:	Loughton St Marys
DESCRIPTION OF PROPOSAL:	Demolition of existing buildings and construction of 29 retirement apartments in a single building of 3, 4 and 5 storeys in height, alongside associated access, amenity space, landscaping and parking
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=602833

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: 866-PL- 01B, 02A, 03A, 04D, 05C, 06F, 07F, 08F, 09F, 10F, 11D 12E, 13E, 14C, 15C

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

4 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.

5 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.

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

7 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

1. The parking of vehicles of site operatives and visitors
2. Loading and unloading of plant and materials
3. Storage of plant and materials used in constructing the development
4. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
5. Measures to control the emission of dust and dirt during construction, including wheel washing.
6. A scheme for recycling/disposing of waste resulting from demolition and construction works.

8 Prior to the commencement of any works a method statement for before, during and post construction shall be submitted to and approved in writing by the Local Planning Authority. This should cover precautionary methods to avoid any potential impacts on bats and birds.

9 A biodiversity enhancement statement shall be submitted to and approved in writing by the Local Planning Authority approval prior to commencement of works. This should include bird and bat boxes and native planting.

10 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]

11 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]

12 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.

13 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.

14 The development shall be carried out in accordance with the flood risk assessment (Former Delivery Office Flood Risk Assessment Final Report v1.1, Ref 3932/FRA/Final/v1.1/2017-11-24) and drainage strategy submitted with the application unless otherwise agreed in writing with the Local Planning Authority.

15 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size

as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

16 The tree protection, methodology for construction adjacent to trees and Arb site supervision shall be undertaken in accordance with the submitted Tree Survey/ Arboricultural Method Statement unless the Local Planning Authority gives its prior written approval to any alterations. Tree protection shall be implemented as shown on Skilled Ecology Consultancy Ltd Tree Protection Plan drawing number 18-03revF dated September 2017.

17 Notwithstanding the proposed parking layout as shown on drawings 866-PL-11D and 866-PL-06F, a full layout of parking shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works

18 An electric vehicle charging point shall be provided for each of the proposed parking spaces prior to first occupation.

19 Prior to first occupation measures shall be incorporated within the development to ensure a water efficiency standard of 110 litres (or less) per person per day.

20 The development hereby approved shall not be occupied by persons less than 55 years of age.

21 The development hereby approved shall not be commenced until details of the layout of the access to the site from High Road, Loughton have been submitted to an approved in writing by the District Council. The details submitted shall include proposals to secure pedestrian safety. The development shall be implemented in accordance with the approved details.

And subject to the completion of a S106 Legal agreement to secure appropriate financial contributions for the management and monitoring of visitors to the Epping Forest Special Area of Conservation. The Section 106 will also secure the implementation of a car pool / car share for the development. This agreement shall be completed no later than Friday 10th August 2018

Report Item No: 6

APPLICATION No:	EPF/0201/18
SITE ADDRESS:	1 Brook Parade Chigwell Essex IG7 6PD
PARISH:	Chigwell
WARD:	Chigwell Village
DESCRIPTION OF PROPOSAL:	3 no. fascia signs and 1 no. projecting sign.
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=604898

CONDITIONS

1 Notwithstanding the submitted details of the projecting sign, that display shall not be illuminated.

Report Item No: 7

APPLICATION No:	EPF/0206/18
SITE ADDRESS:	25 Felstead Road Loughton Essex IG10 3BB
PARISH:	Loughton
WARD:	Loughton Roding
DESCRIPTION OF PROPOSAL:	Construction of new 4 bedroom house within site of existing house. Single storey rear extension to existing house.
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=604914

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 numbered A1/649/01 and 02

3 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.

4 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

5 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.

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

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

8 The works to the existing dwelling, comprising of construction of the rear extension, formation of vehicle crossover and construction of parking space (subject to details pursuant to condition 4 above) shall be fully completed prior to first occupation of the new dwelling hereby permitted.

9 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 extensions or roof enlargements generally permitted by virtue of Classes A and, B of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.

Report Item No: 8

APPLICATION No:	EPF/0330/18
SITE ADDRESS:	157 Manor Road Chigwell Essex IG7 5QA
PARISH:	Chigwell
WARD:	Grange Hill
DESCRIPTION OF PROPOSAL:	Change of use of existing outbuildings r/o 157 and r/o 159 to class B1 (A) - business start up units
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=605521

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 numbers 8434/301, 302 and 303. The ancillary storage areas indicated on the approved plans shall be retained as storage space and shall not be used as office space.

3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, and the Town and Country Planning (Use Classes) Order 1987 as amended (or any other Order revoking, further amending or re-enacting those Orders), the buildings shall only be used for office purposes as defined within Class B1 of the said Use Classes Order and for no other purpose (including ay other purpose within Class B1) without the prior written permission of the Local Planning Authority.

4 The buildings shall only be used between 7am and 7pm Mondays to Fridays, 7am and 5pm Saturdays, and at no times on Sundays, Bank or Public Holidays without prior consent from the Local Planning Authority.

Report Item No: 9

APPLICATION No:	EPF/0336/18
SITE ADDRESS:	Greenacres Vicarage Lane Chigwell Essex IG7 6LS
PARISH:	Chigwell
WARD:	Chigwell Village
DESCRIPTION OF PROPOSAL:	Proposed railings to front and side of driveway.
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=605527

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: JA12_E_NE_001 P1; JA12_E_SE_001 P1; JA12_P_00_001 P1; G200_P_00_001 P1; G200_E_SE_001 P1; G200_E_NE_001 P1

Report Item No: 10

APPLICATION No:	EPF/0353/18
SITE ADDRESS:	71 Roundmead Avenue Loughton Essex IG10 1PZ
PARISH:	Loughton
WARD:	Loughton St Johns Loughton St Marys
DESCRIPTION OF PROPOSAL:	Alterations/extension to existing roof/loft conversion, alterations to existing ground floor rear extension, garage conversion/internal alterations.
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=605597

REASONS FOR REFUSAL

1 By reason of the excessively bulky roof design for the house that would arise together with the provision of over-dominant window openings with Juliet balconies in the proposed rear dormer window, the proposal would appear incongruous, fail to complement the existing house or make a positive contribution to the street scene. As a consequence the proposal would cause harm to the character and appearance of the locality. Accordingly, the proposal is contrary to Local Plan and Alterations Policies CP2(iv), and DBE10 (i) & (ii) and to Draft Local Plan (Submission Version 2017) policies DM 9, para A (i) & (ii), and DM 10 para E, which are consistent with the National Planning Policy Framework.

Way Forward:

Members were suggested a hipped roof design together with smaller dormer window openings be considered as a way to overcome their objections.

Report Item No: 11

APPLICATION No:	EPF/0523/18
SITE ADDRESS:	12 Eleven Acre Rise Loughton Essex IG10 1AN
PARISH:	Loughton
WARD:	Loughton St Marys
DESCRIPTION OF PROPOSAL:	Demolition and remodel of the existing roof to allow for a master bedroom within the loft. Material changes to the existing house and a ground floor rear and 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=606217

CONDITIONS

1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.

AREA PLANS SUB-COMMITTEE SOUTH

30 May 2018

INDEX OF PLANNING APPLICATIONS/ENFORCEMENT CASES

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2.	EPF/2885/17	39 Traps Hill Loughton IG10 1SZ	Grant Permission (With Conditions)	58
3.	EPF/3512/17	Land to the rear of 33-37 Hillyfields Loughton IG10 2PT	Grant Permission (With Conditions)	72
4.	EPF/0193/18	19 Cranleigh Gardens Loughton IG10 3DD	Grant Permission (Subject to Legal Agreement)	82
5.	EPF/0199/18	Royal Oak Forest Road Loughton IG10 1EG	Grant Permission (With Conditions)	92
6.	EPF/0287/18	51 High Road Loughton IG10 4JE	Grant Permission (Subject to Legal Agreement)	102
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9.	EPF/0486/18	53 Queens Road Buckhurst Hill IG9 6DN	Grant Permission (With Conditions)	128
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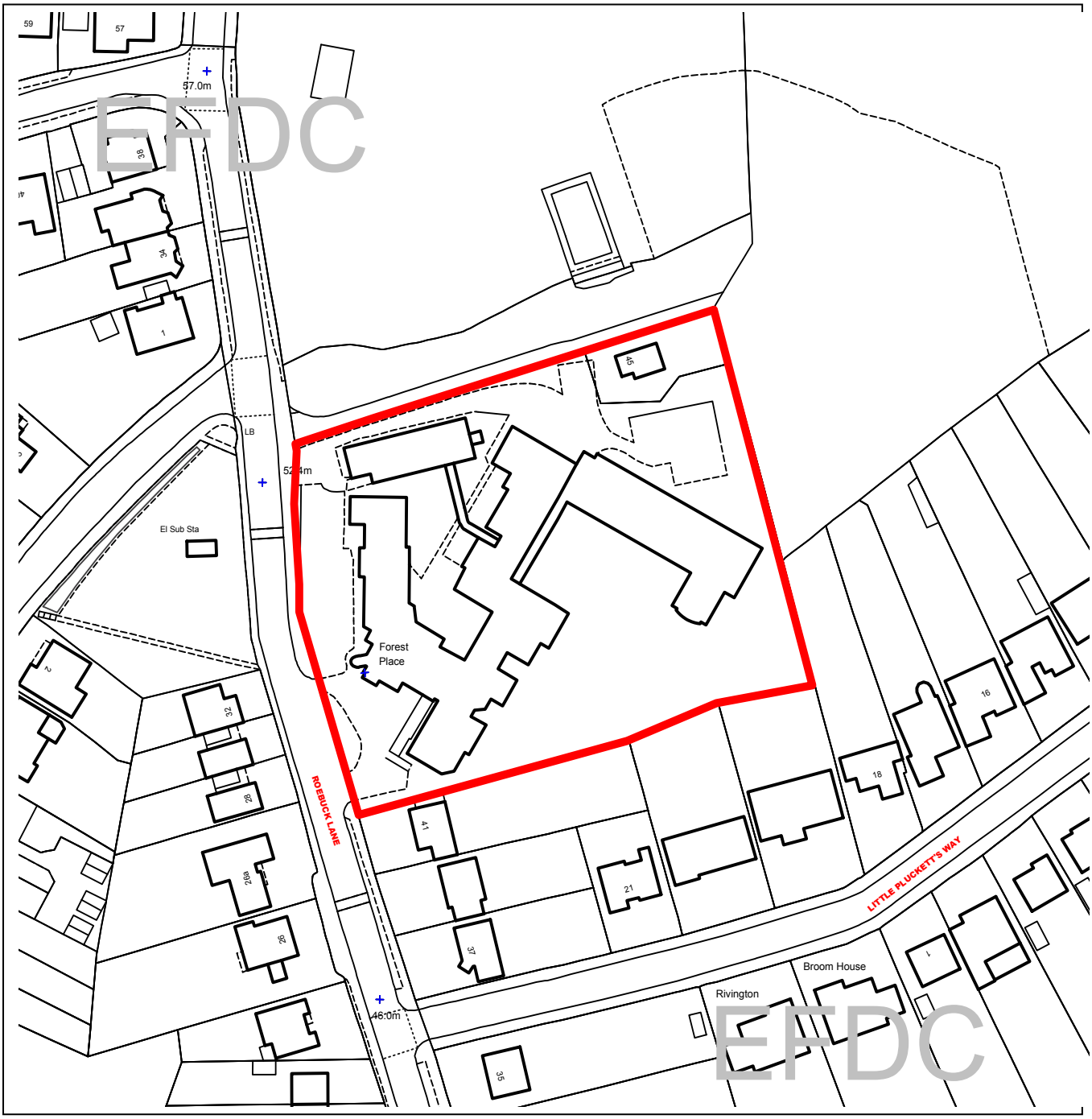
Epping Forest District Council

Agenda Item Number 1



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Application Number:	EPF/1608/17
Site Name:	Forest Place, Roebuck Lane, Buckhurst Hill, IG9 5QL
Scale of Plot:	1/1250

Report Item No: 1

APPLICATION No:	EPF/1608/17
SITE ADDRESS:	Forest Place Roebuck Lane Buckhurst Hill Essex IG9 5QL
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
APPLICANT:	Mr J PATEL
DESCRIPTION OF PROPOSAL:	Application for variation of condition 2 'plan numbers' on planning application EPF/1957/15 (Demolition of 2 storey building fronting Roebuck Lane, single storey detached building and detached house adjoining boundary with Linders Field Nature Reserve. Redevelopment comprising a 2.5, 3 and 4 storey development with basement to create 125 new care units at the application site, together with ancillary medical and recreational facilities and single storey courtyard development. Retention of existing 40 bed facility in Maple Unit. Creation of 57 parking spaces including two level car parking for 40 vehicles in north eastern of site and 17 spaces within redesigned frontage area adjacent to Roebuck Lane). AMENDMENTS PROPOSED: erection of bridge link from rear car park to adjacent building; erection of porch; alterations to bin store; alterations to elevation details; alteration to frontage parking area layout and accesses.
RECOMMENDED 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=595716

CONDITIONS

1 The development hereby permitted will be completed strictly in accordance with the approved drawings nos:

FHY 02
FHY_213 rev E
FHY_217
FHY_218
FHY_219
FHY_220
FHY_221
FHY_222
FHY_223
FHY_224
FHY_225

FHY_226
FHY_227
FHY_228
FHY_229 rev B
FHY_230
FHY_231 rev B
FHY 232
FHY_233 rev B
FHY_234 rev B
FHY_237
FHY_238 rev B
101264 FP-HLN-A 1026-NB-XX- C
101264 FP-HLN-A 2000-NB-XX- CE
101264 FP-HLN-A 2001-NB-XX- CE
101264 FP-HLN-A 2002-NB-XX- CE
101264 FP-HLN-A 5009-NB-B- CC
101264 FP-HLN-A 5010 -NB-00- CC
101264 FP-HLN-A 5011-NB-01- CC
101264 FP-HLN-A 5012-NB-02- CC
101264 FP-HLN-A 5013-NB-03- CC
LC-2523-02

2 The development shall be implemented in accordance with the details of external finishes approved under permission EPF/1706/16, unless otherwise agreed in writing by the Local Planning Authority.

3 The development hereby approved shall be completed in accordance with the recommendations of the Phase 2 investigation report approved under permission EPF/0165/17.

4 No further construction work 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]

5 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.

6 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.

7 The measures specified in the flood risk assessment and management and maintenance plan approved under permission EPF/1678/16 shall be carried out prior to the substantial completion of the development and thereafter shall be maintained in accordance with the approved management and maintenance plan.

8 If any tree, shrub or hedge shown to be retained in the submitted arboricultural reports is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased during development activities or within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.

9 The tree protection, methodology for construction adjacent to trees and Arb site supervision shall be undertaken in accordance with the submitted Tree Survey/Arboricultural Method Statement unless the Local Planning Authority gives its prior written approval to any alterations. Tree protection shall be implemented as shown on Tracy Clarke ‘revised tree protection plan’ drawing number TCTC-11017-PL-02 dated March 2018.

10 Within 3 months of the date of this consent. full details of both hard and soft landscape works (including tree planting) and implementation programme (linkedto 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.

11 Prior to the first occupation of the development the access arrangements shall be fully implemented, as shown in principle on drawing no.FHY_213 Rev E, and shall include the full reinstatement of the existing layby to a footway and the removal and reinstatement of the redundant vehicular access.

12 Prior to the first occupation of the development the vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The parking and turning areas shall be retained in perpetuity for their intended purpose.

13 There shall be no discharge of surface water onto the highway.

14 The development hereby approved shall be carried out in accordance with the construction method statement approved under permission EPF/1173/16.

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

16 The nursing home shall be operated in accordance with the Travel Plan approved under permission EPF/1678/16 unless otherwise agreed in writing by the Local Planning Authority.

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 £3000 towards monitoring the implementation of a Travel Plan and £41,634 towards early years education and child care provision.

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: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(c)) and since it is for a type of development that cannot be determined by Officers if more than two objections material to the planning merits of the proposal to be approved are received (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(f).)

Description of Site:

The application site previously accommodated a 106 room nursing home on a 0.77 hectare site situated on the east side of Roebuck Lane opposite a green at the junction of Roebuck Lane with Russell Road. It is presently being developed to provide a total of 165 care units achieved by way of demolition of buildings containing all but 40 of the original units and erecting buildings to provide 125 units. The development also includes new parking areas, including a split level car park towards the rear of the site, together with alterations to access arrangements. The development was approved on 26 February 2016 following completion of a S106 agreement securing financial contributions towards early years education and child care provision and monitoring the implementation of a Travel Plan.

To the south and west are houses and their gardens. To the east is Linders Field, a nature reserve and to the north is a footpath linking Roebuck Lane with the nature reserve. Beyond the footpath is the very large garden of 1 Powell Road. That garden together with Linders Field is in the Green Belt. The site and other land in the locality are outside of the Green Belt.

Levels across the site fall to the south and east. The northern part of the site is at a lower level than the highway. The change in levels across the site continue beyond it such that Linders Field and houses at Little Plucketts Way to the south are at somewhat lower level while the green west of the site and the garden of 1 Powell Road are at higher level.

Significant trees in terms of their contribution to visual amenity are situated on northern part of the site frontage with Roebuck Lane, the south east corner of the site, the eastern end of the northern site boundary and along the eastern site boundary with Linders Field. The garden of the nursing home also contains a significant tree. The latter tree together with that in the south east corner and two on the northern part of the site frontage with Roebuck Lane are protected by a Tree Preservation Order.

