

## AREA PLANS SUB-COMMITTEE SOUTH

26 November 2014

### INDEX OF PLANNING APPLICATIONS/ENFORCEMENT CASES

| ITEM | REFERENCE   | SITE LOCATION  | OFFICER<br>RECOMMENDATION                             | PAGE |
|------|-------------|--|---|------|
| 1.   | EPF/0853/14 | Tottenham Hotspur Training<br>Ground<br>Luxborough Lane<br>Chigwell<br>Essex | Grant Permission<br>(Subject to a legal<br>agreement) | 26   |
| 2.   | EPF/1793/14 | 59 Manor Road<br>Chigwell<br>Essex<br>IG7 5PH                                | Grant Permission<br>(With Conditions)                 | 48   |
| 3.   | EPF/1946/14 | 30 Lyndhurst Rise<br>Chigwell<br>Essex<br>IG7 5BA                            | Grant Permission<br>(With Conditions)                 | 54   |
| 4.   | EPF/2104/14 | 29 Luctons Avenue<br>Buckhurst Hill<br>Essex<br>IG9 5SG                      | Grant Permission<br>(With Conditions)                 | 58   |
| 5.   | EPF/2119/14 | 25 Lee Grove<br>Chigwell<br>Essex<br>IG7 6AD                                 | Grant Permission<br>(With Conditions)                 | 62   |
| 6.   | EPF/2147/14 | 5 Salisbury Gardens<br>Buckhurst Hill<br>Essex<br>IG9 5ER                    | Grant Permission<br>(With Conditions)                 | 66   |
| 7.   | EPF/2186/14 | 9 Bradwell Road<br>Buckhurst Hill<br>Essex<br>IG9 6BY                        | Grant Permission<br>(Subject to a legal<br>agreement) | 70   |
| 8.   | EPF/2187/14 | 11 Bradwell Road<br>Buckhurst Hill<br>Essex<br>IG9 6BY                       | Grant Permission<br>(Subject to a legal<br>agreement) | 74   |
| 9    | EPF/2228/14 | Cycle Rhythm<br>228B High Road<br>Loughton<br>Essex<br>IG10 1ET              | Grant Permission<br>(With Conditions)                 | 78   |
| 10.  | EPF/2232/14 | 12 High Road<br>Buckhurst Hill<br>Essex<br>IG9 5HP                           | Grant Permission<br>(With Conditions)                 | 82   |

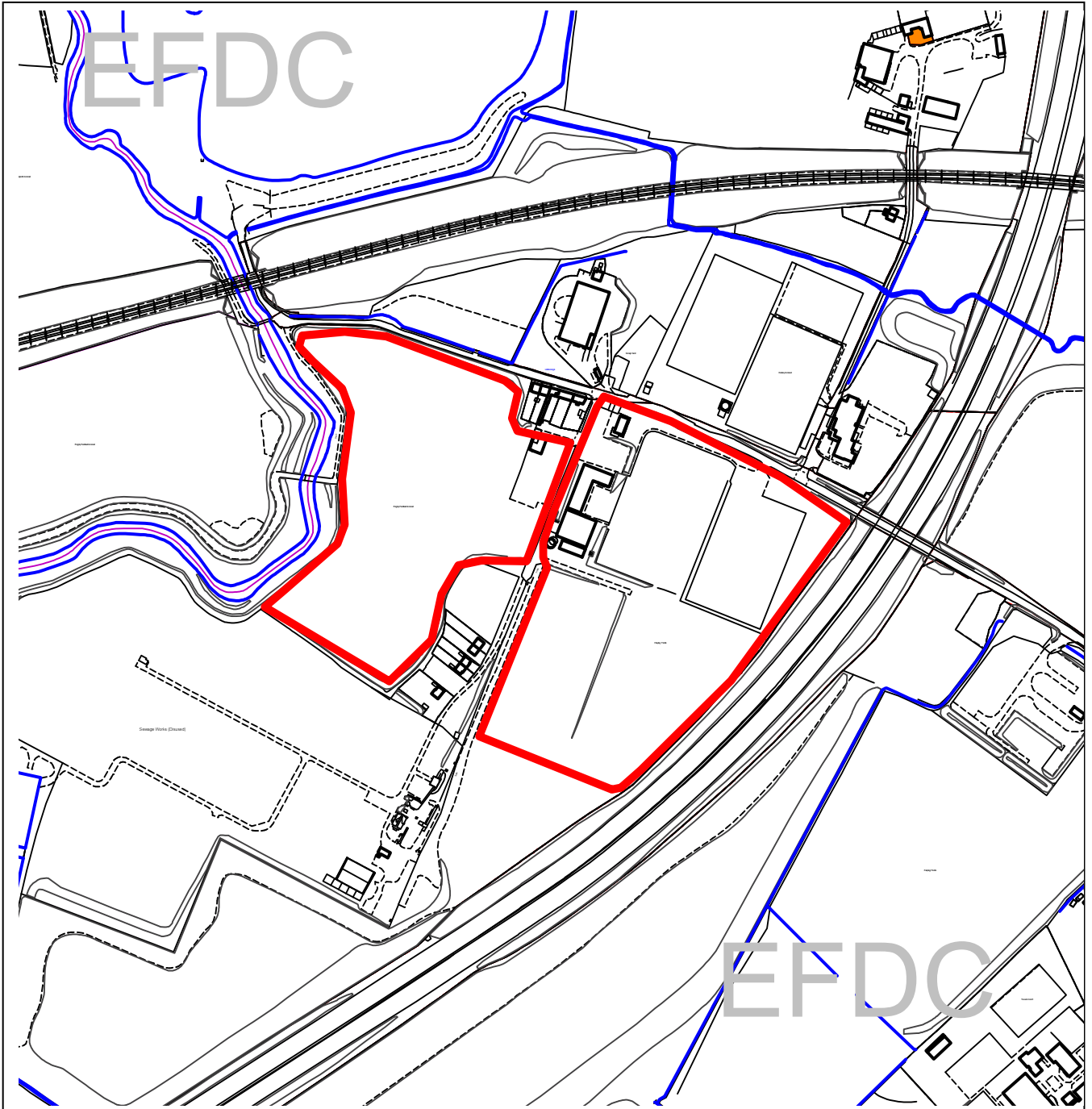
|     |             |   |                                       |    |
|-----|-------------|---|---------------------------------------|----|
| 11. | EPF/2237/14 | 50 Princes Road<br>Buckhurst Hill<br>Essex<br>IG9 5EE | Refuse Permission                     | 86 |
| 12. | EPF/2238/14 | 1 Chigwell Park Drive<br>Chigwell<br>Essex<br>IG7 5BD | Grant Permission<br>(With Conditions) | 92 |
| 13. | EPF/2251/14 | 30 Albion Hill<br>Loughton<br>Essex<br>IG10 4RD       | Grant Permission<br>(With Conditions) | 96 |