Description of Proposal:

This application is for a scheme to amend the previously approved development, which was commenced. The amendments proposed are the erection of bridge link/porch from the rear split level car park to adjacent building; alterations to elevation details; alteration to frontage parking area layout and accesses, provision of an accessway adjacent to the southern site boundary linking the rear of the site to Roebuck Lane, erection of fencing/privacy screens on the southern and eastern site boundaries, erection of a single-storey summerhouse/store building in the south eastern part of the site, alterations to bin store and provision of two small meter buildings adjacent to Roebuck Lane. A revised landscaping scheme and arboricultural report is submitted with the application.

The bridge link/porch would connect the upper ground level of the split level car park to the retained and proposed buildings where they meet each other. It would pass over the access to the lower ground level of the car park. The porch component would be single-storey with a gabled roof and entirely glazed external walls. The porch would be visible through planting on the boundary with the footpath providing access to Linders Field

The alterations to the elevations of the proposed building that face into the centre of the site are primarily alterations to dormer windows, removal of Juliet balconies, enlargement of a gable feature and alterations where the building meets the retained building to facilitate provision of a lift and accommodation of plant. The latter would create a flat roofed area enclosed by safety railings. Those alterations at roof level and similar changes to gable features and dormers would be visible through planting on the boundary with the footpath providing access to Linders Field. They would not be evident when seen from Roebuck Lane.

When viewed from Roebuck Lane, the proposal building would be reduced in width to give a greater degree of separation from the site boundary with 41 Roebuck Lane and gable features together with dormers repositioned a corresponding distance further away. Minor changes to the roof height, reducing part of it nearer 41 Roebuck Lane approximately 1m and similar raising of some parts further away in connection with changes to gable features in the north elevation are also proposed. Alterations to the roof form visible from within the site would not be apparent in Roebuck Lane elevation.

Changes are proposed to access arrangements to the car park fronting Roebuck Lane. They comprise of deleting the access nearest 41 Roebuck Lane and providing an alternative at the approximate centre of the parking area. Two parking spaces nearest the preserved trees on the Roebuck Lane frontage are deleted and small meter buildings erected in their place. Overall there would be a loss of three parking spaces from this parking area. To form the revised parking area, a retaining wall that also serves as a boundary wall has been constructed on the site boundary with 41 Roebuck Lane.

An accessway is proposed adjacent to the southern site boundary with the rear /side garden of 41 Roebuck Lane and the rear gardens of 18 to 21 Little Plucketts Way. It would link the southern part of the site to a split level car park previously approved at the northern part of the site. The accessway has been constructed and links the front of the site to the rear via a shallower gradient than the adjacent land at the application site, which would be used as communal garden. As a consequence the accessway is raised above that garden area. In connection with the accessway, a privacy screen of close-boarded fencing has been erected on the site boundary with the rear gardens of neighbouring properties on Little Plucketts Way and Roebuck Lane. The height of the screen follows the gradient of the accessway and tree planting has been carried out on land between the accessway and screen.

A summerhouse constructed in the south-eastern part of the site also forms part of the proposal. It has a ground area of 4.1m by 12.3m and is 3.3m high at its ridge. It is situated well away from the site boundaries and a preserved tree in the south east corner of the site.

Relevant History:

EPF/0449/87 Alterations, extensions and change of use to provide elderly persons home. Approved

EPF/2144/04 Erection of roof extension to Nightingale Unit, and two single storey infill extensions. Creation of additional parking spaces. Approved

EPF/1957/15 Demolition of 2 storey building fronting Roebuck Lane, single storey detached building and detached house adjoining boundary with Linders Field Nature Reserve. Redevelopment comprising a 2.5, 3 and 4 storey development with basement to create 125 new care units at the application site, together with ancillary medical and recreational facilities and single storey courtyard development. Retention of existing 40 bed facility in Maple Unit. Creation of 57 parking spaces including two level car parking for 40 vehicles in north eastern corner of site and 17 spaces within redesigned frontage area adjacent to Roebuck Lane.

Policies Applied:

Adopted Local Plan

CP2	Quality of Rural and Built Environment
CP3	New Development
CP6	Achieving Sustainable Urban development Patterns
CP7	Urban Form and Quality
CP7A	Conspicuous Development

NC2	County Wildlife Sites
NC4	Protection of Established Habitat
DBE1	Design of New Buildings
DBE2	Effect on Neighbouring Properties
DBE3	Design in Urban Areas
DBE6	Car Parking in New Development
DBE8	Private Amenity Space
DBE9	Loss of Amenity
LL10	Adequacy of Provision for Landscape Retention
LL11	Landscaping Schemes
ST4	Road Safety
ST6	Vehicle Parking

NPPF:

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

Epping Forest District Local Plan (Submission Version) 2017:

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

DM 5	Green and Blue Infrastructure
DM 9	High Quality Design
DM 11	Waste Recycling Facilities on New Development

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted. 17
Site notice posted. Yes
Responses received:

The proposal was amended in the course of consideration, especially to works to the southern part of the site adjacent to properties on Little Plucketts Lane. Re-consultation on the application was carried out and objections to the proposal were received from the occupants of 3 neighbouring properties. The grounds of objection are summarised as follows:

19 LITTLE PLUCKETTS WAY, BUCKHURST HILL

- 19 Little Plucketts Way is not highlighted on any of the plans (our property sits between No: 18 and No:20 Little Plucketts Way, which are marked on the plans) and many of the proposed building works back onto our property and will considerably affect our privacy rights and well-being, human/residential rights.
- The summer house is a very large out building clearly seen from our rear garden and causes harm to outlook.
- The summerhouse is likely to result in increased noise levels due to a constant flow of

staff/residents/guests.

- A shed erected adjacent to our back garden on higher ground detracts from our visual amenities *(the shed has subsequently been deleted from the proposal)*
- The access road constructed is significantly higher than the path previously shown and excessive overlooking from it arises from it.
- Use of the accessway by motor vehicles causes disturbance.
- Privacy fencing constructed should not have been necessary and is only required to mitigate harm from the unauthorised accessway.

20 LITTLE PLUCKETTS WAY, BUCKHURST HILL

I object in the strongest terms to the impact the raised roadway has had on my privacy and the quiet ambiance to the rear of my property as a result of people walking by and vehicular traffic on a regular 24/7 basis. I would request that Mr Patel's application is denied and he be instructed to remove the road way and reduce it to a pathway as on the original site plans (Drawing Number LC2523-01)

41 ROEBUCK LANE, BUCKHURST HILL

- The access road presently results in noise and disturbance from vehicles using it. Once completed the access road will result in a through road to the northern part of the site and back to Roebuck Lane with the consequence that the numbers of vehicles using it will greatly increase. The impact of the road is exacerbated by its elevated position in relation to levels at 41 Roebuck Lane.
- Concern raised in relation to the siting of a bin store adjacent my property which is likely to result in vermin, smells and noise. *(The bin store adjacent to 41 Roebuck Lane has subsequently been deleted from the proposal)*

BUCKHURST HILL PARISH COUNCIL: No objection (to the revised proposal).

Main Issues and Considerations:

The proposal is for a number of changes that are minor in the context of the overall approved development but would nonetheless be apparent. The main issues raised by the proposal are the consequence for the character and appearance of the locality, consequence for living conditions of neighbouring properties and the consequence for preserved trees. The alterations to access arrangements and the parking area are acceptable in terms of highway safety and demand for on-street parking. As with the approved development, the proposal would achieve a significant increase in the amount of off-street parking provision in relation to staff numbers and care rooms.

The determination of this application has been delayed while Officers worked with the applicant to secure amendments to the proposal that safeguarded both the living conditions of neighbours and contribution to amenity made by preserved trees at the application site.

Character and appearance:

As described in the description of the proposal, the amended development would retain a traditional appearance with the higher part of the building in the north west corner opposite the green. Alterations to the detailed design of the building would not significantly alter its appearance therefore the building would complement the domestic character of the locality. In relation to its scale and height, the proposal is also not significantly different to that approved, making full use of the natural changes in levels across and beyond the site to ensure the building complements the character of the locality.

The following assessment of the approved building remains applicable to the amended building:

At its highest point the adjacent level of Roebuck Lane is such that the lower ground floor of the building would not be visible and that a significant part of the ground floor would be below the level of the carriageway. Its height in relation to the road at that point would therefore be akin to a 3 ½ storey building. Furthermore, that part of the building would look onto a green that is significantly higher than road level and the top floor would be designed to appear within the roof space. That serves to considerably soften the visual impact of the highest part of the building.

The new building would not intrude into views from Linders Field, but would be seen from the footpath leading to it. The visual impact of the building on the footpath would be mitigated by the distance separating it from the footpath, between 6.5m and 10m, and the retention of trees along side it that would break up the appearance of the building.

Wherever the building would be seen from good use of contrasting materials and inclusion of upper floors within the roof space together with sensitive detailed design would serve to effectively break up its visual bulk and give it a domestic appearance. Distances generally from Roebuck Lane are more than 12m while the building would be set well away from the nearest neighbouring house on Roebuck Lane, no. 41. Consequently the visual relationship of the building to no. 41 and the street would be appropriate and certainly not over-dominant.

It is therefore concluded the building will have an acceptable appearance that is not significantly different to that originally approved.

All other works, including the erection of a summerhouse and accessway adjacent to the southern site boundary together with privacy screening are of no consequence for the character and appearance of the locality since they cannot be seen from any public area. A boundary wall on the site boundary with the front garden of 41 Roebuck Lane is visible but would not appear out of place.

Living conditions:

The proposed building and parking areas would not have a materially different impact to the approved building on the living conditions of neighbours. The main impacts arise from works in the southern part of the site.

Most contentious is the accessway constructed adjacent to the southern site boundary which is at higher level for much of its length. The difference in levels is a consequence of the accessway bridging a sharp change in original land levels between Roebuck Land and the rear of the site. The accessway is therefore significantly elevated in relation to rear garden levels at 41 Roebuck Lane, 19, 20 and 21 Little Plucketts Way. The degree of change in levels varies but is not more than 1m. That is verified by subsequent survey information submitted by the applicant that is consistent with the degree of change noted at inspections.

The access way is required for operational reasons and would link through to the northern side of the retained care home building to a split level car park structure previously approved. The car park would be accessed from Roebuck Lane. Submitted plans indicate a gate across the access way adjacent to the eastern flank of the retained care home building.

When originally constructed the accessway did cause excessive overlooking into the rear gardens of 19 to 21 Little Plucketts Way and 41 Roebuck Lane, with no. 20 Little Plucketts Way being most severely affected. The applicant has mitigated the harm by erecting close boarded fencing adjacent to the site boundaries and planting trees between the access way and fence. The fencing is erected to a height of approximately 2m above the level of the accessway. This serves as a privacy screen and was provided following communication between the applicant's agent and

the occupants of the affected houses. Inspections of the site following implementation of mitigation measures confirm the mitigation is effective in safeguarding the privacy of all affected neighbours.

Due to natural level differences between the site and adjacent rear gardens the fencing appears up to 3m high when seen from the gardens. Since the screening is to the very rear part of back gardens that are approximately 20m in length it does not appear excessively overbearing.

It is envisaged the access way would be used occasionally ambulances in the event of emergency and by maintenance vehicles. The amount of vehicles using the access way once construction is complete would in fact be negligible. Emergency access by ambulances would be rare since patients can normally be reached by medical staff through the main building. There is no evident need for maintenance vehicles to access the site boundary.

While there is potential for the access way to form part of a through route around the site, in practice such use would be inconvenient since the route through the approved car park would be restricted in height and require at least two 90 degree turns within the lower level of the car park. Furthermore, there would be a gate across it that would also have to be negotiated. The gate can be secured by way of a condition.

In relation to the summerhouse, that is set approximately 8m from the nearest rear gardens with a maximum height of 3.3m. The visual impact of the outbuilding is mitigated by it's limited height and degree of separation from rear gardens. It would be difficult to maintain that the use of the summerhouse in connection with a care home is likely to result in excessive noise and disturbance for neighbours.

As stated above, a shed originally proposed in the south eastern corner of the application site together with bin stores adjacent to 41 Roebuck Lane are now deleted from the proposal.

On the matter of impact on living conditions, it is concluded the proposal would safeguard those of all neighbouring dwellings and would certainly not cause any excessive harm.

Trees and landscaping:

The Council's tree and Landscape Officer has had ongoing discussions with the applicant and arboriculturalists / landscape architects employed by the applicant. In particular, they were able to resolve objections in relation to works in the vicinity of three preserved trees on site and secure remedial proposals that would complement other necessary works for the development. In particular, works to levels adjacent to the preserved tree in the south east corner of the site are to be modified in accordance with arboricultural advice. The Council's Tree and Landscape Officer now raises no objection to the proposal subject to the imposition of suitable conditions in respect of landscaping and tree protection. That is justified as follows:

"Tree protection information has now been provided in respect of the proposed development – which are now well underway. However, given the fact that some of these trees are now legally protected by a Tree Preservation Order, on going Arboricultural supervision will be necessary. Information on this has been included within the recently received, and updated, Arb reports which allows us to specifically condition tree protection.

Although a landscaping scheme has been provided, and is acceptable in terms of where planting is to take place, it lacks sufficient detail to allow us to condition the submitted plan. Eg details of what trees are to be planted where, density details for proposed hedging, details of the green wall and planting of it etc. The soft areas highlighted as 'unaffected by the proposal', have been affected by the proposal, and will require remediation and planting. Also hard landscaping information in respect of, for example the steel planter to the frontage is required, etc. We have

therefore included our standard landscaping condition, amended to take into account the fact that development works have commenced."

Provision for Education:

In connection with the approved development Essex County Council advised they seek £41,634 to fund a need for 3 additional places of early years education and child care provision within the ward. Officers report on the original application stated:

"They calculate the need arising from the increased employment generated. The matter of a contribution for early years education and child care provision in the locality is the subject of discussion with the Applicant who informally questions whether the proposal actually generate a need to meet such provision in connection with a care home for the elderly. The outcome of that discussion will be reported verbally to the Committee. However, Officers recognise the proposal will provide the benefit of increased residential care for the elderly in the context of an aging population in the locality, and that it will generate significant local employment. In the circumstances, should the Applicant decline to make the requested contribution Officers do not consider that should be a sole reason for refusing planning permission."

In the event, the applicant completed a S106 agreement with the Council to secure the contribution prior to the use of the new buildings commencing. There has been no change in circumstances since that decision therefore the obligation is still required. Should members resolve to grant consent it will be necessary to secure the same obligation in connection with this application.

Other matters:

It remains necessary to secure a contribution £3000 towards monitoring the implementation of a Travel Plan, as previously secured through a S106 agreement

Conclusion:

The alterations to the building are minor and, although material, would safeguard the quality of its design and as a consequence the building would not have a significantly different impact on the street scene to the approved building. All other works would not be readily visible from outside of the application site. It is therefore concluded the proposal would safeguard the character and appearance of the locality.

The potentially harmful impact of the accessway and other works carried out in the vicinity of preserved trees has been addressed in revisions to the proposal. In particular, the potential for excessive overlooking from the accessway is now properly mitigated and works to levels adjacent to the preserved tree in the south east corner of the site are to be modified in accordance with arboricultural advice. For those reasons it is concluded the proposal as amended would safeguard the living conditions of neighbours and the amenity value of preserved trees.

Accordingly, the proposal is acceptable and complies with relevant planning policy. It is recommended that planning permission be granted subject to suitable conditions and the completion of a S106 agreement in respect of monitoring the implementation of a Travel Plan and of early years education and child care provision.

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: Stephan Solon
Direct Line Telephone Number: 01992 564018

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

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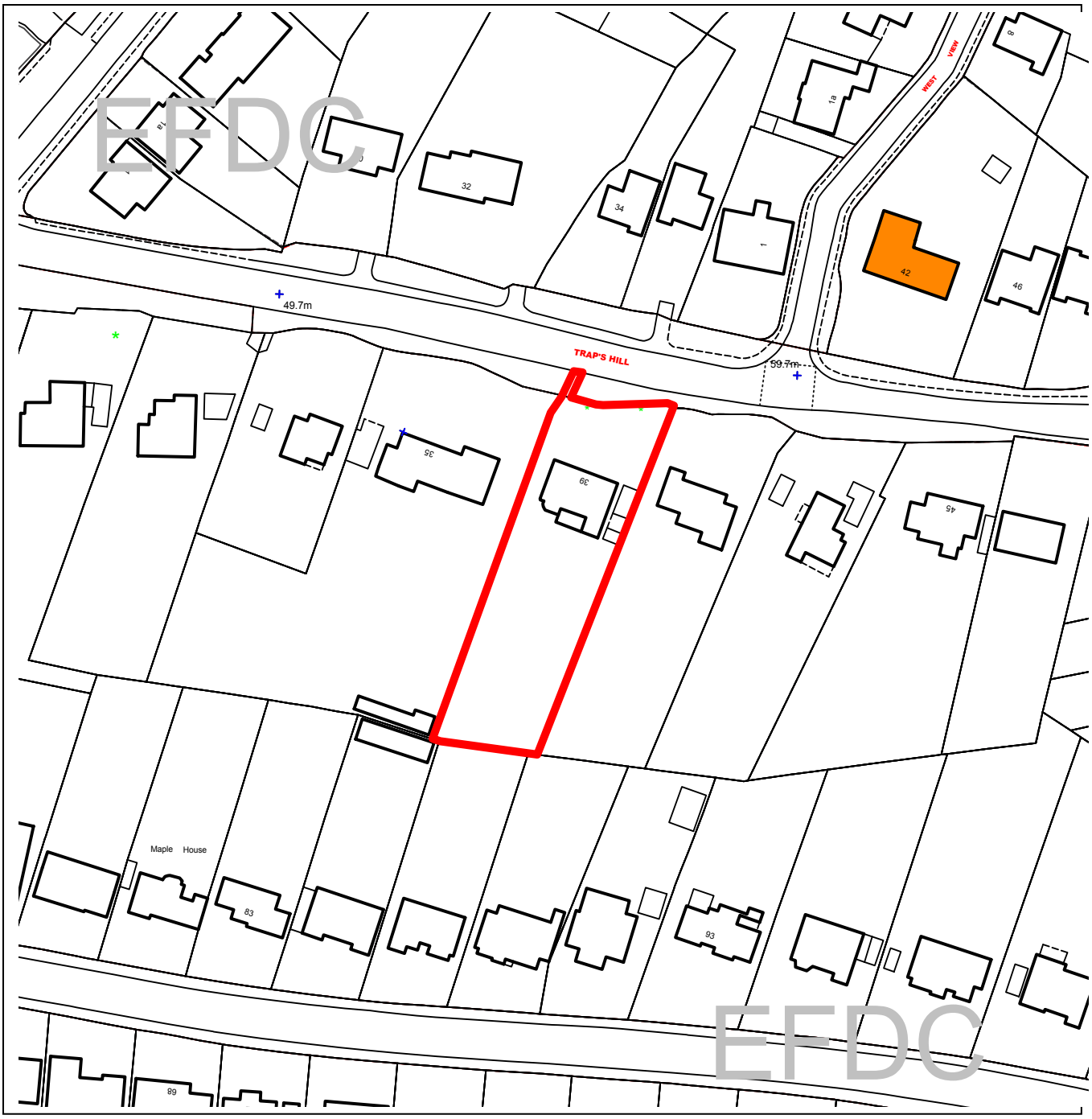
Epping Forest District Council

Agenda Item Number 2



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Application Number:	EPF/2885/17
Site Name:	39 Traps Hill, Loughton, IG10 1SZ
Scale of Plot:	1/1250

Report Item No: 2

APPLICATION No:	EPF/2885/17
SITE ADDRESS:	39 Traps Hill Loughton Essex IG10 1SZ
PARISH:	Loughton
WARD:	Loughton St Marys
APPLICANT:	Mr Udy Agarwal
DESCRIPTION OF PROPOSAL:	Demolition of existing house and replace with 2 new houses.
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=601614

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:
17-034:
3G2-40 rev05 Proposed Block Plan
3G2-100 rev08 Proposed Ground Floor Plan
3G2-101 rev05 Proposed 39A Floor Plans
3G2-102 rev05 Proposed 39B Floor Plans
3G3-100 rev06 Proposed Front & Rear Context Elevations
3G3-101 rev04 Proposed 39A Elevations
3G3-102 rev04 Proposed 39B Elevations
3G4-100 rev06 Proposed Sections
3G2-10 rev03 Site Location Plan
3E2-50 rev02 Existing Ground Floor Plan
3E3-50 rev02 Existing Front and Rear Context Elevations
3E3-51 rev01 Existing Elevations

Swept Path Analysis Private Car 1802031- TK01 by Motion

Aboricultural Report by Tim Moya Associates dated Oct 2017 reference 220516-PD-11a

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

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 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 If any tree, shrub or hedge shown to be retained in the submitted Arboricultural reports is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased during development activities or within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.

7 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.

8 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.

9 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.

10 Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation, per dwelling, of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator.

11 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

12 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.

13 Prior to first occupation of the development hereby approved, the proposed window opening within the upper floors of the eastern flank wall of unit 39A Traps Hill and within the upper floors of the western flank wall of unit 39B Traps Hill 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.

14 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 extensions and roof enlargements generally permitted by virtue of Classes A and B of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.

15 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.

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 An electric vehicle charging point shall be provided for each of the approved dwellings prior to first occupation

18 Prior to first occupation measures shall be incorporated within the development to ensure a water efficiency standard of 110 litres (or less) per person per day.

19 Prior to first occupation of the dwellings hereby approved measures to improve the ecological value of the site shall be implemented in accordance with details that have been submitted to and agreed in writing by the Local Planning Authority.

And subject to the completion, within 6 months, of a S106 Legal agreement to secure appropriate financial contributions for the management and monitoring of visitors to the Epping Forest Special Area of Conservation.

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 roughly rectangular in shape and covers an area of 0.1747 hectares. It is situated on the southern side of Trap's Hill. It is occupied by a detached dwelling with a drive to the front and a rear garden of approximately 50m in depth. Land levels fall from west to east and to the south.

There is considerable landscaping around the application site and on neighbouring land. The character of the surrounding area is predominately made up of similarly large detached properties within spacious grounds.

The site is within the built up area of Loughton. The site is not listed nor within a conservation area. Two preserved trees are situated in the front garden adjacent to Traps Hill.

Description of Proposal:

Permission is sought for the demolition of the existing house and replacement with two, 5 bedroomed houses.

The dwellings each measure 14.1m deep plus an additional 6.8m single storey rear projection and 2m deep porch. They are 8.9m wide and have a maximum height of 10.15m.

Materials include plain tiles for the roof, hanging plain tiles, brick, render and timber cladding for the walls, timber doors and powder coated aluminium windows.

The existing eastern access will remain the same and the existing western access will be widened.

2 car parking spaces are provided within the front forecourt of each proposed house.

A number of amendments have made by the agent after the initial submission of the application in order to overcome officer concerns and to ensure that the proposal better reflect the distinctive character of the surrounding location within which it is situated.

The amendments include:-

Repositioning both houses further towards the road, by 2.5m for the lower house, bringing it in line with no. 35 at the rear.

Repositioning both buildings such that each is sited at least 1.6m from the application site side boundaries.

The Upper house (39B) has been moved 1m west, and the lower house (39A) moved 300mm west, away from the boundary with no.41 Traps Hill. This creates a clear gap between the upper floors of the house and the eastern boundary to no. 41 of between 2.1m – 1.8m. A 2.0m clear gap is maintained between both proposed houses (39A & 39B).

Both houses ground floor levels have been lowered by 500mm to reduce the overall height of the buildings and improve the relationship of the rear ground floors to the existing garden levels. Raised rear terraces have been removed as a consequence.

The rear ground floor projections have been reduced in height by 800mm.

The main ridge and eaves heights have been lowered by 1m.

Relevant History:

EPF/1838/11 This application proposed substantial extensions to the including a two storey side and rear extensions, roof extensions, a conservatory and a two storey front extension. Refused. In summary, the grounds of refusal were

1. Harm to the living conditions of 41 Traps Hill by reason of appearing excessively overbearing.
2. Harm to the character and appearance of the locality by reason of relatively cramped relationship to site boundaries at upper level and disproportionate size in relation to 39 Traps Hill.
3. Potential harm to trees since no tree impact assessment was submitted.

EPF/0378/12 Side and rear extensions, internal alterations and construction of garage/fitness room. (Revised Application) Approved

EPF/1935/14 Erection of an outbuilding within rear garden and hard surfaced games area enclosed by 3m high fencing. Approved

Policies Applied:

Adopted Local Plan:

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
DBE1 – Design of New Buildings
DBE2 – Effect on Neighbouring Properties`
DBE3 – Design in Urban Areas
DBE8 Private Amenity Space
DBE9 Neighbouring Amenity
ST1 – Location of Development
ST4 – Road Safety
ST6 – Vehicle Parking
H2A – Previously Developed Land
H4A – Dwelling Mix
LL10 – Adequacy of provision for landscape retention
LL11 – Landscaping schemes

NPPF:

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

Draft Local Plan:

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

SP1 - Presumption in Favour of Sustainable Development
SP2 - Spatial Development Strategy 2011-2033
H1 - Housing Mix and Accommodation Types
T1 - Sustainable Transport Choices
T2 - Safeguarding of Routes and Facilities
DM1 - Habitat Protection and Improving Biodiversity
DM2 Epping Forest SAC and the Lee Valley SPA
DM9 - High Quality Design
DM10 - Housing Design and Quality
DM11 - Waste Recycling Facilities on New Development

DM15 - Managing and Reducing Flood Risk
DM16 - Sustainable Drainage Systems
DM17 - Protecting and Enhancing Watercourses and Flood Defences
DM18 - On Site Management of Waste Water and Water Supply
DM19 - Sustainable Water Use
DM20 - Low Carbon and Renewable Energy
DM21 - Local Environmental Impacts, Pollution and Land Contamination
DM22 Air Quality
P2 - Loughton
D7 - Monitoring and Enforcement

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 8
Site notice posted: Yes.
Responses received:

34 TRAPS HILL: OBJECT: The houses are too high and out of character with the rest of the road.

35 TRAPS HILL: OBJECT: Overdevelopment, Overshadowing and loss of property value. Proposal will set unwanted precedent for street. Applicant has no rights over our driveway.

41 TRAPS HILL – OBJECT: Loss of light, overbearing and out of character with the surrounding area. Proposal will result in the loss of established street profile. Precedent for refusal set by application refused under reference EPF/1838/11 relating to this site. Due to age spend a large proportion of time at home. Proposal will set an unwanted precedent for whole street. Revised plans do not address these concerns.

LOUGHTON RESIDENTS ASSOCIATION (PLANS GROUP) - OBJECT:

After reviewing revised plans, we still object to this application for the following reasons.

- Traps Hill is characterised by large houses with large gardens on standard or larger-sized plots.

- This application would produce an out-of-character effect by cramming two houses onto a single standard plot; the houses are of an extremely odd design in order to cram them onto the plot.

- From the Block Plan, the houses also appear to be very close together (the front street view doesn't seem to show this correctly).

- Incidentally, what is to happen to the tennis court at the rear of the site, which would appear from the Block Plan to be isolated with no means of access?

However, if the District Council is minded to approve the application, we ask for conditions as follows:

- to provide suitable landscaping
- to restrict demolition and building work hours to the Council's usual standard hours
- to require wheel-washing equipment on-site.

LOUGHTON TOWN COUNCIL: OBJECT:

Comments after reviewing revised plans on 29 January 2018. A member of the public with an interest in this application addressed the meeting. Members NOTED that the roofing profile had been improved, but considered the proposal remained excessive in depth.

The Committee reiterated it previous comments which were:

The Committee OBJECTED to this application on the grounds that it was too bulky and overbearing and would be out of keeping with the street scene. The proposal which was considered excessive in depth would cause loss of amenity to the neighbour at no 41 by overshadowing and cause a considerable reduction in outlook from rooms in the rear of no 41. This was contrary to policies CP7 and DBE9 of the Epping Forest District Council's adopted Local Plan and Alterations.

Members drew the Planning Authority's attention to the Tree and Landscaping Department's report; and also the reasons cited for the refusal of the previous application for this location, EPF/1838/11, which remained highly relevant to this proposal.

Original comments: On the grounds that it was too bulky and overbearing and would be out of keeping with the streetscene. The proposal which was considered excessive in depth would cause loss of amenity to the neighbour at no 41 by overshadowing and cause a considerable reduction in outlook from rooms in the rear of no. 41. This was contrary to policies CP7 and DBE9 of the Epping Forest District Council's adopted Local Plan and Alterations.

Members drew the Planning Authority's attention to the Tree and Landscaping report; and the reasons cited for the refusal of a previous application for this location, EPF/1838/11 which remained highly relevant to this proposal.

Main Issues and Considerations:

The issues raised by this proposal are:-

1. The principle of the development;
2. The impact of the proposal on the character and appearance of the surrounding area;
3. The impact on existing trees.
4. The impact on the living conditions of neighbouring residential properties; and
5. The quality of accommodation proposed.

Principle

The site is previously developed land, situated within a sustainable urban location close to local services, facilities and public transport and would make more efficient use of this site. Given that 92.4% of the District is designated Green Belt the principle of further development within existing sustainable settlements outside of the Green Belt is generally considered to be appropriate, provided all other policies are complied with.

The proposal has a density of just under 9 units per hectare. It therefore meets the requirements of policies CP1, CP3 and H3A of the Local Plan and is consistent with paragraph 47 of the NPPF which seeks to boost significantly the supply of housing. (Alongside policies SP1 and H1 of the Submission Version of the Local Plan).

Design

Paragraph 58 of the NPPF requires that decisions should ensure that development will add to the overall quality of the area as well as respond to the local character, history and reflect the identify of local surroundings.

Paragraph 60 of the NPPF requires that “Planning Policies should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles”.

The proposed dwellings follow the established staggered positions of housing along this part of Traps Hill. The height of the dwellings are 0.7m below that which was approved under the lapsed permission EPF/0378/12 and 0.2m above the height of the existing house with in this plot. The design of the asymmetrical gabled front elevations reduces the bulk of the proposal when seen from the front elevation.

The flank of the building is set in 1.6m from the site boundary with number 41 at the front elevation and 1.8m from the site boundary with number 35 Traps Hill. Gaps between the flanks of the proposed houses to the flanks of 41 and 35 Traps Hill are 4.7m and 8.3m respectively at the front elevation. There is also a gap of 2m between the two proposed buildings. As a result the proposal would preserve the open spatial character of this locality.

The proposed houses have a form which is reflective of the period in which they are proposed to be built and include external finishes which reflect those within the surrounding locality. The agent has created 3D CGi views taken directly from the 2D drawings of the consented scheme under reference PF/0378/12 and has compared them with the volume of the current scheme. These views demonstrate that the proposed houses will sit broadly within the envelope of the previously consented scheme, and does not visually dominate adjoining properties or the wider street scene.

The width of the each frontage is approximately 12m wide. It is acknowledged that a number of properties surrounding the site have wider frontages, however, that width reflects that of 36 Traps Hill, which is opposite the site. Having regard to the overall low density of the proposal (9 dwellings per hectare), acceptable detailed design together with the retention of existing mature trees at the front of the site it is concluded the revised scheme would complement the character and appearance of the locality. The proposal therefore complies with the requirements of chapter 7 of the NPPF and policies DBE1 and DBE3 of the Local Plan as well DM9 of the Submission Version.

Trees

During the course of the application, a Tree Report was submitted at Officers request. It confirms that no trees will be required to be removed and subject to further conditions being discharged, the proposal will not affect the long term health and stability of existing trees on and adjoining the site. A further condition is also recommended which requires further details of good quality soft landscaping to ensure that the overall appearance of the proposal blends in with its surroundings. It is on this basis that the Tree Officer has no objections to the proposal as it complies with the requirements of policies LL10 and LL11 of the Local Plan and DM9 of the Submission Version.

Quality of resulting residential accommodation.

Both dwellings meet current internal space standards set out in the Essex Design Guidelines and policy DM9 of the Submission Version Local Plan. They also provide acceptable levels of outlook and ventilation. Both units meet amenity space standards required by Policy DBE8 of the Local Plan. The quality of the proposed accommodation is therefore considered acceptable.

Impact on the living conditions of neighbouring residential properties.

The natural ground level of 35 Traps Hill is lower than that of the application site. However the upper floors of the proposed dwelling within Plot 39A do not extend beyond the rear elevation of number 35 Traps Hill. The single storey projection extends a further 7m with a height of 3.2m. The gap between the flank wall at the rear elevation of this neighbour and the proposed flank wall of the dwelling at 39A is 8m. That gap together with the fact that the rear projection would be set in 1.2m from the boundary, existing and proposed natural screening will be maintained along the mutual boundary with this neighbour and that 35 Traps Hill has an unusually wide rear garden, some 36m at the rear elevation of the house, ensures the proposed development would not appear excessively overbearing when seen from 35 Traps Hill..

The upper floors of the proposed dwelling within Plot 39B extend 7.2m beyond the rear elevation of number 41 Traps Hill; and there is then an additional 6.8m deep single storey projection. However given the low height of the eaves of the main bulk of the building (5.9m); the raised position of number 41 in relation to the application site, existing and proposed natural screening on the site boundary, together with a separation distance of some 5m between from the flank of the proposed dwelling and the flank wall of number 41, it is considered that the proposal will not result in excessive loss of light or outlook for the occupiers of this neighbouring property. Furthermore, the nearest part of 41 is a former garage, now used as a study, with the main building at 41 set11m away from the flank of the house proposed at plot 39B.

The upper level flank walls of the proposed houses that are adjacent to the site boundaries would contain windows that serve hallways. It is recommended that these are obscured by condition to prevent any overlooking to neighbours.

Balcony areas proposed within the second floor/loft area would be enclosed by the roof structure, thereby restricting views to the rear gardens of the application site and rear parts of neighbouring gardens. This is similar to what could be seen if this area was sealed by glazing. Furthermore the existing property has its own open first floor balcony area therefore the proposal would achieve an improvement in the living conditions of neighbours.

It is for these reasons considered that there will not be an excessive impact on neighbouring amenity in terms of light, outlook, privacy and dominance. The proposal therefore complies with the requirements of policy DBE9 of the Local Plan and policy DM9 of the Submission Version.

Impact on Highway Safety

The Highway Authority is satisfied that there is adequate parking to meet current parking standards in compliance with policies ST6 and ST4. Furthermore there will be no undue harm to highway safety. That is assisted by each house having sufficient space for cars to turn and leave in forward gear, while visibility at the vehicular accesses to the houses is acceptable. The proposal therefore complies with the requirements of ST2 of the Local Plan and T1 of the Submission Version.

Contamination

The Land Contamination Officer considers that the risk of the site being contaminated is low and therefore only requests that a condition be imposed relating to unexpected land contamination in accordance with RP4 of the Local Plan and DM21 of the Submission Version.