THIS PAGE IS INTENTIONALLY LEFT BLANK



# Epping Forest District Council

## AGENDA ITEM NUMBER 1



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

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

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

|                     |  |
|---------------------|--|
| Application Number: | EPF0853/14   |
| Site Name:          | Tottenham Hotspur Training Ground<br>Luxborough Lane, Chigwell |
| Scale of Plot:      | 1/5000   |

**Report Item No: 1**

|                                 |  |
|---------------------------------|--|
| <b>APPLICATION No:</b>          | EPF/0853/14  |
| <b>SITE ADDRESS:</b>            | Tottenham Hotspur Training Ground<br>Luxborough Lane<br>Chigwell<br>Essex  |
| <b>PARISH:</b>                  | Chigwell   |
| <b>WARD:</b>                    |  |
| <b>APPLICANT:</b>               | The Anderson Foundation  |
| <b>DESCRIPTION OF PROPOSAL:</b> | Redevelopment of former Tottenham Hotspur training ground with an autistic spectrum disorder school, comprising a 3800 sq metre school building to accommodate up to 128 pupils aged 4-19, a mixed use games area, playing fields, 100 parking spaces and a minibus drop off area. Additionally, the development of 60 dwellings on land to the west of the proposed school to act as enabling development to facilitate delivery of the school. |
| <b>RECOMMENDED DECISION:</b>    | Grant Permission (Subject to Legal Agreement)  |

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

[http://planpub.eppingforestdc.gov.uk/Anitelm.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=562230](http://planpub.eppingforestdc.gov.uk/Anitelm.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=562230)

**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 following approved drawings numbers, unless otherwise agreed in accordance with the terms of the agreement under S106 of the Town and Country Planning Act 1990 that accompanies this planning permission:

Location and masterplan and levels:

1324\_0005 D, 1324\_0100 H, 1324\_0009 A, 1324\_0010 A

NAS School:

1324\_0110 F, 1324\_0120 F, 1324\_0121 F, 1324\_0130 E, 1324\_0131 E, 1324\_0133 E, 1324\_0134 E, 1324\_0135 E, 1324\_0136 E, 1324\_0137 E, 1324\_0140 D, 1324\_0200 D, 1324\_0202 C, 1324\_0203 C, 1324\_0204 C, 1324\_0205 C, 1324\_0220 D, 1324\_0221 D

Housing:

1324\_0150 F, 1324\_0151 B, 1324\_0152 B, 1324\_0155 F, 1324\_0160 B, 1324\_0161 B, 1324\_0162 B, 1324\_0163 B, 1324\_0164 B, 1324\_0165 B, 1324\_0166 B, 1324\_0167 B, 1324\_0170 A, 1324\_0171 A, 1324\_0172 A, 1324\_0173 A, 1324\_0174 A, 1324\_0175 A, 1324\_0176 A, 1324\_0250 B, 1324\_0251 B

Adoptable Road Layout:

ST-2012-37

- 3 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 4 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 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.
- 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 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.

- 8 The development hereby permitted shall not be commenced until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment (Stomor, Ref ST-2012/FRA-1403-Luxborough Lane, March 2014) has been submitted to and approved in writing by the local planning authority. The drainage strategy shall include a restriction in run-off and surface water storage on site as outlined. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
- 9 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Planning Authority.
- 10 The development hereby approved shall be undertaken only in accordance with the mitigation strategy the recommendations of the Bat Survey and Reptile and Amphibian Survey dated 13 March 2014, ref DFCP 2600
- 11 Prior to first occupation of the 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.
- 12 Prior to the occupation of the houses referred to in this condition, the entire length of the rear facing balustrades enclosing the roof terraces of houses at plot numbers 8, 27, 28, 35 and 38 (as indicated on drawing number 1324\_0152 B) shall be supplemented by an obscure glazed privacy screen that extends from the top of the balustrade to a height of 1.8m above the floor level of the roof terrace. Thereafter the rear facing balustrades shall be permanently enclosed in that manner.
- 13 The first floor rear elevation window in the flat-roofed part of the house at plot 8, as identified on drawing numbers 1324\_0152 B and 1324\_0175 A, shall be obscure glazed up to a minimum height of 1.8m above the floor level of the room served by the window prior to the occupation of that house and shall thereafter be permanently maintained in that condition.
- 14 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other Order revoking, further amending or re-enacting that Order) no extensions, roof enlargements, swimming pools, ponds or outbuildings with foundations generally permitted by virtue of Classes A, B and E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 15 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other Order revoking, further amending or re-enacting that Order) no new buildings and extension to any building generally permitted by virtue of Class A of Part 32 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.

**Subject to the completion, within 3 months, of an agreement under S106 of the Town and Country Planning Act 1990 in respect of the following matters:**

- 1. Contaminated land investigation and remediation across the site.**
- 2. A financial contribution of £459,179 towards education, comprising £66,701 towards early years and childcare, £194,994 towards primary education, and £197,484**

- towards secondary education.
3. A financial contribution of £19,740 towards the capital costs of the NHS for provision of additional healthcare services.
  4. Completion of the improvements to/widening of Luxborough Lane prior to first occupation of the development, in accordance with details previously agreed with the Highway Authority.
  5. Provision and implementation of a Travel Plan for the proposed school and residential scheme to be monitored and reviewed annually, the provision of a Travel Plan Co-ordinator to give advice and the payment of £3,000 monitoring fee for Essex County Council
  6. Completion of the ASD school development prior to first occupation of the residential component.
  7. To not permit pupils to attend the school who are not diagnosed with Autistic Spectrum Disorder.
  8. The management of the school to become the responsibility of the National Autistic Society.
  9. The submission to the Local Planning Authority for approval details of the management company that will be responsible for the maintenance of roads, public open space and landscaped areas and the establishment of a management company in accordance with the approved details prior to the first occupation of the development.

**Subject to the completion, within 3 months, of an agreement under S106 of the Town and Country Planning Act 1990 in respect of the following matters:**

10. Contaminated land investigation and remediation across the site.
11. A financial contribution of £459,179 towards education, comprising £66,701 towards early years and childcare, £194,994 towards primary education, and £197,484 towards secondary education.
12. A financial contribution of £19,740 towards the capital costs of the NHS for provision of additional healthcare services.
13. Completion of the improvements to/widening of Luxborough Lane prior to first occupation of the development, in accordance with details previously agreed with the Highway Authority.
14. Provision and implementation of a Travel Plan for the proposed school and residential scheme to be monitored and reviewed annually, the provision of a Travel Plan Co-ordinator to give advice and the payment of £3,000 monitoring fee for Essex County Council
15. Completion of the ASD school development prior to first occupation of the residential component.
16. To not permit pupils to attend the school who are not diagnosed with Autistic Spectrum Disorder.
17. The management of the school to become the responsibility of the National Autistic Society.
18. The submission to the Local Planning Authority for approval details of the management company that will be responsible for the maintenance of roads, public open space and landscaped areas and the establishment of a management company in accordance with the approved details prior to the first occupation of the development.

**And subject to any direction given by the Secretary of State following referral to the National Planning Casework Unit under the Town and Country Planning (Consultation) (England) (Direction) 2009.**



*This application is before this Committee for the following reasons:*

- 1. It is an application contrary to the provisions of an approved draft Development Plan or Development Plan, and is recommended for approval (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council function, Schedule 1, Appendix A.(a))*
- 2. 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 function, Schedule 1, Appendix A.(c))*
- 3. 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: Planning Services – Delegation of Council function, Schedule 1, Appendix A.(d))*
- 4. 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 function, Schedule 1, Appendix A.(f).)*
- 5. 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 function, Schedule 1, Appendix A.(g))*

### **Description of Site:**

The application site primarily comprises land situated off the south side of Luxborough Lane, immediately west of the M11 motorway which is in a cutting at that point. The site area is some 24 hectares. It also includes the whole of Luxborough Lane from the existing access to the site to its junction with High Road, Chigwell. Luxborough Lane is a private road. The entire site is within the Green Belt.

The primary application site excludes an access road off Luxborough Lane, which passes through the approximate centre of it and consequently dividing it into two: a distinct eastern and western part. The access road serves to provide access to a small group of 5 houses between the southern parts of the site and to the Luxborough Lane Sewage Treatment Works.

To the west the primary site is bounded by the River Roding and to the south by Luxborough Lane Sewage Treatment Works and a small wooded area adjacent to the M11. Luxborough Lane and the curtilage of a terrace of 5 houses form the northern site boundary. The top of the M11 cutting forms the eastern site boundary.

Beyond the northern site boundary, on the opposite side of Luxborough Lane, is Chigwell Household Waste Recycling Centre, Old Loughtonians Hockey Club and Greenway Kindergarten.

The site comprises disused football pitches last used as a training ground for Tottenham Hotspur Football Club. The eastern part of the site also includes a pavilion building, associated car park and air-hall building containing one indoor football pitch. The western part also includes a car park.

Prior to the construction of football pitches the western part of the site was used for the disposal of waste, forming a landfill on land excavated for brick production. The southwest part of the eastern part of the site is also a landfill. The site as a whole is surrounded by other landfill sites.

A very narrow strip of land on the western site boundary with the River Roding, and along the western part of Luxborough Lane is within Flood Risk Zone 2.

## **Description of Proposal:**

It is proposed to construct a school on the eastern part of the site. The school would be a specialist school for children with Autistic-Spectrum Disorder (ASD) as their main Special Educational Need (SEN). The applicant's Planning Statement states it will be run independently by the National Autistic Society (NAS) and the NAS has confirmed they would do so. The Planning Statement also says the school will provide for up to 128 pupils aged 4 to 19. It also states it is anticipated the pupils will be of average to high cognitive ability, without severe complex needs. The school will offer National Curriculum education through key stages 1 to 4, leading to GCSE and other national qualifications where appropriate.

The school buildings would not be on any of the filled land. They would be sited along the central axis of the eastern part of the site with the filled land to the south-east of it proposed to be used as a football pitch as at present. The school teaching buildings would comprise the greater part of the built form. They would be single storey arranged around a central courtyard with a wing projecting to the north, south and west. A mix of traditional and modern external materials would be used while the buildings themselves would be of modern design. A double height hall with timber clad exterior would be part of the cluster of buildings.

South of the teaching buildings would be a pair of school houses providing supervised boarding accommodation for up to 16 children in their own bedrooms and an appropriate number of staff. The houses would have an L shaped plan, have 2 storeys and gabled roofs. A workshop/store building would be sited adjacent to the school houses.

Parking would be a robustly landscaped setting in the north-east corner of this part of the site, adjacent to Luxborough Lane and the M11 cutting. A landscaped belt with a bund up to 6m high would extend along the boundary with the M11 and the southern site boundary. A total of 100 off-street parking spaces would be provided for the school. Play areas and gardens would be provided throughout the school site.