Land Drainage

The site partially lies within an Epping Forest District flood risk assessment zone therefore the Land Drainage Officer requests that conditions be imposed requiring approval of a flood risk

assessment and sustainable surface water drainage details prior to works commencing on the site in accordance with policy U3B of the Local Plan and DM16 of the Submission Version.

Epping Forest Special Area of Conservation

The proposal will create a new residential unit and is within a distance of 3km from the Epping Forest SAC, therefore policy DM2 sub criterion (C) of the Submission Version Plan requires that any permission would be subject to a financial contribution to pay towards access management and monitoring of visitors to the Forest in order to mitigate against the harmful impacts of development on the biodiversity within the Forest. However, at the time of writing this report, the exact amount of contribution has not been agreed.

The applicant has agreed in principle to make this contribution.

Other matters

An existing tennis court at the rear of the site straddles both plots A and B and would be retained. This is in order that this facility can be shared by both tenants of the proposed dwellings and is of no consequence in planning terms.

The provision of adequate parking and turning provision within the development is made possible by the inclusion of a portion of land occupied by residents of 35 Traps Hill. This land lies within the red line of the application site. The applicant has an access right over this land under a legally binding covenant. The agent asserts that formal notice was served to the owner of 35 Traps Hill on 5 April 2018 informing him of the application being submitted. This date is over 21 days ago and an objection has been received from this neighbour in response to the Council's consultation exercise. It is evident that reasonable steps have been taken to notify the landowner of this application prior to a decision being made on the application and that the landowner is aware of the proposals, having commented on them. Should there be any impediment to implementing the proposal under property law that would be a matter for the developer to resolve. It is not a material consideration when deciding this planning application.

Impact on property value is also not a material consideration in the determination of this application.

Conclusion:

The scale, proportion, siting, massing, height and appearance of the two houses proposed respects the setting in which they will be built. It will not have an excessive adverse impact on neighbouring residential amenity and the Highway Authority is satisfied that the proposal will not excessively impact highway safety. Parking provision is appropriate. All other matters are properly addressed in the application and recommended conditions.

The proposal will provide much needed housing which is of a type which meets an existing local housing need within an urban location. Furthermore the site is in a location which is close to public transport links and amenities where the efficient use of land is encouraged and it remains significantly lower than the 30-50 houses per hectare required by policy H3A.

It is therefore considered that the proposal meets the requirements of sustainable development in accordance with policy contained within the NPPF. Accordingly, it is recommended planning permission be granted.

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

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

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 3

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Application Number:	EPF/3512/17
Site Name:	Land to the rear of 33-37 Hillyfields, Loughton, IG10 2PT
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/3512/17
SITE ADDRESS:	Land to the rear of 33-37 Hillyfields Loughton Essex IG10 2PT
PARISH:	Loughton
WARD:	Loughton Fairmead Loughton St Johns
APPLICANT:	Mr S Tappenden
DESCRIPTION OF PROPOSAL:	Construction of new access with 7 no. three bed houses and 2 no. two bed houses and associated parking
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=603953

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: 1714.10 rev C, 1714.11 rev A, 1714.12 rev A and 1714.14

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; traffic calming measures to the access road. ; other minor artefacts and structures, including signs 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 shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.

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

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

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

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

9 No 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.

10 No construction works above ground level shall take place until details of boundary treatment, including details of retaining walls, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

11 Prior to the commencement of the development, details of external lighting to the access road and car parking areas shall be submitted to and approved by the Local Planning Authority. The works as agreed shall be fully implemented prior to first occupation of the buildings.

12 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.

13 The development shall be carried out strictly in accordance with the flood risk assessment (Ingent Consulting Engineers - Flood Risk Assessment, Ref 1709-032, October 2017) and drainage strategy submitted with the application unless otherwise agreed in writing with the Local Planning Authority.

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

16 Prior to the first occupation of the development the vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The parking and turning areas shall be retained in perpetuity for their intended purpose

17 Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council.

18 Notwithstanding any details approved under condition 12 above, there shall be no discharge of surface water onto the Highway.

19 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

20 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 B and C of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.

21 No additional windows other than those shown on the approved plans shall be installed in the side elevation of Unit1 a (as so identified on drawing number 12105-P002-D) without prior consent from the Local Planning Authority.

22 Prior to first occupation measures shall be incorporated within the development to ensure a water efficiency standard of 110 litres (or less) per person per day.

23 An electric vehicle charging point shall be provided for each of the approved dwellings prior to first occupation

24 Prior to first occupation of the dwellings hereby approved measures to improve the ecological value of the site shall be implemented in accordance with details that have been submitted to and agreed in writing by the Local Planning Authority.

This application is before this Committee since:

- *it is an application for residential development consisting of 5 dwellings or more (unless approval of reserved matters only) and is recommended for approval*
- *it is for a type of development that cannot be determined by Officers if more than four objections material to the planning merits of the proposal to be approved are received*

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

Members deferred determination of this application at the meeting on 18th April for more information in respect of the site access and adjoining land. Such information has been secured.

Description of Site:

The application relates to a site of around 0.21 hectares accessed by a single vehicle entrance from the north side of Hillyfields. The site has recently been cleared of buildings, having previously housed a privately owned court of 56 lock-up garages. Prior to demolition and fencing, the site was poorly maintained, both in terms of the buildings and the general site condition.

The site is primarily surrounded by residential properties and there is a separate block of garages immediately to the north accessed from England's Lane and constructed with a significantly higher finished ground level; there is no link between the two areas. Otherwise surrounding properties are a mix of two storey houses and three storey flats, particularly on Hillyfields. The site entrance lies close to a bus stop. Land at the site and in the surrounding area rises from south to north such that a change of existing built levels is clearly visible.

Description of Proposal:

Previous applications for the site were constrained by the presence of a drain crossing the site. The new owners have undertaken more detailed investigations and have satisfied themselves that the drain in question is no longer connected and can be removed, allowing development o the whole site.

The application therefore proposes two terraces of housing providing a total of nine units. The shorter terrace of four dwellings faces south and comprises two mid-terrace three bedroom houses (the third bedroom in the roof features a rear dormer) and two end-terrace two bedroom houses with hipped roofs. The block sits in the same position as the equivalent part of the previously approved scheme.

The second terrace lies at right angles to the above and comprises 5 x three bedroom dwellings, all with rear dormers to form a bedroom; this block has half hipped roofs to the end units.

All units are provided with private gardens ranging from 50 sq.m to 65 sq. m and all have rear access. Refuse and recycling storage is indicated on the frontage of each property.

The parking and turning arrangements are almost identical to the approved scheme. This includes a turning head to allow refuse and service vehicle access and 22 parking spaces, increased by provision of individual rather than communal bins and other reconfiguration and parking and landscaping.

Relevant History:

EPF/0513/16 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 – Refused due to impact of a detached dwelling on the east site boundary having a disproportionate impact on neighbouring occupiers

EPF2913/16 Revised application as above, proposing seven dwellings (5 x three bed and 2 x two bed) - Approved subject to conditions.

Policies Applied:

Adopted Local Plan:

CP1	Achieving sustainable development objectives
CP2	Quality of rural and built environment
CP7	Urban form and quality
RP4	Contaminated land
RP5A	Adverse environmental impacts
H2A	Previously developed land
H3A	Housing density
DBE1	Design of new buildings
DBE2	Effect on neighbouring properties
DBE3	Design in urban areas
DBE5	Design and layout of new development
DBE8	Private amenity space
DBE9	Loss of amenity
LL11	Landscaping schemes
ST4	Road safety
ST5	Travel plans
ST6	Vehicle parking

NPPF:

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

Draft Local Plan:

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

SP1	Presumption in favour of sustainable development
SP7	Natural Environment, Landscape Character and Green Infrastructure
H1	Housing Mix and accommodation types
T1	Sustainable Transport choices
T2	Safeguarding routes and facilities
DM5	Green and Blue Infrastructure
DM9	High Quality Design
DM10	Housing Design and Quality
DM15	Managing flood risk
DM16	Sustainable drainage systems
DM21	Local environmental impacts, pollution and land contamination

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 75

Responses received: Eight objections have been received, from 129, 131, 135 and 135a ENGLANDS LANE, 33 and 41 HILLYFIELDS, and 3 and 4 COTEFORD CLOSE. Principle concerns relate to:

- Overall level and intensity of development is excessive for the site
- Direct amenity impacts – loss of daylight and sunlight, overlooking and loss of privacy, visual impact from the height and general appearance of the buildings.
- Parking and access issues – the suitability of the site entrance for service vehicles, conflict between vehicles entering and leaving the site and resultant impact on the highway, pedestrian access.
- Drainage matters – whether drainage is adequate for the site, changes to the scheme to now include development in the previous no-build zone and how the site functions in relation to run off form the higher ground to the north.
- Other matters – disturbance during construction, property values etc – not relevant to the application.

Residents of three properties – 129 and 131 ENGLANDS LANE and 41 HILLYFIELDS make detailed comments in respect of preliminary works that have been undertaken at the site in removing the pre-existing garages. This has included removal of fencing, encroachment and damage to an adjacent crossover, and the removal of potentially supporting fencing and surfacing that may affect the stability of garages on higher ground to the north. While these issues are acknowledged, they are primarily civil matters for resolution between the affected parties and wholly outside the planning application process and therefore have no material effect on the determination of the application.

LOUGHTON TOWN COUNCIL had no objection to the application

Main Issues and Considerations:

Members deferred determination of this application at the meeting on 18th April for more information in respect of the site access and adjoining land. These matters are addressed in the final paragraphs of this section of this report.

Previously presented planning considerations:

Consideration of the application as a whole must have due regard to the previous approved scheme and the matters that have been agreed.

In this regard, the vehicle access proposals are unchanged. The turning head within the site will allow service and emergency vehicles to turn within the site and the Highway Authority have again not objected to the access on grounds it is unsuitable in size or location, that the level of vehicle activity arising from nine units would have an adverse impact on highway safety, or that the access is not suitable for a shared surface for pedestrians and vehicles. The only vehicle related issue to consider therefore is whether the additional parking provision is sufficient for the increased numbers

The smaller terrace is located in the same place as the western end of the previous application and is of the same design with the hipped roof. Thus, this element is neutral in terms of potential impact on neighbours.

In terms of the 5 dwelling terrace, this proposes two storey buildings with rooms in the roof featuring rear dormers. Residents in Coteford Close to the east have commented on overlooking

from these properties. The new terrace is around 11.5m from the shared boundary, and because of the longer than average rear gardens in the existing properties, around 40m from the buildings. These separation distances compare favourably to any assessment of back to back distances in a built up areas where back to back separation on 10 metres per storey would be considered desirable, even allowing for rooms in the roof space.

Properties to the north lie on rising ground and the buildings sit at least 2m above the site. This is evident from the garage court that bounds the site along almost half the length of the boundary, however residential gardens immediately abutting the new block do fall away to levels closer to the site and furthermore, the elevated buildings are a minimum of 30m from the proposed terrace. The orientation will result in a degree of overshadowing of the rear parts of the neighbouring gardens, but the degree of separation overall will limit the impact on the wider plots and the buildings themselves.

Objectors have made reference to the overall intensity of development, particularly in the context of the previous refusal of the application proposing 8 units. However, that application was refused specifically on the impact on neighbours from building adjacent to the eastern site boundary. The proposal as now presented proposes a density of 43 dwellings per hectare which it should be noted is within the range previously sought by policy H3A of the current Local Plan and is entirely appropriate in the site context.

Officers have also considered the quality of the living conditions of future occupiers from the siting of the blocks around 3 metres apart. The retention of the hipped end to the four dwelling block is intended to allow maximum daylight to the front of the larger block which is in any event designed with kitchens at the front at ground floor and main living rooms to the rear. Thus in terms of overshadowing and visual impact, the relationship is acceptable. First floor windows to bedrooms in the larger block will overlook rear gardens in the smaller block at right angles from the first floor bedroom only, but officers consider that in a new development, this of itself is primarily a matter for the occupiers. In broader terms, all units have usable private garden areas and parking at a minimum of two spaces per unit with additional visitor provision is available. Thus the proposal provides a good quality residential environment.

Deferral matters:

With regard to the site boundaries, the applicants have now supplied the Land Registry title plan within which the boundary is consistent with the application drawings. A revised site plan has also been submitted providing more detail of the works to the access road. This indicates the reinstatement of fencing along the western boundary 1.2m high abutting the neighbour's parking area. New kerbing is indicated along both sides of the access road which protects the fencing where it abuts the road.

It has also been confirmed that the Council owns the freehold to the adjacent land to the west, comprising of the flatted block and attached land 41-63 Hillyfields, but has no legal interest in the access road itself.

Officers are satisfied that the site boundaries have been correctly identified and that the development proposed takes place wholly within those boundaries. Notwithstanding this, and the removal of any pre-existing fencing, it is not the function of the planning application to address these matters, which remain for any leaseholders and the Council as freeholder to take a view on whether to pursue their legal interest.

No new issues affecting the consideration of the planning merits having arisen as a consequence of the additional information secured. Minor revisions have been made to proposed conditions, to reflect the revised site plan and the details shown therein.

Conclusion:

The principle of residential development on this site has been already established and accepted by the 2016 planning permission. The emerging Local Plan and clearly the current adopted Local Plan does not alter this principle. The application proposes additional dwellings on the basis the new applicants have satisfied themselves that the drain crossing the site is redundant and more of the site is capable of being developed. As a result the number of units is increased but not to such an extent that the site could now be considered intensively used.

The relationship with surrounding properties is considered acceptable, separation distances beyond the urban norm are maintained with all surrounding properties such that direct impact is limited. The overall level of activity arising from the level of development is no more intensive than the surrounding area.

The proposals include highway requirements in terms of access for service vehicles as previously approved and that level of highway activity would not be so materially different as to suggest to the Highway Authority that the access is now unsuitable.

It is confirmed that site boundaries have been correctly identified in the application and that the development proposed takes place wholly within those boundaries. While it is noted that the demolition of the existing buildings has raised issues with adjoining owners, these matters are outside the planning process and should not be considered in determining the planning merits. The application proposes new housing in a sustainable location and of a scale appropriate to the site and wider location.

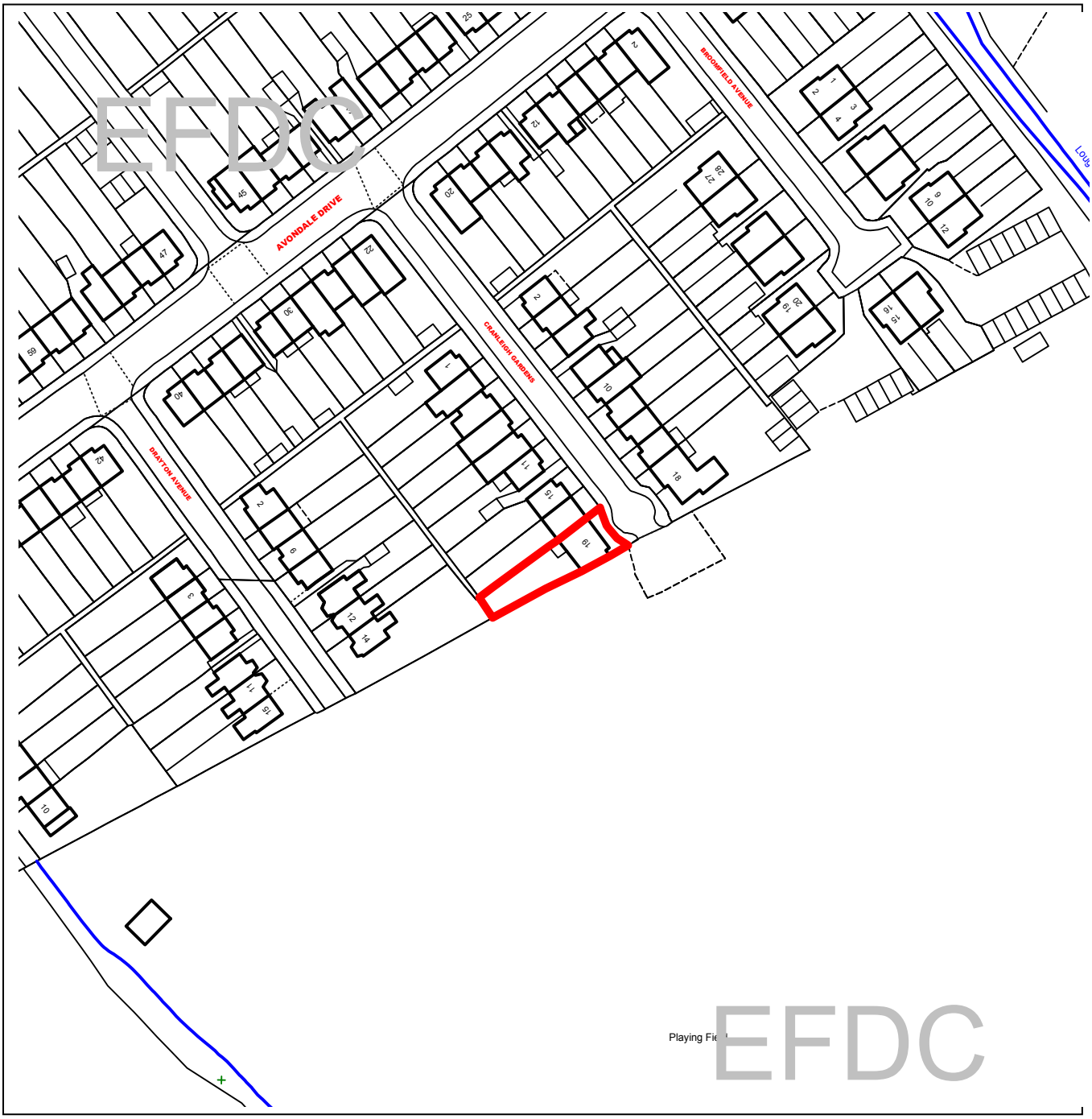
Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

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

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

Epping Forest District Council

Agenda Item Number 4



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Application Number:	EPF/0193/18
Site Name:	19 Cranleigh Gardens, Loughton, IG10 3DD
Scale of Plot:	1/1250

Report Item No: 4

APPLICATION No:	EPF/0193/18
SITE ADDRESS:	19 Cranleigh Gardens Loughton Essex IG10 3DD
PARISH:	Loughton
WARD:	Loughton Roding
APPLICANT:	Carole Avery
DESCRIPTION OF PROPOSAL:	Subdivision of dwelling into two separate dwellings. Minor ground floor infill extension at rear. First floor rear extension.
RECOMMENDED 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=604873

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:

19 -09 -01, 19-09-02 and Design and Access Statement.