This application also proposes the erection of 60 houses within a parkland setting on the western part of the site. The houses are proposed on the basis that they are enabling development for the school. The houses would be predominantly 3 bedroom (43), with some 4 bedroom (11) and 5 bedroom (6) houses. They would be arranged along the northern, eastern and southern boundaries of the western part of the site. The remainder of the site would be landscaped with access to the existing path at the top of the bank adjacent to the River Roding.

The houses would be predominantly two-storey with a small number of part two/ part three storey and full three storey houses sited at specific focal points and particularly adjacent to Luxborough Lane. They would be modern design with traditional materials and gabled roofs. A small number of houses would have flat-roofed side projections with roof terraces. Parking would be in garages, covered parking areas and a mix of dedicated and on-street parking spaces. Most of the access road serving the development together with all the parking areas would not be adopted.

The final component of the proposal is to bring Luxborough Lane up to adoptable standards between High Road Chigwell and the access road to the site off Luxborough Lane. That includes increasing the width of the carriageway to 5.5m, providing a 1.8m wide footway on its southern side, street lighting and minor works at the junction to improve visibility.

## **Relevant History:**

CHI/0030/48 Continuation and extension of existing workings. Approved (relating to eastern part of the site)

CHI/0154/50 Use as school playing fields. Approved

CHI/0151/65 Use of land as playing fields. Approved

- CHI/0019/56 Use of brickfield, when excavated, as tip for house refuse and other materials. Approved (Approved plans show western half of site as an existing tip)
- EPF/0806/95 Erection of replacement pavilion and use of existing hardstanding for car parking, regrading site to create level pitches, erection of irrigation tank and enlargement of existing parking area. Approved
- EPF/0671/98 Installation of synthetic pitch to replace existing pitch. Approved
- EPF/0081/99 Installation of a natural turf football pitch and training area including boundary fencing. Approved
- EPF/1212/03 Erection of temporary building to cover existing artificial playing surface. Approved for a temporary period. Consent subsequently renewed on a number of occasions.
- EPF/1824/12 Variation of condition 1 of planning permission EPF/1356/10 (Retention of air hall) to allow 'air hall' to be inflated for a further temporary period. Approved until 31 December 2013. Amounts to the most recent renewal of planning permission EPF/1212/03.
- EPF/2662/13 Variation of condition 1 of planning permission EPF/1824/12 (Retention of Air Hall for a further period until 31/12/2014). Refused on the basis the proposal is inappropriate development in the Green Belt and no very special circumstances sufficient to outweigh the harm are demonstrated.

**Policies Applied:**

- CP1 Achieving Sustainable Development Objectives
- CP2 Protecting the Quality of Rural and Built Environment
- CP3 New Development
- GB2A Development in the Green Belt
- GB7A Conspicuous Development
- RP4 Contaminated Land
- RP5A Adverse Environmental Impacts
- H3A Housing Density
- H4A Dwelling Mix
- H5A Provision for Affordable Housing
- H6A Site Thresholds for Affordable Housing
- H7A Levels of Affordable Housing
- H9A Lifetime Homes
- RST14 Playing Fields
- U3A Catchment Effects
- DBE1 Design of New Buildings
- DBE2 Effect on Neighbouring Properties
- DBE4 Design in the Green Belt
- DBE5 Design and Layout of New Development
- DBE6 Car Parking in New Development
- DBE7 Public Open Space
- DBE8 Private Amenity Space
- DBE9 Loss of Amenity
- LL2 Inappropriate Rural Development
- LL10 Adequacy of Provision for Landscape Retention
- LL11 Landscaping Schemes
- ST1 Location of Development
- ST2 Accessibility of Development
- ST3 Transport Assessments
- ST4 Road Safety
- ST5 Travel Plans
- ST6 Vehicle Parking
- I1A Planning Obligations

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

### **Consultation Carried Out and Summary of Representations Received**

Number of neighbours consulted. 27

Site notice posted: Yes

Press advert: Yes

Responses received:

An OBJECTION letter signed by the occupants of 98, 100, 102, 104, 106-108, 110, 112, 116, 118, 120 LUXBOROUGH LANE. The objections raised are summarised as follows:

1. The development is on an essential piece of green belt.
2. The development will cut off continuous river corridor for wildlife on the Luxborough Lane side of the river. That is critical for wildlife since the site spans the entire area between existing barriers of the River Roding and the M11.
3. Both the School and the housing will generate too much traffic for Luxborough Lane and its junction with the High Road to cope with.
4. Construction traffic will pose a particular safety hazard for pedestrians using Luxborough Lane, including children walking to school. Three 11 year old children live at addresses on Luxborough Lane as do others with special needs. It is therefore necessary to include a protected walkway along Luxborough Lane.
5. Traffic to the school will exacerbate the impact of school run traffic to other schools in the locality with much parking adjacent to the junction of Luxborough Lane and High Road. Bollards will assist but not fully deal with this problem.
6. Land ownership in the vicinity of Luxborough Lane will restrict the ability of the developer to deliver the proposed improvements.
7. Directing traffic to the school via an alternative route would be more hazardous than it using Luxborough Lane.
8. It is not clear how many children in Chigwell would benefit from the school.
9. The site is highly polluted as a consequence of its previous use for the disposal of waste. Adjacent watercourses are often full of pollutants and longstanding residents are aware the previous operator of the waste disposal use would accept any form of waste for the right price. Construction work would release more pollutants. Insufficient testing of the site has taken place.
10. Existing housing adjacent to the site are at lower level than the site therefore the proposed development is likely to result in a significant increase in the risk of flooding of these properties.
11. The neighbouring sewage treatment works are overloaded in storm conditions and waste water together with raw sewage flooding the grounds adjacent to the site at a level of existing neighbouring houses. Thames Water routinely have to send tankers to pump out and remove excess sewage. There are no plans to upgrade the sewage treatment works and the current problem can be regarded as being at a tipping point. The proposed development would add significant extra load to the Luxborough Lane sewer.
12. Water supply pipes would have to be upgraded to facilitate the development.
13. Alternative sites in the locality, specifically land on the opposite side of Luxborough Lane owned by Higgins Homes, has not been considered as an alternative location for the development. Moreover, there is plenty of brownfield land in London that could accommodate the development.

8 CASCADE ROAD, BUCKHURST HILL – Objection, summarised as follows:

1. Harm to Green Belt and openness, eroding the physical separation of Buckhurst Hill from Chigwell.
2. Harm to the rural character of the River walk.
3. Insufficient off-street car parking
4. Harm to the flow of traffic in the locality, particularly on Luxborough Lane
5. Unsustainable location for new housing due to poor access to services and public transport.
6. Will result in additional pressure on the demand for primary school places in the locality.

27 STRADBROKE GROVE, BUCKHURST HILL – Objection, summarised as follows:

1. Harm to Green Belt serving as a precedent for similar future development.
2. Encroaches into the physical separation of Buckhurst Hill from Chigwell resulting in a visual linking of the two.
3. Increased pressure on school places.
4. Increased pressure on doctors and other services in the locality.

EPPING FOREST RIDERS ASSOCIATION, 69 COOPERS LANE, LEYTON Objection, summarised as follows:

1. Luxborough Lane provides bridleway access to the River Roding Path and to Epping Forest via Knighton Wood. The number of vehicle movements generated by the development on Luxborough Lane will cause congestion, particularly as the site is remote from public transport. Previous traffic movements arising from use by Tottenham Hotspur were very low and not comparable to that likely to be generated.
2. If planning permission is granted Luxborough Lane should have a 20mph speed limit and traffic calming measures should be implemented on the road.
3. Existing services in the locality, e.g. doctors surgeries, will be unlikely to have capacity to cope with the increase in demand arising from the development.
4. The application site is in a flood plain.
5. The playing fields should not be lost.
6. Rights of way should be protected.
7. Living conditions of future residents are likely to be affected by perceived noise, dust and smell from the household waste disposal site.

69 COOPERS LANE, LEYTON – Comment recorded as being received but no details were submitted.

The following letters of SUPPORT have been received:

149 HONEY LANE, WALTHAM ABBEY

I am a parent of a child with autism. There is no autism specialism school in Epping Forest. Lots of children with autism cannot manage in normal schools and delivering the correct teaching as early as possible makes all the difference to a child's life chances. The proposed autism assessment centre and young adults learning centre will spread the benefits into the community by bringing help and support to teachers in local schools and helping young adults with the condition learn important life skills and independent living.

23 CROSSFIELDS, LOUGHTON

I am a parent of a child with autism. Children on the autistic spectrum need proper specialist

support. A specialist local school providing such support would achieve this more effectively than could be done in a mainstream school and therefore benefit residents.

104A ST JOHNS ROAD, EPPING

I am a parent of a child with autism. The proposal would be a massive help to the children and families of those affected by autism. There is currently no autism specialism school within Epping Forest.

AUTISM SUNDAY (AN AUTISM CAMPAIGNER IN THE UK)

We had a dream of launching an Autism Centre and an Autism School, we couldn't do it but now we have seen these plans for a state of the art autism specialist school in Chigwell Essex and I have to say we are very excited. As a parent and a carer we longed for a school such as this for our own son. Even though it is too late for our son it opens a door for so many children and young people with autism in Essex. You don't know how much that means to parents, carers and families with autism. Children with autism need specialist schools such as this.

BUCKHURST HILL PARISH COUNCIL: Comment/objection:

- Reduction of the recreation ground
- Premature to the outcome of the Local Plan
- Residential development is inappropriate use of the Green Belt
- Reduces the separation between the towns
- Concern as to the effect on infrastructure

CHIGWELL PARISH COUNCIL: Objection

“The Council voted to OBJECT to this application at this time and wish it to go directly to District Development Control when the following questions have been answered: The materials and design of the properties that will be used for the enabling development were more in keeping with their surroundings, that the highway will be constructed before any development take place, and there is a construction method statement.”

LONDON BOROUGH OF REDBRIDGE: Comment

It is considered that the proposed development is separated from the northern boundary of Ashton Playing Fields by farmers fields, West Hatch school campus and the M11 and therefore, does not immediately impact on the Green Belt purposes of this land [Green Belt land within the London Borough of Redbridge]. However, should the site be redeveloped it might undermine the Green Belt function of the farmers fields and Luxborough Lane Treatment Works to the south, which may ultimately impact on Redbridge's Green Belt.

[The proposal as a whole] does not appear to comply with Green Belt policy as it will have a significant impact upon the openness of Green Belt with potential impact on Green Belt in Redbridge. Therefore, it is considered premature to allow a non Green Belt policy compliant scheme when Epping Forest District Council has not conducted a full review of Green Belt designated land.

In highways terms no specific adverse impact has been identified on the Redbridge road network. As a general observation, the site is remote and poorly connected in transport terms...there could be an opportunity to connect the site into existing and proposed cycle infrastructure, the Roding Valley Way with obvious benefits to users of the development as well as the wider public.

ENVIRONMENT AGENCY: No objection

Conditions requested to deal with the matters of land contamination and flood risk.

HIGHWAYS AGENCY: No objection

NATIONAL GRID: No objection

National Grid has No Objection to the above proposal which is in close proximity to a High-Pressure Gas Pipeline – Feeder FM05 - Abridge to Luxborough Lane.

HEALTH AND SAFETY EXECUTIVE: No objection

The housing lies outside the consultation distance of pipeline 2447 and so does not need to be included in the PADHI+ consultation.

The roadway changes are sensitivity level SL1, which PADHI+ would not advise against within any of the zones.

The sensitivity level of the school is SL4, and the school site lies within the outer zone and outside the CD of pipeline 2447. As less than 10% of the total school site area lies within the outer zone (i.e. within 170 metres of pipeline ref 2447), the school would be considered to lie outside the CD of pipeline 2447.