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 extensions, roof enlargements or outbuildings larger than 10 cubic metres generally permitted by virtue of Classes A, B and E of Part 1 of Schedule 2 to the Order shall be undertaken at either dwellinghouse hereby approved without the prior written permission of the Local Planning Authority.

4 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.

5 The development shall not be commenced until details of the treatment of all boundaries including drawings of any gates, fences, walls or other means of enclosure have been submitted to and approved in writing by the local planning authority. The approved boundary treatments shall be completed prior to the first occupation of the development and shall thereafter be permanently retained and

maintained.

6 Prior to the commencement of the development, a scheme providing for the storage of refuse shall be submitted to and approved in writing by the Local Planning Authority. The Scheme shall be implemented in accordance with those approved details.

7 Prior to first occupation of the dwellings hereby approved measures to improve the ecological value of the site shall be implemented in accordance with details that have been submitted to and agreed in writing by the Local Planning Authority.

8 Prior to first occupation measures shall be incorporated within the development to ensure a water efficiency standard of 110 litres (or less) per person per day.

9 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.

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

11 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed 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.

And subject to the completion, within 6 months, of a S106 Legal agreement to secure appropriate financial contributions for the management and monitoring of visitors to the Epping Forest Special Area of Conservation and monitoring of air quality.

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 semi-detached house on the southwestern side of a cul-de-sac designed in a 'lollipop' format. It is the end most property on this street. A playing field adjoins its southern boundary. The character of the street is defined by similar types of properties.

The site is within a built-up area. The garden of the site is within the Environment agency flood zone 2 and 3.

The site is within an urban area which has no heritage designation.

Description of Proposal:

The construction of a ground floor infill and first floor rear extension in order to convert the property into two separate dwellings.

The first-floor rear extension measures 3m deep by 4.3m wide. It has ridge and eaves height which matches that of the application property.

The proposal will create two, 2-bedroom dwellings.

The agent has submitted the following statement in support of the application:

The owners of this currently 4 bedroom house are a mother and her two daughters. The mother has a number of medical and mobility issues and therefore would like to stay in this location close to amenities and public transport. Her daughters cannot afford other housing. Their intentions are therefore that the mother move into the smaller conversion which will be more manageable for her to live in. Then one of her daughters and her family will move into the other unit thus allowing the release of funds for the second daughter to move into other separate accommodation.

Relevant History:

Planning permission was granted under reference EPF/0728/89 for a ground floor rear extension.

Policies Applied:

Adopted Local Plan:

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
DBE1 –	Design of New Buildings
DBE3 –	Design in Urban Areas
DBE8 –	Private Amenity Space
DBE9	Loss of Amenity
DBE10	Design of Residential Extensions
DBE11	Sub-Division of Properties
ST1 –	Location of Development
ST4 –	Road Safety
ST6 –	Vehicle Parking
H2A –	Previously Developed Land
H4A –	Dwelling Mix
LL10 –	Adequacy of provision for landscape retention
LL11 –	Landscaping schemes
ST1:	Location of Development
ST2:	Accessibility of Development
ST4:	Road Safety
ST6	Vehicle Parking
U3B	Sustainable Drainage Systems
RP4	Contaminated Land

NPPF:

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

Draft Local Plan:

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

SP1 -	Presumption in Favour of Sustainable Development
SP2 -	Spatial Development Strategy 2011-2033
H1 -	Housing Mix and Accommodation Types
T1 -	Sustainable Transport Choices
T2 -	Safeguarding of Routes and Facilities
DM1 -	Habitat Protection and Improving Biodiversity
DM2	Epping Forest SAC and the Lee Valley SPA
DM9 -	High Quality Design
DM10 -	Housing Design and Quality
DM11 -	Waste Recycling Facilities on New Development
DM15 -	Managing and Reducing Flood Risk
DM16 -	Sustainable Drainage Systems
DM17 -	Protecting and Enhancing Watercourses and Flood Defences
DM18 -	On Site Management of Waste Water and Water Supply
DM19 -	Sustainable Water Use

DM20 - Low Carbon and Renewable Energy
DM21 - Local Environmental Impacts, Pollution and Land Contamination
DM22 Air Quality
P2 - Loughton
D7 - Monitoring and Enforcement

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 4
Site notice posted: No, not required
Responses received:

17 CRANLEIGH GARDENS: OBJECT: Loss of light

LOUGHTON TOWN COUNCIL: OBJECT: The design is too cramped. In addition by reason of the lack of any useable off street car parking spaces, the proposed development would exacerbate parking stress on Cranleigh Gardens and nearby streets.

Main Issues and Considerations:

Principle

In terms of planning policy, the site is considered as previously developed land, and in line with Government policy no objection to the principle of the development is raised.

Impact on the character and appearance of the area

The proposed external alterations are proportionate to the scale and appearance of the house. Furthermore, the proposed materials are also in keeping with the application house. The proposal will, therefore, have a neutral impact on the local distinctive character of the property and the wider surrounding area in accordance with chapter 7 of the NPPF, policy DBE10 of the Local Plan and policy DM9 of the Submission Version.

Quality of resulting residential accommodation

The two-bedroom units are considered suitable for smaller households, the proposal would, therefore, meet an existing housing need within the borough in line with the requirements of policy H4A of the Local Plan.

The proposed self contained units have an adequate internal size and ventilation in accordance with principles laid out in the National Technical Housing Standards (2015).

It is noted that the first floor rear projection of the smaller unit will impact on the outlook from the second bedroom of the larger unit. However since the garden is south west facing and the both units are for the applicant's family, it is on balance considered acceptable.

The proposal provides 114 sqm of shared garden space.which is both private and useable. Furthermore there is also a playing field adjoining the site. It is for these reasons considered that sufficient amenity space has been provided. It is therefore considered that the proposal is consistent with the requirements of policy DBE8 of the Local Plan and policy DM10 of the Submission Version.

Plans indicate that the amenity space will be communal. That is not unacceptable in these circumstances. Should one of the houses subsequently be occupied by people who require

defined separate gardens that can be achieved without any input from the Council as Local Planning Authority. Consequently, it is not necessary to address this matter in a condition.

No details have been given in relation to refuse and recycling storage, however, this matter could be controlled by condition.

Impact on neighbouring residential amenity

The ground floor extension is screened from neighbours by the existing single-storey rear extension which will be attached to its western flank.

The first-floor extension is separated from number 17 Cranleigh Gardens by 4m. There are also no windows proposed in the western flank wall of the extension facing this neighbour. It is therefore considered that there will not be an excessive impact on this neighbour's living conditions in terms of loss of light, outlook dominance or privacy.

All other residential properties are sufficiently distant to ensure that they will not be materially affected.

The proposal therefore complies with the requirements of policy DBE9 of the Local Plan and DM9 of the Submission Version.

Highways

The proposal will result in the loss of the existing garage space. The front forecourt follows the curved design of the pavement and as a result, there is insufficient space to provide any parking within it.

The Highways Authority has objected to this proposal on the grounds that:-

"The proposal does not provide any parking provision which will lead to inappropriate kerbside parking and will exacerbate an existing parking issue on Cranleigh Gardens.

The Parking Standards Design and Good Practice September 2009 recommends minimum parking provision levels for residential properties - given the location and the good access to other modes of transport it is considered that one space per dwelling would be recommended for this proposal.

The proposal if permitted would set a precedent for future similar developments which could lead in time to additional inappropriate parking and would undermine the principle of seeking to discourage on-street parking in the locality."

The agent in his rebuttal of the Highway Authority's comments has raised the permission granted under reference EPF/1630/15 at 18 Cranleigh Gardens for the subdivision of the site to provide two separate dwellings as a material consideration in the determination of this application. However since the area of the site was much larger than this application site and there was the provision of two accessible garages at the rear of the site only limited weight can be given to that decision in the determination of this application.

However, parking on Cranleigh Gardens and nearby streets is currently unrestricted and adjoining the southeastern corner of the site is an 8 space unrestricted parking area for the playing fields adjoining the site.

The Essex Parking Standards Design and Good Practice (2009) allows for a reduction in the standards if the development is within an urban area that has good connections to sustainable

transport links. Furthermore, the NPPF seeks to encourage sustainable development that reduces greenhouse gas emissions and gives people a real choice about how they travel and supports the use of sustainable modes of transport. Policy T1 of the Submission Version Plan further emphasises the need to be less reliant on the car in order to reduce pollution.

The site is close to bus routes and Loughton tube station is 0.7 miles from the site. Google maps indicate that this would be a 13-minute walk. This is similar to the distance between the station and 2 Nevill Road where planning permission was initially refused under reference EPF/0978/12 for a new two storey dwelling on the grounds of lack of parking and then allowed on appeal. The Inspector made this decision on the grounds that the site was close to public transport links and there was unrestricted parking nearby.

It is for these reasons that Officers consider that a refusal on the grounds of lack of parking could not be justified at appeal.

Flood zone

The application site falls within Environment Agency flood Zones 2 and 3. However the Environment Agency considers the proposal to be minor and therefore, subject to the applicant following the Agency's standing advice, they raise no objection. It is recommended that this requirement is attached to any permission as an informative.

The Land Drainage Team has raised no objection to the scheme. However, they do request that an informative be attached to any permission, informing the applicant that Land Drainage consent is required.

Land Contamination

The Land Contamination Officer has found that the potential land contamination risks are likely to be low, and as result recommends that standard 'unexpected land contamination' conditions to ensure any contamination is remediated in accordance with policy RP4 of the Local Plan.

Epping Forest Special Area of Conservation

The proposal will create a new residential unit and is within a distance of 3km from the Epping Forest SAC, therefore policy DM2 sub criterion (C) of the Submission Version Plan requires that any permission would be subject to a financial contribution to pay towards access management and monitoring of visitors to the Forest in order to mitigate against the harmful impacts of development on the biodiversity within the Forest. However, at the time of writing this report, the exact amount of contribution has not been agreed.

The applicant has agreed in principle to make this contribution.

Conclusion:

The proposal will not cause an adverse impact on the visual amenity or neighbouring residential amenity. It therefore complies with the requirements of DBE11 of the Local Plan.

The site is located close to amenities and good public transport links, therefore whilst the proposal does not meet the minimum standards required for parking provision; it is not considered to have an overall detrimental impact on parking congestion in the area. Furthermore the use of alternative modes of transport will contribute to the aim of reducing carbon emissions.

The proposal 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 2 pm on the day of the meeting at the latest:

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

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

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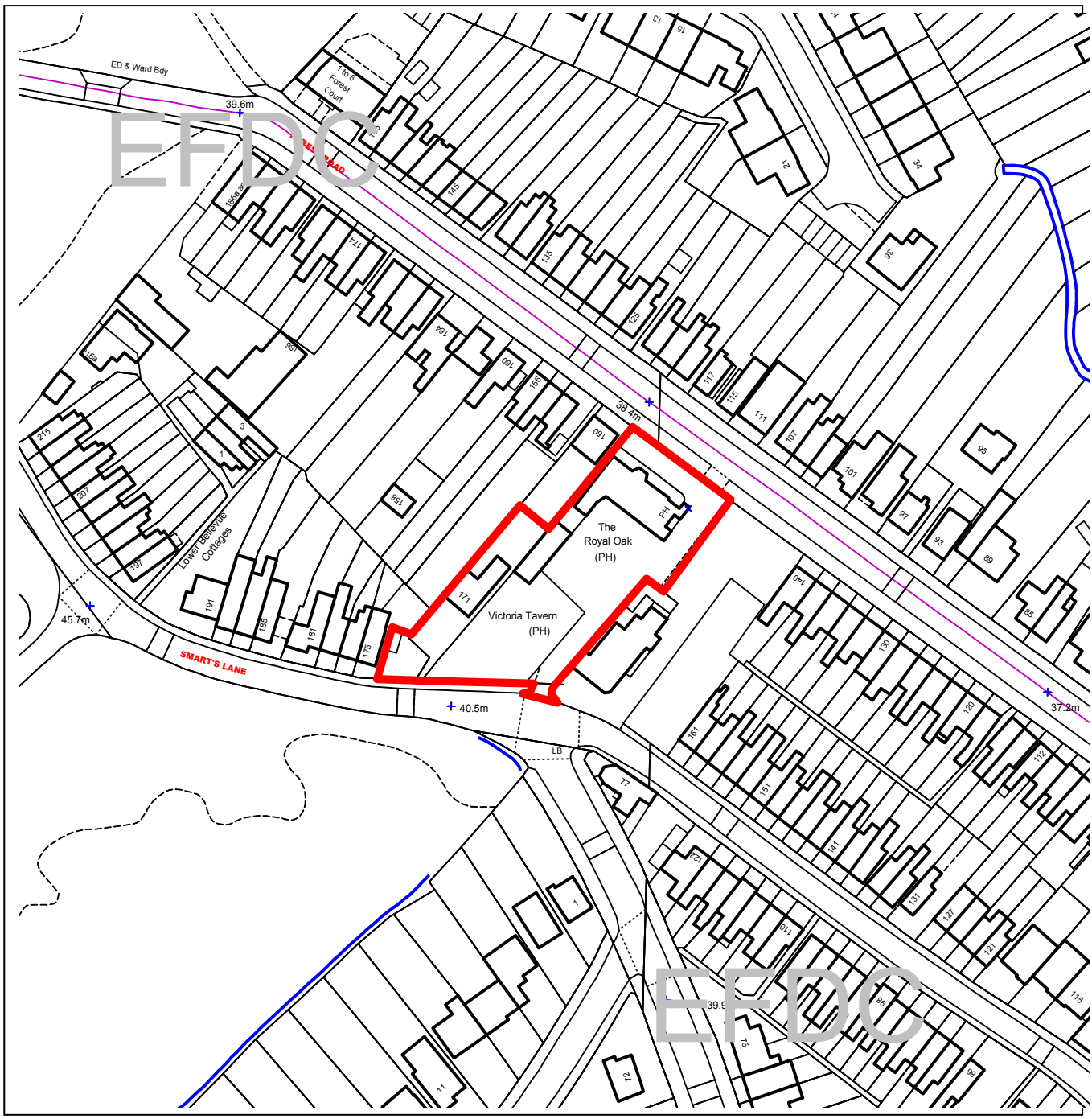
Epping Forest District Council

Agenda Item Number 5



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Application Number:	EPF/0199/18
Site Name:	Royal Oak, Forest Road, Loughton, IG10 1EG
Scale of Plot:	1/1250

Report Item No: 5

APPLICATION No:	EPF/0199/18
SITE ADDRESS:	Royal Oak Forest Road Loughton Essex IG10 1EG
PARISH:	Loughton
WARD:	Loughton Forest
APPLICANT:	Mr S Hancocks
DESCRIPTION OF PROPOSAL:	Application for variation of condition 2 'plan numbers' on planning application EPF/2706/17 (Partial demolition of the former Royal Oak public house and change of use to provide 4 flats, demolition of 171 Smarts Lane and redevelopment for 6 dwellings, and associated parking and landscaping (10 dwellings in total)) - first floor extension to plot 5 above the drive and ground floor rear extension to plot 10.
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=604896

CONDITIONS

1 The development hereby permitted must be begun not later than the expiration of three years from 20 December 2017

2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: P200 rev C, P201, P202, P203, P204, P205, P206, P207, P208 rev B, P209 rev A, P210 rev A, P211 rev C, P212 and P213 rev A

3 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]

4 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]

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 No development shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.

9 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 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.

The approved plan shall be adhered to throughout the construction period.

10 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

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

12 If any tree, shrub or hedge shown to be retained in the submitted Arboricultural reports is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased during development activities or within 3 years of the completion of the development, another tree, shrub or hedge of the same size/maturity and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size/maturity as that originally planted shall, within 3 months, be planted at the same place.

13 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.

14 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.

15 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.

The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

16 No construction works above ground level shall take place until samples where required and other 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.

17 Prior to the commencement of development other than ground works, details of measures to permanently identify the designated route for the public footpath within the site, including ground markings and signage, and measures to prevent the route being blocked by vehicles, shall be submitted to and approved by the Local Planning Authority. The works shall be fully implemented prior to first occupation of any of the dwellings hereby permitted

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.

19 The public footpath crossing the site, known as Footpath 129 shall be marked out and permanently retained in a good state of repair and remain available for public use throughout the development, unless otherwise agreed by the Local Planning Authority.

20 Prior to the first occupation of the development hereby permitted, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council.

21 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.

22 The bin and cycle stores indicated on the plans hereby approved shall be fully completed in accordance with the details in the application prior to first occupation of any other dwellings in the development. The facilities shall thereafter remain available for all residents use in perpetuity.

23 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Class A, B, C, D, 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.

24 Notwithstanding the details shown on drawing number P201, the means of enclosure of the site adjoining its boundary with the rear garden of 175 Smarts Lane shall be no less than 2 metres high. For the purposes of this condition height shall be measured at the application site.

25 Prior to the first occupation of the development hereby approved the free-standing pole sign of the former public house situated at the Forest Road frontage of the application site shall be restored and offered to Loughton Town Council. For the purposes of this condition the pole sign comprises of the gantry, posts and sign.

This application is before this Committee since it is an application for residential development consisting of 5 dwellings or more (unless approval of reserved matters only) and is recommended for approval (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)

Description of Site:

The application relates to the former Royal Oak Public House and its outbuildings, and includes 171 Smarts Lane, a vacant single storey dwelling to the north west of the pub grounds. The frontage building lies on the south west side of Forest Road and is predominantly two storey and the forecourt is hard surfaced.

The surrounding area is predominantly residential in character, comprising predominantly dwelling houses in a variety of built forms, the Victoria Tavern adjoins the south eastern boundary.

The existing building is locally listed and a public right of way across the site provides pedestrian access between the two roads. Land to the south west forms part of the historic forest and lies within the Green Belt. The site also lies within a controlled parking zone.

Description of Proposal:

The application seeks amendments to the development approved by this Committee in December 2017 for 10 residential units on the site. Following amendments, the application now proposes an alteration to plot 10, the house at the north-western corner of the site by way of the inclusion of a ground floor conservatory. The conservatory infills a recess and projects 1.6m beyond the rear wall of the adjacent flat. The north facing side elevation and half the width of the rear elevation are glazed. The structure has a flat roof with a large glazed lantern therein.

The boundary between the garden to unit 10 and the shared amenity space for units 6-9 is also realigned such that a square boundary results, the shared amenity area effectively extends across the solid half of the conservatory rear wall.

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

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

EPF/2042/16 – 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). – Refused, appeal dismissed

EPF/2706/17 – Partial demolition of the former Royal Oak public house and change of use to provide 4 flats, demolition of 171 Smarts Lane and redevelopment for 6 dwellings, and associated parking and landscaping (10 dwellings in total) – Approved.

Policies Applied:

Adopted Local Plan:

CP2	Protecting the quality of the rural and built environment
DBE2	Effect on neighbouring properties
DBE9	Loss of Amenity
DBE10	Residential extensions

NPPF:

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

Draft Local Plan:

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

SP1	Presumption in favour of sustainable development
SP7	Natural Environment, landscape character and green infrastructure
DM9	High Quality Design
DM10	Housing design and quality

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 140
Site notice posted: 22 March 2018
Responses received: Comments have been received from three properties – 123 FOREST ROAD, and 157 and 175 SMARTS LANE. Two of the objections raise issues with the principle of the development which have already been dealt with in determining the original application.

The latter respondent is the immediate neighbour to plot 10. The objector similarly comments on matters of principle already dealt with but also raises specific issues around the impact of plot 10 on the house and garden.

Loughton Residents Association Plans Group have also commented on the loss of amenity space to plot 10 as a result of the additional conservatory on an already limited plot.

Loughton Town Council: NO OBJECTION to the revised plans, provided control; over permitted development is retained.

Main Issues and Considerations:

The application raises two key issues – does this conservatory itself cause any material harm to other residential properties, and does it reduce the remaining level of amenity space to an unacceptable degree.

The conservatory will be wholly screened from the objectors' property by the main body of the building. Notwithstanding this neighbours concerns about the siting of the building, no additional impact results from the siting of the extension. Within the development, the extension projects 1.6m beyond the neighbouring flat which has a rear window to an en-suite shower room adjacent to the boundary. Thus the building works cause no material harm.

In terms of amenity space provision, the approved proposed a communal area accessed from units 6 – 9. The realignment of the boundary and the additional building results in a net loss of around 4.7sq.m from this area which is not considered significant. As to plot 10, the increased built footprint and realignment of the boundary does reduce the garden area to around 82 sq.m., which still represents a generous allocation for a 3 bedroom dwelling.

Conclusion:

The proposed extension is modest in scale and has no substantive impact on surrounding properties. The alterations to the amenity areas retain usable spaces for future occupiers of the building. In planning terms, the revisions are acceptable.

As the application effectively creates a new planning permission, conditions are re-imposed, with variations to reflect change in drawing numbers and to ensure the commencement date accords with the earlier permission (as required by s73 of the Town & Country Planning Act).

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

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

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

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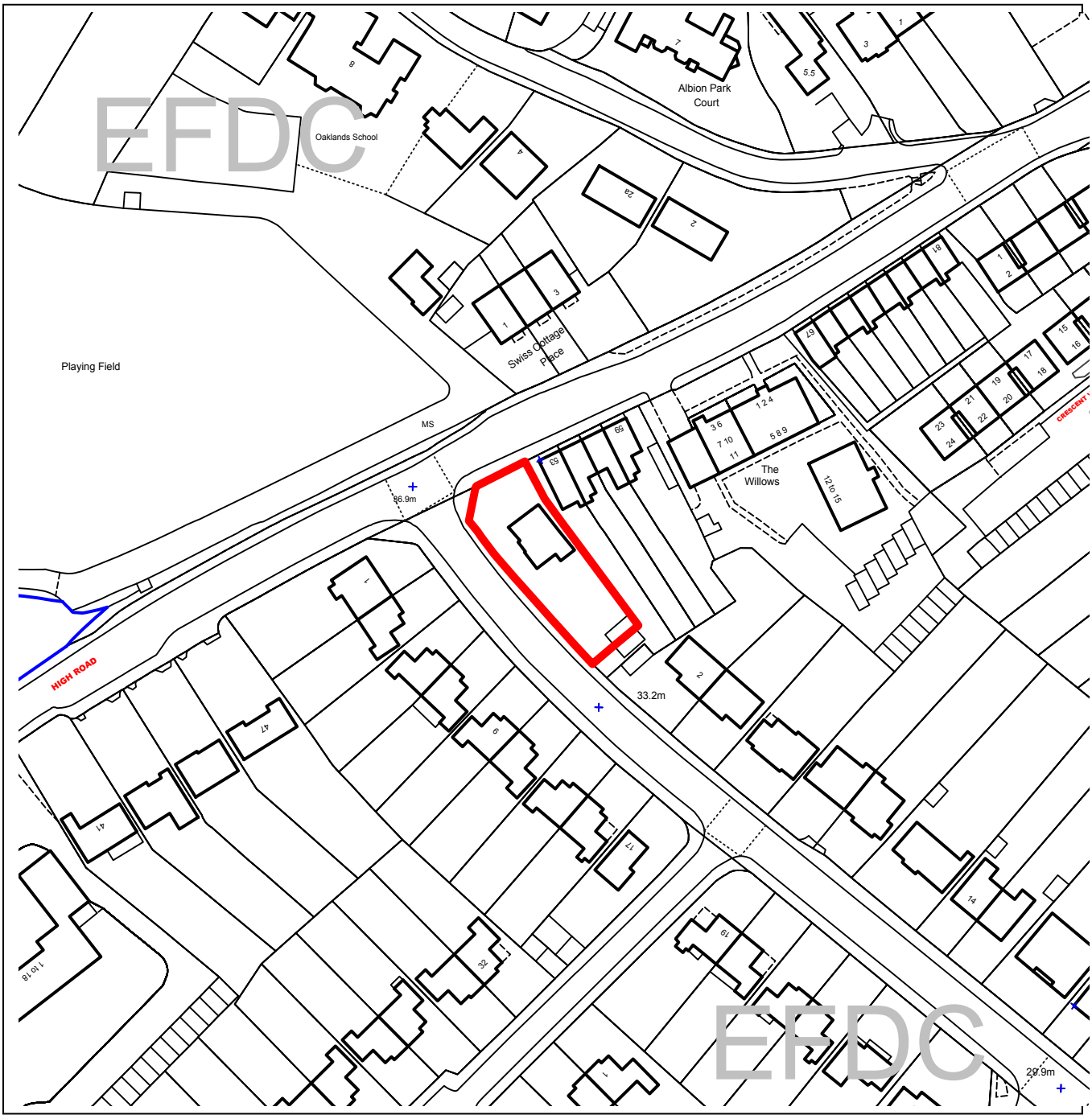
Epping Forest District Council

Agenda Item Number 6



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Application Number:	EPF/0287/18
Site Name:	51 High Road, Loughton, IG10 4JE
Scale of Plot:	1/1250

Report Item No: 6

APPLICATION No:	EPF/0287/18
SITE ADDRESS:	51 High Road Loughton Essex IG10 4JE
PARISH:	Loughton
WARD:	Loughton Forest
APPLICANT:	Spring Grove Ltd
DESCRIPTION OF PROPOSAL:	Proposed conversion of existing house to form three 2-bed flats. Erection of two storey attached building to incorporate two 2-bed flats plus car parking.
RECOMMENDED 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=605316

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:
CLEF/18/01
CLEF/18/02
CLEF/18/03
CLEF/18/04
CLEF/18/05
CLEF/18/07
CLEF/18/08
CLEF/18/09
CLEF/18/10
CLEF/18/11
CLEF/18/12
CLEF/18/13 Outline of proposed building dismissed at appeal
CLEF/18/13 Roof plan
Supporting Statement

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

4 Prior to first occupation of the development hereby approved, the proposed window openings in the eastern flank elevation, facing the boundary with no. 53 High Road, the kitchen window to flat C, the bathroom window to flat D and the bathroom window of flat B, shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.

5 No development shall take place 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 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

7 The parking areas shown on the approved plan CLEF/18/10 shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents and visitors vehicles.

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

9 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and

08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

10 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.

11 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.

12 The refuse storage facility shown on the approved plans shall be completed prior to the first occupation of the development and shall thereafter be retained free of obstruction and used for the storage of refuse and recycling only and for no other purpose, unless otherwise agreed in writing by the Local Planning Authority.

13 Prior to first occupation of the development the existing redundant dropped kerbs shall be fully reinstated to full height kerbing and footway.

14 Prior to first occupation of the 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, to include six one day travel vouchers for use with the relevant local public transport operator.

15 There shall be no discharge of surface water onto the Highway.

16 The balcony shown on plan CLEF/18/05 and on plan CLEF/18/07 shall have an obscure glazed sight screen 1.7m in height relative to the surface of the balcony along the edge of the balcony nearest the boundary with no. 53 High Road. The sight screen shall be in place prior to first occupation of the flat to which the balcony serves and shall be retained as such thereafter.

17 An electric vehicle charging point shall be provided for each of the approved dwellings prior to first occupation

18 Prior to first occupation measures shall be incorporated within the development to ensure a water efficiency standard of 110 litres (or less) per person per day.

And subject to the completion, within 6 months, of a S106 agreement to secure a financial contribution towards the monitoring of visitors to the Epping Forest SAC and to air quality within the SAC.

This application is before this Committee since it is an application for residential development consisting of 5 dwellings or more (unless approval of reserved matters only) and is recommended for approval (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)
This application is before this Committee since it is for a type of development that cannot be determined by Officers if more than four objections material to the planning merits of the proposal to be approved are received (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)
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 site is that of a house and its curtilage on the corner of High Road with Spring Grove. The house on the site has five bedrooms and has two storeys and loft accommodation, of two of the bedrooms, with gable end and dormer windows.

The site is a maximum of 44m in length, north/south, by some 15m wide at a mid point along the site.

The site is within part of the built up area of Loughton.

The property is not listed or locally listed and is not in a conservation area. Nevertheless, the Council considers that the existing house is a non-designated heritage asset under paragraph 135 of the NPPF. It is a large, attractive late Victorian/early Edwardian Arts and Crafts style property on a prominent corner plot. This assessment formed a reason for refusal to the previous proposal for the site. An Inspector described the building as a non-designated heritage asset of noteworthy local significance (paragraph 6 of decision letter APP/J1535/W/17/3177547).

Ground levels of surrounding land rise from south to north. There is a gentle slope to the surrounding land falling from west to east. The site itself rises in level from south to north although the ground at the northern end of the site is lower than that of the adjoining footway of High Road; the ground to the northernmost end of the site is effectively terraced into a slope.

Description of Proposal:

Proposed conversion of existing house to form three 2-bed flats. Erection of two storey attached building to incorporate two 2-bed flats plus car parking.

The attached building referred to in the description of the proposal would effectively be an extension. The existing house has two principal elevations; one to High Road and one to Spring Grove. The extension would be a rear extension in relation to High Road. In terms of built form the extension would consist of three parking spaces at lower ground floor level (the site falls in ground

level to the south) with columns supporting two storeys of accommodation above; a full storey at ground floor and built form largely appearing as roof accommodation above, at first floor. New build appearing on the Spring Grove elevation would consist of the linking element then under croft parking, above a full storey, and then fenestration in a gable or a dormer.

Three under croft parking spaces would access onto Spring Grove mid way along the Spring Grove frontage and two further parking spaces would access onto Spring Grove at the southern end of the site, next to existing garages just beyond the southern boundary of the site.

Taking existing and new built form as a whole, the proposed built form for the site would have two 2-bedroom flats on the ground floor, two 2-bedroom flats on the first floor, and a 2-bedroom flat in the roof to the existing house.

A balcony at ground floor and at first floor would be set on the south facing elevation of the new part of the building, looking towards the detached garage and front garden of 2 Spring Grove.

Relevant History:

EPF/1627/15 Single storey rear infill extension to the lower ground level following demolition of existing run-down rear outbuilding. – Granted 28/08/2015

EPF/1973/15 Demolition of existing house and construction of eight residential flats with associated car parking spaces, amenity space and refuse collection area. – Refused 02/12/2015 on the basis of harm to the character and appearance of the locality, unjustified loss of a non-designated heritage asset, harm to living conditions of neighbours and inadequate provision of off-street parking spaces.

A subsequent appeal was dismissed on 09/06/2016 on the basis of harm to the character and appearance of the locality, harm to the living conditions of no.53 High Road alone and lack of justification for the loss of a non-designated heritage asset. The Council's objection to the limited provision of off-street parking was not upheld.

EPF/0439/16 Two-storey rear extension and rearward extension of roof. Conversion to two 2-bed and one 1-bed flats. – Granted 08/06/2016

EPF/1967/16 A new 2.5 storey, 3 bedroom dwelling to the rear of 51 High Road, Loughton, Essex, IG10 4JE, with associated parking and amenity. – Refused 22/09/2016

EPF/0338/17 - The demolition of the detached house and erection of 6 no. 2 bed flats with 6 parking spaces. – Dismissed at appeal 17/10/2017

Policies Applied:

Adopted Local Plan:

CP1	Achieving Sustainable Development Objectives
CP2	Quality of Rural and Built Environment
CP3	New Development
CP6	Achieving Sustainable Urban Development Patterns
CP7	Urban Form and Quality
H2A	Previously Developed Land
H4A	Dwelling Mix
DBE1	Design of New Buildings
DBE2	Effect on Neighbouring Properties
DBE3	Design in Urban Areas

DBE6	Car parking in new development
DBE8	Private Amenity Space
DBE9	Loss of Amenity
DBE10	Residential Extensions
DBE11	Sub-Division of Properties
LL11	Landscaping Schemes
LL12	Street Trees
ST1	Location of Development
ST2	Accessibility of development
ST4	Road Safety
ST6	Vehicle Parking

Essex County Council Revised Parking Standards 2009 SPG

Epping Forest District Council – Waste and Recycling provisions for new residential & business developments, Good practice guide for developers.

NPPF:

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

Epping Forest District Local Plan (Submission Version) 2017:

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

SP 1 - Presumption in Favour of Sustainable Development
SP 2 A. (iii) – Spatial Development Strategy 2011-2033
H 1 - Housing Mix and Accommodation Types
DM 7 - Heritage Assets
DM 8 - Heritage at Risk
DM 9 - High Quality Design
DM 10 - Housing Design and Quality
DM 11 - Waste Recycling Facilities on New Development
DM 15 - Managing and Reducing Flood Risk
DM 16 - Sustainable Drainage Systems
DM 18 - On Site Management of Waste Water and Water Supply
DM 19 - Sustainable Water Use
DM 20 - Low Carbon and Renewable Energy
DM 21 - Local Environmental Impacts, Pollution and Land Contamination
DM 22 - Air Quality

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 72
Site notice posted: 08/03/2018

Responses received: 53 HIGH ROAD – Object, loss of outlook, loss of sunlight to garden at the moment, impact on the fencing and security of the garden, disturb/damage the large tree situated on the boundary of the property, loss of privacy, increase the noise pollution, damaging the value of our property, adverse impact on both parking and traffic on the adjacent road.
2 SPRING GROVE – Object, out of character and detrimental to streetscene, doubling size of building would have a detrimental appearance, would breach building line, existing building in a dilapidated state because the current owner has allowed it to become so, will affect the flow of groundwater and endanger stability, overdevelopment, would add to parking stress.
4 SPRING GROVE – Object, out of character and detrimental to streetscene, doubling size of building would have a detrimental appearance, would breach building line, existing building in a dilapidated state because the current owner has allowed it to become so, will affect the flow of groundwater and endanger stability, overdevelopment, would add to parking stress.
6 SPRING GROVE – Object, not aesthetically in keeping, would add to parking problem, could impact on groundwater flows, threat of flooding.
33 SPRING GROVE – Object, overdevelopment, occupants would have to park in the road thereby worsening an already dangerous situation.
36 SPRING GROVE – Object, not much of an improvement from that turned down by the Secretary of State, still too large, size of the parking area insufficient, plans have not taken into consideration concerns regarding road safety in the area.
50 SPRING GROVE – Object, this proposal is as unsatisfactory as that for six flats, likely to be occupied by younger people who would have more cars than could be satisfactorily accommodated in the area, just one fewer flat does not overcome our earlier objections, more than three flats is unacceptable, number of cars parked in area has increased since last application.
LOUGHTON TOWN COUNCIL: The Committee OBJECTED to this application, stating that the proposal was an overdevelopment of the site by reason of its massing and the extent of the built form proposed. Consequently, this would have a detrimental effect on the amenity of the neighbouring property. Members also commented that the proposed use of UPVC doors and windows was detrimental to the character of this non-designated heritage asset.