Therefore HSE would not advise against the granting of planning permission.

SPORT ENGLAND: No objection

Sport England raises no objection to this proposal as the club has provided replacement facilities of equivalent or greater quantity and quality, in accordance with Sport England policy. Sport England would wish to see sports facilities at the ASD school opened up for wider community use, and consideration being given to s106 funding being secured to upgrade the proposed grass football pitch to an artificial surface.

NHS ENGLAND: No objection subject to S106 agreement

There is a capacity deficit in the catchment practice [for GP services] and a developer contribution of £19,740 is required to mitigate the 'capital cost' to NHS England for the provision of additional healthcare services arising directly as a result of the development proposal. NHS England, therefore requests that this sum be secured through a planning obligation linked to any grant of planning permission, in the form of a Section 106 Agreement.

ESSEX POLICE

The housing and school should achieve Secured by Design certification. Reducing opportunities for crime on all of this development will benefit the community. Essex Police will assist the developers to attain the SBD certification.

### **Screening Opinion:**

On 24 April 2014 the District Council adopted a screening opinion finding the proposed development is not Environmental Impact Assessment (EIA) Development under the Town and Country Planning (Environmental Impact Assessment) Regulations 1999. Accordingly, it was not necessary for the applicant to submit an Environmental Impact Assessment with this application.

## **Main Issues and Considerations:**

The main planning issues raised by the proposal are:

- Need for the ASD school
- Need for the enabling development
- Green Belt
- Land contamination
- Highway safety and vehicle parking

## **Need for the Autistic Spectrum Disorder School:**

Before specifically considering the evidence of need, it is pertinent to set out further details of the proposals for the proposed ASD school.

The school is proposed to be managed by the National Autistic Society. It would be for children with ASD who are of average to high cognitive ability. The NAS has submitted a short statement as follows:

*“The Society has been involved in the detailed design of the school, autism assessment centre and young adults learning centre in this application. We have ensured, in particular, that it meets the needs of those children and young adults on the more severe end of the autistic spectrum, who are not well catered for by mainstream education. The design brings to bear the expertise we have built up from the many such facilities that we have developed and run across the country.*

*I would also like to confirm that, once it is built and opened, we will manage and run the school and other facilities.”*

The Applicant proposes to enter into a S106 agreement to the effect that the only pupils permitted to attend the school shall be those with ASD and that the NAS would manage the school. It also agrees to complete the ASD school development prior to first occupation of the proposed enabling residential development.

In relation to the funding of the operation of the school the Applicant has submitted the following statement:

*“...the applicant has had advanced discussions with the Department for Education (DFE). The DFE will support a free school bid for the site, especially given that there will be no capital costs for them. The free school bid will follow a grant of planning permission.*

*That bid will result in the NAS/school receiving £10,000 per annum per space at the school. That sum is paid irrespective of how many children actually attend the school. As such, from day one, the school would receive £1,280,000 per annum funding direct from the Government.*

*The National Autistic Society anticipate that the running costs for the school will amount to £2,000,000 per annum. The ‘gap’ between Government funding and actual running costs will be filled through a combination of the National Autistic Society’s own funds, and those generated by the Anderson Foundation.”*

*“...the Anderson Foundation is a philanthropic organisation, whose sole aim is to raise funds for, and awareness of, the National Autistic Society. The Anderson Foundation, on average, raises £300,000 per annum for the National Autistic Society, and those funds can legitimately be used for operating the school at Luxborough Lane.”*



Advice from the Education Authority, Essex County Council, confirms *“If the free school application is approved by the Secretary of State it is the Education Funding Agency which provides core funding of £10,000 per annum for each place commissioned. Therefore it is the Secretary of State who would be required to guarantee revenue funding of £1.28m per year. Local Authorities commissioning places at the school would be required to pay an agreed top up amount for each pupil placed.”*

The Applicant sets out a case of need for the proposed school in a Planning Statement. In summary, it states that discussions with Essex County Council, prior to the submission of the application confirmed the following:

- There is no special school provision in Essex that supports only pupils with ASD.
- There are 100 ASD school places in total in Essex.
- It is forecast that there will be a need to provide a total of 600 school places within Essex by 2020.
- There has been an annual increase in the number of children diagnosed with ASD since 2004 and that is likely to continue. In 2013 there were 1563 children with statements for ASD compared to 573 in 2004 equating to a 10 year percentage increase of 174.52%.
- Within the west quadrant of Essex there were 136 children with ASD in 2013
- Within the west quadrant of Essex there is a forecast demand for 64 complex ASD special schools places and 98 severe ASD school places by 2020.

Note – the West Essex area comprises Epping Forest, Harlow and Uttlesford District Councils.

The Education Authority was consulted on the application and has, in addition, provided the following information in relation to the matter of need:

- Priority 2 of The SEND Strategy 2014-19 [Strategy for Children and Young People with Special Educational Needs and Disabilities] requires the Local Authority to commission/deliver a range of high quality provision for all children and young people with SEND.
- The Strategy acknowledges a shortfall across the County in specialist SEN provision for pupils with Autistic Spectrum Disorders (ASD).
- At present Essex is not intending to publish proposals to establish a new school of the type proposed by the applicant in Chigwell.
- The gap in provision in Essex is for parents who request a place at a special school supporting only pupils with ASD, as these do not exist in the Essex maintained sector. The proposed solution is to create 8 small enhanced provisions attached to mainstream schools for pupils of mainstream learning ability but with severe autism.
- Also under consideration is the creation of a small number of additional special school places (possibly in the form of new schools) for pupils with learning difficulties or challenging behaviour and severe autism.

In relation to the take up of places, the Education Authority states:

*“Providing the provision was of good quality, the level of top up charged was competitive and parents/carers wanted to send their young person to the provision then it is likely that Essex County Council would commission some places at this school should it be established as a Free School. It would be open to other local authorities to commission places at the school.”*

The statistics for all children with ASD divided into two categories: those with complex ASD and those with severe ASD. No distinction is made between those with a high cognitive ability and those with learning difficulties. That presents a difficulty in using the statistical information on children with ASD for the purposes of assessing the need for the particular school proposed. That

is because the school would only accommodate children with an average to high cognitive ability.