Main Issues and Considerations:

The main issues are considered to be the appearance and visual impact of the building; impacts to neighbours; and, future residential amenity of the occupiers of the proposed flats. Parking provision is also considered below.

The application site is in the urban area of Loughton. The proposals result in the retention of the existing building which has been accepted by an Inspector to be a non-designated heritage asset under paragraph 135 of the NPPF.

Appearance of the building as proposed

The built form of the house would be retained. The linking element projecting from the built form of the existing house would have a gable roof with a height and orientation matching that of a gable facing High Road. The main extended element would then have an architectural style perhaps best described as rationalised traditional, or even Post-Modernist. The scale of the main body of the new part of the building would, it is considered, relate well to the original house. The proportions and scale of the main part of the new built form presented to Spring Grove would match those of the original house. The linking element would have a ridge height markedly lower than the main roof of the original house and then the roof to the main element of new built form would step down again. The main element of the new built form would be visually broken up by external materials and forms; brick work to ground floor and render to first floor together with a gable to the left hand side and a dormer to the right hand side. The uncomplicated yet traditional style of the extension would echo the style of the existing house on the site and of semi-detached houses elsewhere on Spring Grove.

To the south of the application site and on the opposite side of Spring Grove, to the west, development is characterised by established semi-detached houses. The surrounding development on High Road near the site is more mixed in character. However, the site is in a corner position where a change in overall scale would appear appropriate. The scale of this proposal in terms of the building as proposed is considered to relate well to the site and its context.

In conclusion, with regard to appearance, it is considered that the proposal would maintain and conserve the quality of the built environment as required by Policy CP2.

Impacts to neighbours

The built form of the proposed building would be close to the eastern boundary of the site. This boundary is a side boundary of 53 High Road. At the area immediately behind the house the proposed building would be 2m off the common boundary and be less in height than the existing house.

With a previous proposal (EPF/1973/15) the Inspector commented that the three-storey element of that building proposed for eight flats would have little additional impact than that of the existing house on the neighbouring property, no. 53, in terms of outlook. The Inspector was, however, concerned that the two-storey element of the building, extending to the south of the site some 32m past the rear elevation of no. 53, would result in significant enclosing and overbearing effect when seen from the narrow rear garden of no. 53. The current proposal would project not more than approximately 12.5m from the rear elevation of the existing house, taking it 21m beyond the rear elevation of no. 52. A 4.5m long element of the extension would be 2m from the boundary with no. 53 and then step away from the boundary to give a 3m isolation space from the side boundary. A supporting statement forming part of the application documentation refers to how the parking area beneath the extended built form would be sunk, terraced into a slope to the ground and how the ridge height has been kept low to reduce massing to the adjoining property at 53 High Road.

The design for the eight new build flats, EPF/1973/15, was dismissed at appeal. That appeal was ultimately dismissed, in part, because the overall depth of the flats would have harmed the outlook from no. 53. However, as described above, the built form for that design extended for some 32m past the rear elevation of no. 53. The comparable figure for the current application is 21m. Part of the side elevation for the refused scheme would have been some 1.5m from the boundary at the rearmost, part. The current proposal would be 3m from the boundary at its rear most part.

The linking element of the proposals takes up a similar form to the extension previously granted by the planning permission for an extension and conversion to three flats, EPF/0439/16. Beyond the linking element new built form would extend for a length of nearly 10m. The corner of this new built form adjacent to the boundary with no. 53 would have a height of some 6m to the eaves. The roof ridge to the gable above this part of the eaves would have a height of some 8.5m. The corner in question would be 3m from the side boundary.

An isolation distance of some 11m would exist between the south eastern elevation of the building as proposed and the south eastern boundary of the site. To the south east of the site are two garages and then the northern boundary, a side boundary, of no. 2 Spring Grove. A distance of some 20m would separate the south eastern elevation of the building as proposed from the northern flank wall of 2 Spring Grove. Although ground levels fall to the south, views towards the curtilage of 2 Spring Grove would be to the north west facing flank wall and front garden of that property.

In conclusion with regard to impact to neighbours, the proposal would not have a materially harmful impact to the residential amenity of occupiers of neighbouring properties in that the new build element would be far enough away from the rear elevation of no. 53 as to not create an intrusive sense of enclosure. Furthermore the new build element would be on ground at a lower

level than the ground by the rear elevation of no. 53.It is therefore concluded no excessive harm to neighbour's living conditions would be caused by the proposal.

Residential amenity to occupiers of flats

The flats would be of good sizes, all exceeding the minimum internal space standards set out in National Prescribed Space Standards. All the flats would have bathrooms, rather than shower-rooms. Two of the flats would have south facing balconies. A communal amenity area would be provided and although this area may be lacking somewhat in privacy, since the site is situated within 200m of accessible parts of Epping Forest, amenity space provision would not result in the flats having poor living conditions. In coming to this conclusion, significant weight is given to an appeal Inspector's finding that the dismissed 8 flat scheme, which provided limited private amenity space, would not result in poor living conditions for the proposed flats.

Highways and Parking

Parking provision on a one-for-one basis is considered to be acceptable in this location. It is noted that the site is not distant from public open space, in the form of the Warren Hill part of Epping Forest, and that part of the commercial centre of Loughton and Loughton London Underground Station are within a reasonable walking distance. It is therefore concluded the site is in a sustainable location.

The matter of car parking is for Planning Officers to gauge having regard to the Vehicle Parking Standards 2009. Given the appeal Inspectors findings in relation to the same one-for one provision of parking on the dismissed 8 flat scheme, there is no doubt that resisting the current proposal on parking grounds would not be supported at appeal.

ECC Highways has raised no objection; from a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to measures which can be addressed by conditions. These conditions would be concerned with reinstating the kerb, a travel pack to encourage sustainable transport, and ensuring no discharge of water onto the highway.

Other matters

The site is situated within a sustainable urban location close to local services, facilities and public transport and would make more efficient use of this site. Given that 92.4% of the District is designated Green Belt the principle of further development within existing sustainable settlements outside of the Green Belt is generally considered to be appropriate, provided all other policies are complied with. In relation to policy SP 2, the site is one located on previously developed land within a settlement.

As set out in Policy DM 2 and DM 22 of the emerging Local Plan, issues have been identified with respect to the effect of development on the integrity of the Epping Forest Special Area of Conservation (SAC) as a result of increased visitor pressure arising from new residential development, and from relatively poor local air quality alongside the roads that traverse the SAC. The Council is currently developing with partners an interim strategy for the management and monitoring of visitor pressures on the SAC. This will include measures to be funded through the securing of financial contributions from new development in accordance with Policy DM 2. Notwithstanding the fact that this work is yet to be completed the agent has confirmed willingness to enter into a S106 Agreement.

Conclusion:

The proposal complies with relevant planning policy and offers a design which both retains the existing house on the site yet makes a more efficient use of land, providing additional housing at

an accessible location. Approval is therefore recommended subject to conditions and subject to completion, by Friday 10th August 2018, of a S106 Legal Agreement to secure appropriate financial contributions for the management and monitoring of visitors to the Epping Forest Special Area of Conservation.

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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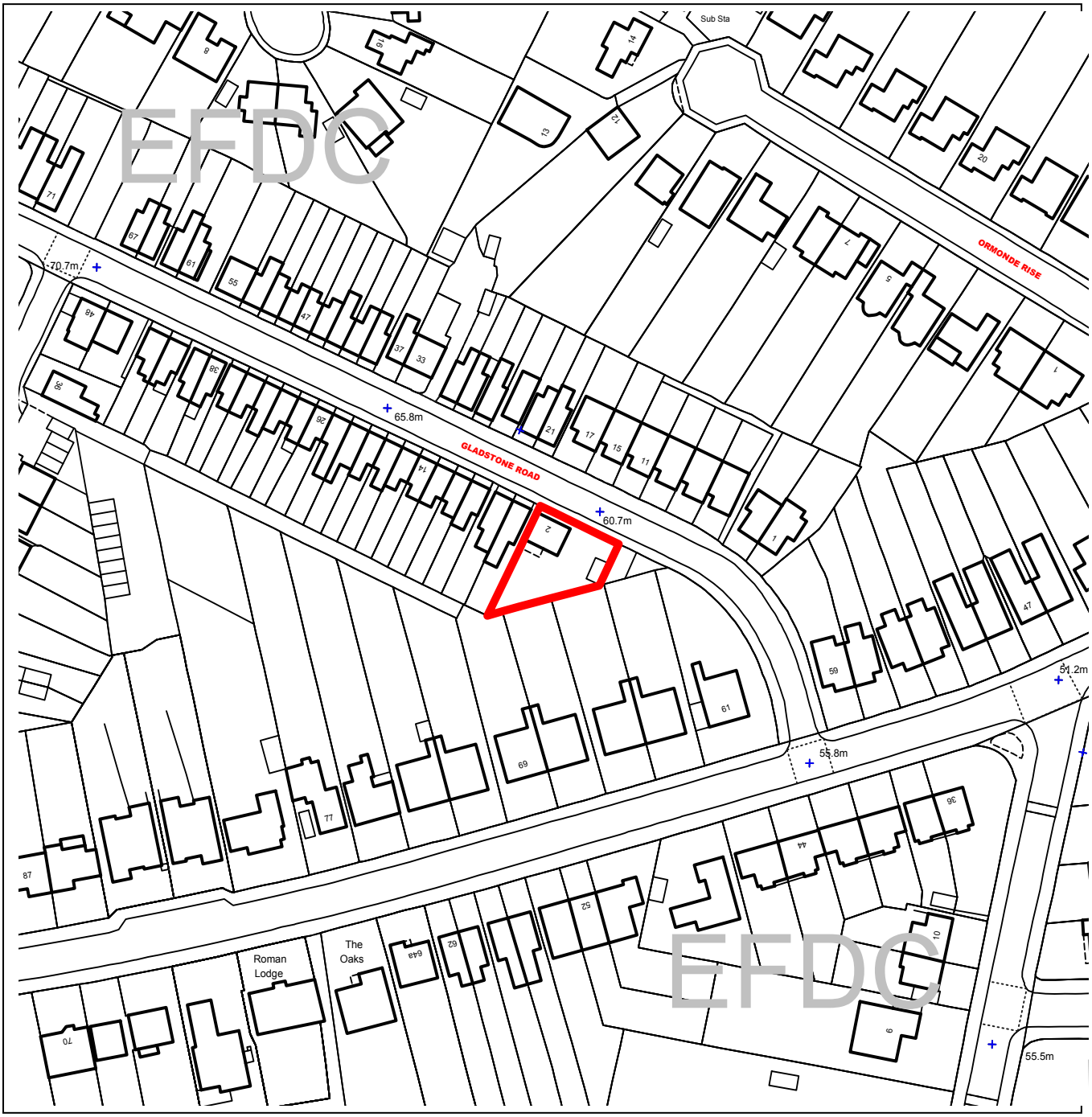
Epping Forest District Council

Agenda Item Number 7



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Application Number:	EPF/0339/18
Site Name:	2 Gladstone Road, Buckhurst Hill, IG9 5SW
Scale of Plot:	1/1250

Report Item No: 7

APPLICATION No:	EPF/0339/18
SITE ADDRESS:	2 Gladstone Road Buckhurst Hill Essex IG9 5SW
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
APPLICANT:	C + G Developments
DESCRIPTION OF PROPOSAL:	Two storey and single storey side and rear 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=605554

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: M2.A revision A and M2.B

3 The external surfaces of proposed development shall be completed in brickwork and roof tiles to match the existing building, unless otherwise agreed in writing by the Local Planning Authority.

4 Roof light windows in the rear elevation of the extension hereby permitted shall be installed so as to provide that the lower edge of the windows shall be not less than 1.8m above internal finished floor level at first floor within the extension, shall be finished in obscure glazing and shall be non-opening;;the said windows shall thereafter be retained only in that form.

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

Description of Site:

The application relates to a two storey detached dwelling house on the south-east side of the road. The site is quadrilateral but narrows significantly in depth from the west side where the dwelling lies, to the east where a single domestic garage stood until recently demolished.. The building is unique to the street, most of the first floor accommodation lies within gabled roof elements.

The surrounding area is wholly residential in character comprising a wide mix of predominantly two storey houses. Properties to the west are of a smaller cottage style while 2, 4 and 6 are more modern. Abutting the eastern site boundary lie a pair of garages serving properties in Russell Road. Land falls steeply to the east and south at this point.

Description of Proposal:

Members may be aware of previous applications for a new dwelling on the site. The current application now proposes an extension to the side of the existing house which following revision comprises a part single, part two storey addition.

Due to the changes in ground levels, the whole extension is set at a lower level to the main building. The two storey element is 7.8m wide and is set back from the front of the existing house by around 300mm. The roof aligns at eaves level with the main house – a dummy pitch roof extends along the frontage. To the rear, a lower roof section creates a form that appears single storey with windows in the roof slope.
This extension comprises a ground floor lounge and en suite bedroom above.

A single storey lean to element at the eastern end is around 3m wide and has a roller shutter door on the frontage. The whole extension projects 2.7m beyond the rear of the existing two storey building, aligning with an existing ground floor only rear extension to the existing house.

Relevant History:

A series of application proposing a new dwelling on the land at the side have been refused permission on grounds that the proposals were bulky and had an adverse impact on neighbours to the rear located on lower ground. These comprised:

EPF/1213/16 – refused September 2016
EPF/2907/16 – refused December 2016, appeal dismissed.
EPF/2032/17 – refused September 2017, appeal dismissed March 2018.

Policies Applied:

Adopted Local Plan:

CP2	Quality of Rural and Built Environment
CP7	Urban Form and Quality
DBE1	Design of new buildings
DBE2	Effect on neighbouring properties
DBE3	Design in Urban Areas
DBE6	Car parking in new development
DBE8	Private amenity space
DBE9	Loss of amenity
ST4	Road safety
ST6	Vehicle parking

NPPF:

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

Draft Local Plan:

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

SP7	Natural Environment, landscape character and green infrastructure
T1	Sustainable transport choices
DM9	High Quality Design
DM10	Housing design and quality

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: Ten
Site notice posted: No, not required
Responses received: The application initially generated two objections as under:
4 GLADSTONE ROAD – Concerns were raised and the size of the building, the design being out of keeping, loss of outlook and concerned that the extension could be converted into a separate dwelling.
69 RUSSELL ROAD – This neighbour was concerned at the impact from the scale and height , particularly as the original submission had no windows or visual breaks in the rear elevation; was concerned at potential overlooking if openings were introduced, and noted that the garage would be unlikely to accommodate a modern vehicle.

All neighbours were re-consulted and only one response was received, again from 69 RUSSELL ROAD. The neighbour notes the alterations to the rear elevation (roof height reduced, elevation broken by roof lights) but wants to ensure these windows are at high level and will not result in overlooking. The objector questions whether the design is appropriate, again comments on the size of the garage and raises concern at any use as a separate dwelling.
Parish Council: Buckhurst Hill Parish Council objected to the original submission considering the extension out of scale with the existing house and concerned that there should be no future change to a separate dwelling. These comments were restated in relation to the revised proposals.

Main Issues and Considerations:

The application proposes an extension to the existing house only and must be considered as such. Any future proposal for sub-division of the building would need further separate permission and would fall to be considered on its individual merits at that time.

In considering the design issues, two distinct matters should be noted – firstly, significant and substantial variations in design, form and character of the buildings in this road and, secondly, the opportunity afforded by the change in levels. Conventional design guidance would usually argue against an extension of similar width to the original house; however a number of elements suggest the scheme is appropriate to the location. The change in levels clearly maintains the prominence

of the original house, further emphasised by the setting back of the front elevation and by the much lower dummy pitch roof. The eaves line however provides a consistency that ensures the extension respects the scale and form of the original. The single storey element sets the taller element away from the boundary in accordance with usual practice. Therefore, in the context of the variety of built form in Gladstone Road, the extension is considered to be a satisfactory design and form.

The rear element has a lower ridge and eaves height to deal with concerns on previous schemes at the impact of scale and mass on residents in Russell Road. The proposal achieves these objectives and provides a suitable form and appearance.

The resident in Russell Road is concerned that the rear roof lights have potential o cause overlooking, but the plan indicates these being at high level, and can be conditioned to be non-opening and obscure gazed to safeguard such concerns. The extension is located a minimum of 8 metres from the boundary with no.4 Gladstone Road and as a result has little impact on direct amenity or outlook from this neighbouring house.

Conclusion:

The application proposes an extension that seeks to take advantage of level changes to create a subordinate form, despite the overall width of the two storey element in particular. This approach reflects the general character of buildings in Gladstone Road where the properties are predominantly two-storey and are regularly stepped to reflect the changing level of the road.