The development proposed would create a large scale enhanced provision in West Essex. Although there is no information readily available to Officers about need beyond Essex, since the location of the application site is within the vicinity of local authorities outside of Essex it is likely that those Authorities, e.g. London Borough of Redbridge, would consider using the proposed school for some of their children with ASD. The Education Authority states *"We think it is inevitable that the provision could be attractive to parents living outside Essex and other local authorities may therefore consider commissioning places. This cannot be prevented if places exist."*

Notwithstanding the difficulty in the format of the statistical information, it is concluded that the evidence available demonstrates there is a need for a school of the type proposed within the west of Essex. That need is greater than the numbers of places that would be provided at the school. Informal discussion with relevant education Officers indicates that it is very unlikely that the provision of the school would affect the viability of the proposed enhancement of facilities for children with ASD at mainstream schools. Subject to the school being a free school it is likely Essex County Council would commission places at the school and the Applicant confirms it has had advanced discussions with the DFE in relation to the school being supported as a free school.

The next opportunity for the Applicant to formally bid for a free school at the application site is not scheduled until after the next general election. That does present some uncertainty as to the funding for the schools running costs. The applicant does not propose a privately funded school but there is a possibility that, should planning permission be granted, the school would not receive public funding. If that were the case, and the school has to draw pupils from a wider area in order to be viable, the degree to which local need could be met would be reduced. However, it is not considered appropriate to give significant weight to unforeseen hypothetical public funding issues when assessing the matter of need for the school.

In relation to the matter of need, it is concluded that there is a demonstrable need for the proposed ASD school.

#### Need for the Enabling Development:

The Applicant has raised, through its charitable foundation, £750,000 towards funding the delivery of the school. A very substantial shortfall of some £34.5m is required to be realised to fund the delivery of the school, which is found to be needed. Consequently, there is no doubt that an enabling development is necessary to fund the shortfall. However, it is necessary to know whether the scale of enabling development proposed is actually the minimum necessary to achieve that. Careful examination of the costs for construction of the school and housing together set against realistic estimate of the likely sale value of the proposed houses has therefore been carried out by the applicant and independently verified by consultants employed by the District Council.

The Applicant has submitted a viability assessment for the proposal setting out full detailed costings for both the proposed school and the proposed enabling development. It allows for a worst case scenario in terms of having to carry out remediation works to deal with land contamination arising from the previous use of the site and neighbouring land as a refuse tip. The viability assessment, which contains commercially sensitive information, was provided to independent consultants employed by the Council for review. They were specifically asked to advise whether 60 open market sale houses is the minimum number of units required to enable the proposed ASD school.

The Council's consultants found the income and expenditure inputs to be reasonable and found the land following development has a negative land value of approximately £450,000. The Applicants had submitted that the land has a negative land value of £908,000. The difference in

opinion arises from the Council's consultants considering the sale value of the proposed houses could generate an additional £450,000. The consultants therefore concluded "A scheme of 60 residential units (based on the density and size) in accordance with the proposed planning application is therefore the minimum number of houses that can be provided as enabling development to support the school." Such a conclusion clearly makes allowance for the funding already secured by the applicant for the construction of the school.

Having regard to the findings of the Council's consultants it is concluded that should the proposed enabling development not be permitted, the needed ASD school would not be provided. Consequently, it is found that there is a demonstrable need for the proposed enabling development.

### Green Belt:

The definition of previously developed land set out in the NPPF includes land developed for waste disposal by landfill purposes where no provision for restoration was made through development control procedures. The main application site (that excluding Luxborough Lane itself) was used for waste disposal by landfill from the 1920's through to the 1970's with such use ceasing on different parts of the site at different times. Aerial photographs demonstrating the western part of the site was capped in 1960 and much of the eastern part of the site in playing field use by that time. Any consents for the landfill pre-date the planning system and there is no accessible surviving record of them. Consents given for the extension of such use to neighbouring land in 1948 and 1956 did not control or make provision for the restoration of the landfill at the application site. It is therefore known that the site was used for waste disposal by landfill purposes and there is no evidence that provision for restoration was made through development control procedures. On that basis the Applicant has informally invited the Council to consider the application site previously developed land.

However, the definition of previously developed land does exclude land which was previously developed but where the remains of the structure or fixed surface structure have blended into the landscape in the process of time. It also excludes recreation grounds. Other than a small area of buildings and car park adjacent to the access road through the site, the site is entirely playing fields. The Air-Hall on the eastern part of the site exists in breach of a planning condition requiring its removal and is therefore unlawful. It is therefore concluded that the vast majority of the site is not previously developed land.

The erection of new buildings in the Green Belt is inappropriate development. An exception to this is the partial or complete development of previously developed land which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. Although not considered previously developed land, even if it were, the proposal would clearly have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. It is therefore concluded the proposal is inappropriate development in the Green Belt.

### *Very Special Circumstances*

Inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. The demonstrable need for the proposed ASD school and associated enabling development is a material consideration that weighs heavily in favour of the proposal. In order for that to amount to a very special circumstance it is necessary to be satisfied the development as a whole could not be provided on any other land outside of the Green Belt.

The Applicant has given consideration to whether the proposed school could be provided elsewhere and has examined 16 alternative sites within the District. The sites were assessed against the operational requirements for the school, planning policy and having regard to other

constraints. Of those sites, one was found both too small and not appropriate for any development, three others were also found not appropriate for any development and five were too small. Of the others, 6 were either more appropriate for other development or were likely to result in greater harm to the Green Belt than the development on the site proposed. Officers do not disagree with the Applicant's assessment and, in relation to sites adjacent to Luxborough Lane, it is noted that sites both north and south of it were captured in the assessment. Of the sites outside of the Green Belt, none were of suitable size.