The reduced height of the rear element reflects previous concerns at the potential impact on the significantly lower properties to the rear, is further subordinate to the front elevation and introduces visual breaks in the elevational form. The proposals have minimal impact on surrounding properties and where there is particular concern at potential overlooking, this can be adequately addressed by condition.

Officers therefore consider the proposals acceptable in the context of the particular circumstances of this application.

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

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

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

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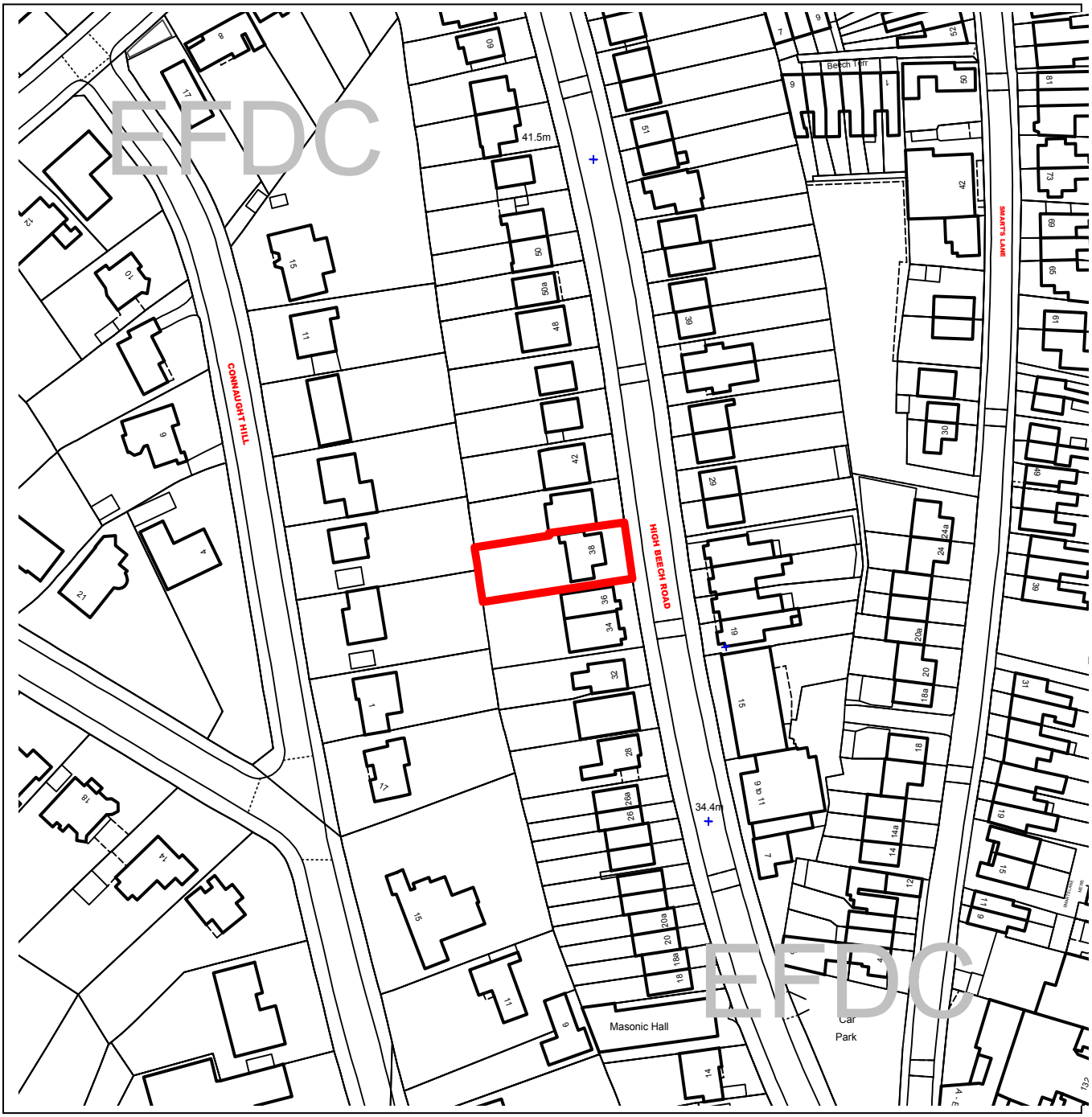
Epping Forest District Council

Agenda Item Number 8



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Application Number:	EPF/0471/18
Site Name:	38 High Beech Road, Loughton, IG10 4BL
Scale of Plot:	1/1250

Report Item No: 8

APPLICATION No:	EPF/0471/18
SITE ADDRESS:	38 High Beech Road Loughton Essex IG10 4BL
PARISH:	Loughton
WARD:	Loughton Forest
APPLICANT:	Stanoak
DESCRIPTION OF PROPOSAL:	To replace 1 existing dwelling (detached) with 2 new dwellings (semi-detached).
RECOMMENDED 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=605995

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: FVX_202, FVX_100, FVX_001, FVX_101, FVX_251 B, FVX_201 B, FVX_200 C

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

4 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.

5 No development shall take place 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.

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

7 If any tree, shrub or hedge shown to be retained in accordance with the approved plans and particulars is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.

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

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

10 Prior to first occupation of the development hereby approved, the proposed rooflights in the side roofslope of the proposed dwellings 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.

And subject to the completion, within 6 months, of a S106 agreement to secure a financial contribution towards the monitoring of visitors to the Epping Forest SAC and to air quality within the SAC.

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

Description of Site:

The application site comprises of a two storey detached dwelling. It is not within a Conservation area nor is it a Listed building.

Description of Proposal:

To replace 1 existing dwelling (detached) with 2 new dwellings (semi-detached).

Relevant History:

EPF/0369/00 Side extension to provide garage, study and games room with the inclusion of a rear dormer. Approved and implemented

Policies Applied:

Adopted Local Plan:

CP2	Protecting the quality of the rural and built environment
DBE1	Design of New Buildings
DBE2	Effect on neighbouring properties
DBE8	Private Amenity Space
DBE9	Loss of Amenity
H2A	Previously developed land
LL10	Adequacy of provision for landscape retention
ST4	Road Safety
ST1	Location of development

NPPF:

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

Epping Forest District Local Plan (Submission Version) 2017:

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

SP1 - Presumption in Favour of Sustainable Development
T1 - Sustainable Transport Choices
T2 - Safeguarding of Routes and Facilities
DM1 - Habitat Protection and Improving Biodiversity
DM2 - Epping Forest SAC and the Lee Valley SPA
DM3 - Landscape Character, Ancient Landscapes and Geodiversity
DM4 - Green Belt
DM10 - Housing Design and Quality
DM11 - Waste Recycling Facilities on New Development

DM16 - Sustainable Drainage Systems
DM18 - On Site Management of Waste Water and Water Supply
DM19 - Sustainable Water Use
DM21 - Local Environmental Impacts, Pollution and Land Contamination
DM22 - Air Quality

Summary of Representations Received

6 Neighbours consulted:

5 CONNAUGHT HILL – OBJECTED to the development on the basis that

- We believe the proposal will appear bulky, overbearing and out of scale with neighbouring properties
- The present two-storey building has a single storey rear extension whereas the proposed Application is for a three-storey extension out of keeping and overbearing on neighbouring properties. The height of the proposed ridge and adjoining rear 3rd floor flat roof will loom over the site. The proposed building has not been set down enough into the slope of High Beech Road
- Therefore the proposed building would overlook and create loss of privacy to neighbouring properties
- We do not agree that the many large trees to the rear of the property will not be damaged by the proposed excavation/building works and would like this checked very carefully.

3 CONNAUGHT HILL – OBJECTED to the development on the basis that

- Development would be bulky and too high
- Rear extensions would be out of character
- Assurance needs to be provided regarding trees at the site
- Proposal is out of character with other dwellings on the street

LETTER OF SUPPORT FROM BOTH IMMEDIATE ADJOINING NEIGHBOURS AT 36 AND 40 HIGH BEECH ROAD:

Support of scheme on the following grounds:
- Property is in a state of disrepair and eyesore
- Plans are in custom with rest of the street which contains different properties and offices
- Plans will not reduce sunlight, in fact sunlight would be increased
- As garden to the rear is completely overgrown it:
    - Has become a haven for vermin including foxes
    - Blocks sunlight into no 40
    - Causing increasing risk to personal injury and damage to properties on both sides

from the collapse of the 'trees' as they are not established but overgrown bushes and weeds
- Developer has taken time to talk to us through his plans and actions to protect our properties during the proposed work.

LOUGHTON TOWN COUNCIL - OBJECTED to the proposal on the grounds that the proposal was overbearing due to its bulk and height and was out of keeping with neighbouring properties and the street scene. By reason of the height and massing of this proposal it was detrimental to the amenity of the neighbours. Members have expressed concerns regarding the trees on the site.

Main Issues and Considerations:

The main issues with this application relate to design, impact on amenity, parking and trees and landscaping

Design

The proposed dwellings would have strong gabled roof form with a front gabled projection. The dwellings would be traditional in design and appearance. The building height would be similar to existing dwellings within the locality and whilst the proposal would have a gabled roof form, this would not appear unusual within the locality as there are a variety of roof forms can be witnessed from the general street scene.

The proposed dwellings would be symmetrical and proportionate in their design and features. They would result in a more uniform appearance compared with the existing dwellinghouse.

The proposed rear dormer windows be would adequately separated from each other as well as set down from the ridge and set back from the eaves to maintain a subordinate relationship with the roof space of the proposed dwellings.

Overall, the proposal represents high quality design and would complement the character of the locality. There are a variety of dwellings types in the locality and the proposal would not appear out of character when viewed from the general street scene.

Living Conditions

Due to the height, width and depth of the proposed dwellings, they would not result in excessive harm to neighbour amenity by way of loss of light, outlook or privacy. The proposed dwellings would have the same building line as neighbouring dwellings and similar building heights. The impact of the proposed would be similar to the existing situation. The proposal would not result in increased levels of overlooking compared with the existing glazing at the application dwelling.

Highways and Parking Matters

Two parking spaces are to be provided for each dwelling. This complies with Essex County Council Vehicle Parking Standards. No objections have been received from the Highway Authority. Moreover, the site is in close proximity to Loughton Underground Station and other amenities. It is therefore within a sustainable location. The street is not classified and any vehicle crossovers would not require planning permission from the District Council but would require separate approval from the Highway Authority.

Trees and landscaping

The tree officer has no objection to the proposal subject to recommended conditions.

Special Area of Conservation

As set out in Policy DM 2 and DM 22 of the emerging Local Plan, issues have been identified with respect to the effect of development on the integrity of the Epping Forest Special Area of Conservation (SAC) as a result of increased visitor pressure arising from new residential development, and from relatively poor local air quality alongside the roads that traverse the SAC. The Council is currently developing with partners an interim strategy for the management and monitoring of visitor pressures on the SAC. This will include measures to be funded through the securing of financial contributions from new development in accordance with Policy DM 2. Notwithstanding the fact that this work is yet to be completed the agent has confirmed willingness to enter into a S106 Agreement.

Conclusion:

The proposed dwellings would be of a size, design and scale that would complement the locality and the dwellings would safeguard the living conditions of neighbours. The proposal is accordingly recommended for approval subject to a legal agreement to secure a financial contribution towards access management and monitoring of visitors to the Epping Forest.

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

Planning Application Case Officer: Sukhdeep Jhooti
Direct Line Telephone Number: 01992 564 298

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

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Epping Forest District Council

Agenda Item Numbers 9 & 10

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Application Number:	EPF/0486/18 & EPF/0487/18
Site Name:	53 Queens Road, Buckhurst Hill, IG9 6DN
Scale of Plot:	1/1250

Report Item No: 9

APPLICATION No:	EPF/0486/18
SITE ADDRESS:	53 Queens Road Buckhurst Hill Essex IG9 6DN
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
APPLICANT:	Mr Howard Winston
DESCRIPTION OF PROPOSAL:	Change of use of ground floor from retail (Class A1) to use as Nail Bar (Sui Generis)
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=606036

CONDITIONS

1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.

2 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development (England)) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order), the premises shall only be used for the purpose hereby permitted and shall not be permitted to change to any use falling within a different use class without prior consent from the Local Planning Authority.

3 A window display shall be maintained in the premises at all times such that views into the shop are retained.

Report Item No: 10

APPLICATION No:	EPF/0487/18
SITE ADDRESS:	53 Queens Road Buckhurst Hill Essex IG9 6DN
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
APPLICANT:	Mr Howard Winston
DESCRIPTION OF PROPOSAL:	Application for variation of condition 6 'use restriction' on planning application EPF/0837/16 (Conversion and extension of existing premises. Retention of Class A1 retail unit on street frontage. Change of use of first floor from use ancillary to A1 use to Class C3 (A) residential. Rear part of existing retail unit to change use from A1 to Class C3 (A) residential to allow use for financial and professional services (Use Class A2))
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=606037

CONDITIONS

1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.

2 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development (England)) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order), the premises shall only be used for the purpose hereby permitted and shall not be permitted to change to any use falling within a different use class without prior consent from the Local Planning Authority.

3 A window display shall be maintained in the premises at all times such that views into the shop are retained.

These applications are 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 lies on the north side of Queens Road. The property is hoarded off to facilitate implementation of planning permission EPF/0837/16 comprising ground, first and roof level extensions, creation of three flats and retaining a reduced commercial floor space on the ground floor. The application site is semi-detached, comprising around two thirds of the frontage width, the second unit houses an opticians with residential accommodation above.

The site lies towards the lower eastern end of the designated district centre, within the primary shopping frontage identified in the emerging Local Plan, where a wide mix of building styles exist although predominantly two storey in this section of the road..

Description of Proposal:

Two applications have been submitted for different uses of the ground floor commercial space, which comprises around 20sq.m. commercial space. The two applications are not linked and both uses are submitted for consideration on their own merits. Neither application proposes any alterations to the building from the approved layout which includes a standard shopfront onto the road frontage.

Application **EPF/0486/18** proposes use as a nail bar, a sui generis use.

Application **EPF/0487/18** proposes use as an office for financial and professional services, within Use Class A2. No specific end user within this class is identified.

Relevant History:

Records suggest the property was originally a dwelling converted into a shop in the 1960s/70s.

EPF/0837/16 As above for extensions to the building was allowed on appeal, following initial refusal on design and parking. Condition 6 of that planning permission states:

"The ground floor commercial premises shall be used for A1 and for no other purpose (including any other purpose in Class A of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification)."

Policies Applied:

Adopted Local Plan:

CP1	Achieving sustainable development objectives
TC1	Town Centre Hierarchy
RP5A	Adverse Environmental Impacts
DBE9	Loss of Amenity

NPPF:

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

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

Draft Local Plan:

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

SP1	Presumption in favour of sustainable development
E2	Centre Hierarchy / Retail Policy
DM9	High Quality Design
P5	Place shaping – Buckhurst Hill

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 25 on each application
Site notice posted: No, not required
Responses received: No response received from neighbours.
Buckhurst Hill Parish Council have objected to both applications:

EPF/0486/18 – The Parish consider a nail bar to be within the A1 use class and do not see the need too change the use class.

EPF/0487/18 – The objection comments that there is insufficient information, but raises concern that the scheme could have a negative impact on the retail area in that part of Queens Road.

Main Issues and Considerations:

Both applications raise the same issues over the loss of retail floor space from the primary frontage.

Emerging policy places an increased emphasis on protecting the retail core of existing commercial centres which is broadly recognised as important to maintaining the viability of the town centre offer particularly to day time operations. Policy P5 seeks to limit the amount of non-retail frontage in the main frontage of Buckhurst Hill to around 35%, based on a linear frontage. The town centre survey as part of the emerging local plan suggests further loss of retail space should be resisted, although wider policy guidance indicates the need to apply such policies flexibly. However, either application would result in the loss of retail frontage of less than 2% of the linear frontage. This needs to be assessed in the context of the reasons for the site having a retail designation, the probability of a retail occupier coming forward and any other options that may then be available.

At the time of the previous application and appeal, some evidence of demand for a small retail unit was identified and the Council wished to retain control of the use to allow the impact of any other use of the residential flat behind to be assessed. Due to changes in local and national economic conditions, efforts to market the unit through a local agent have been unsuccessful and the alternatives proposed in the application currently represent the only interest. In the absence of any plausible alternative use, refusal to approve the application is likely to result in the commercial space remaining vacant.

It is noted that both uses will be likely to operate during the day and can be seen as promoting linked trips with other town centre uses, they can therefore be regarded as positively influencing the vitality of the centre. Neither use is expected to generate levels of noise and disturbance that may be considered detrimental to the amenities of occupiers of the residential accommodation to the rear in particular.

Members may also wish to have regard to the applicant's submission that the A2 use only requires planning permission by virtue of the requirements of condition 6 of planning permission EPF/0837/16, otherwise such a change would be permitted under the GPDO.

While noting the objections from the Parish Council, it is evident that their comments in respect of application EPF/0486/18 are based on a misunderstanding of the application proposal: Officers are clear that a nail bar does not fall within Use Class A1.

Conclusion:

Officers are satisfied that attempts have been made to market the unit for retail purposes and these have been unsuccessful. The alternatives propose uses that will be consistent with maintaining viability and vitality of the day time economy in the core frontage

Both applications are therefore recommended for approval. It is appropriate that an open frontage is maintained in order to ensure visual compatibility with the remainder of the centre and a condition to this effect in included on both applications. It is also appropriate to retain control over future changes of use that may otherwise be permitted by the GPDO for similar reasons to that justifying the original control, specifically to consider the impact of any such uses on residential amenity.

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

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

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

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