Moreover, the extent of site search is considered to be appropriate. Although confined to this District, that nonetheless captures sites within an appropriate travel time from main population areas within the west Essex area. Sites outside of the District could still address the identified need for specialist ASD education provision within the west Essex area, however, they are likely to be more remote from this District's main population areas. It is also clear from data provided by the Education Authority that the degree of need projected for 2020 within Essex as a whole is so great that approximately eight similar scale schools would be necessary to accommodate it and that the projected need for the west Essex area would significantly exceed the capacity of the proposed school.

The degree of need for an ASD school together with the need for the enabling development and the demonstrable absence of any suitable alternative site within an urban area are consequently considered to be material circumstances that outweigh the harm to the Green Belt that would arise from the development. It is also considered that the combination of circumstances is such that they should be considered very special.

#### *Conclusion on Green Belt:*

The proposal is inappropriate development in the Green Belt but very special circumstances are demonstrated that outweigh the harm that would be caused to the Green Belt. As will be seen from the following assessment, the proposal would not result in any other harm that could not be properly addressed without relying on a case of very special circumstances.

#### Land Contamination:

In the interests of safeguarding human health and preventing harm to the environment it is necessary to properly remediate the entire application site. The District Council's Land Contamination Officer provides the following detailed advice in relation to this matter:

*The proposed western domestic housing site is on an old landfill filled by W & C French Ltd, a local mineral extraction & waste disposal, civil engineering, and property development company who carried out waste disposal and civil engineering work for EFDC and its predecessor authorities during the 1920s – 1970s. The proposed school site also contains a landfill, but this is confined to an area in the southwest of the site proposed for retention as a football pitch (the main problem with landfill sites is from the accumulation of landfill gases inside buildings when built on waste). The site is surrounded by other landfill sites filled by W&C French Ltd and Essex County Council between 1940-1990. All these sites, including the application site, contain waste collected and disposed of by this Authority.*

*Only a very basic low density exploratory investigation was carried out last year by the Applicants, and although they were able to confirm that waste was present across the whole of the proposed western housing site, down to a depth of about 4.8m, they were not able to characterise the type of waste present in order to exclude the presence of gas producing sewage sludge from the adjoining Sewage Works, or the presence of Hazardous Industrial Waste, which has been found present in another local site filled at this time. Landfill gas was detected at concentrations above the NHBC "red" limit, which could mean that the site may be unsuitable for unmanaged domestic use unless all the waste is removed and/or cut off walls are installed around the perimeter of the*

*site to prevent onsite migration from other surrounding landfill sites.*

*Although the exploratory investigation of the eastern proposed school site was able to confirm the extent of the landfill present in the SW quarter of the site, and identified that organic odours were present indicating the presence of decomposing domestic waste, no investigation was carried out within the main body of the waste in order to be able to characterise the type and depth of waste present. The investigation identified up to 2m of made ground present across most of the rest of the site, with natural soils present along the eastern side bordering the motorway.*

*The Applicants have elected to demonstrate that it is feasible to mitigate all potential worst case risks from land contamination at the site, in lieu of carrying out a site investigation prior to receiving planning consent. An appropriate site investigation and necessary remediation works will then be required under planning conditions attached to any approval granted.*

*As the proposed school site is to be managed and the proposed ventilated sub floor buildings are not being located on top of landfill waste, it should be feasible to install a very high level of managed gas protection measures in the building (by upgrading the dpm to a gas membrane and including gas detectors in addition to smoke detectors already required under Building Regs), to provide a managed 600mm clean cover over the landfill sports pitch, and to remove up to 1.3m of made ground and replace with a 0.3m cobble anti-intrusion barrier and 1m of clean soils in the proposed vegetable gardens and tree landscape areas if, for example, asbestos in soils is found to be presenting risks.*

*It is understood that the Anderson Group own both authorised waste sorting/treatment sites and landfill sites and that they have stated that it would therefore be financially feasible for them, if necessary, to remove all the waste (approx 5ha x 3.5m = 175,000 m<sup>3</sup>), to replace with validated clean fill and soils, and to install perimeter grout cut off walls on the proposed western housing site, and that they would then carry out appropriate investigations to quantify the actual risks in order to determine what remedial measures were required under planning conditions.*

Following that advice the Applicant provided clarification of worst case scenario remediation costs that were taken into account when assessing the financial viability of the proposal. The Applicants have also agreed the matter of land contamination being dealt with in a S106 agreement rather than by condition. That would require a phased approach to the contaminated land investigation and remediation across the site. The developer would have to submit evidence verifying completion of each phase of investigation and remediation on part or all of the site and, as soon as it is satisfied with the evidence, the Council would be obliged to serve a notice permitting the following phase to commence on the land the evidence relates to. The developer would not be able to start a subsequent phase until the Council had issued its notice. This would allow works on some parts of the site to proceed ahead of those on other parts.

The use of a S106 agreement is considered more appropriate in respect of this site having regard to the likely scale of remediation required and since enforcement mechanisms for S106 agreements are more effective than for planning conditions. Consequently there is no need to deal with the matter of land contamination in conditions since that would result in a duplication of work and possible confusion about what had or had not been approved.

#### Highway safety and vehicle parking:

The Highway Authority is Essex County Council. In respect of the matter of highway safety it gives the following advice:

*The proposed development has been assessed against current National, Local and County policy and current safety criteria and has been found acceptable to the Highway Authority.*

*The applicant has submitted a comprehensive and robust Transport Assessment which demonstrates that the development will not have a detrimental impact upon the local highway network in the vicinity of the site or upon the wider highway network. There is no capacity issue associated with the development and the junction onto the High Road is appropriate in terms of geometry and visibility. Furthermore the developer is proposing significant highway works which will greatly improve and regulate the use of Luxborough Lane to the benefit of all highway users.*

*Consequently the Highway Authority is satisfied that the development will not be detrimental to highway safety, capacity or efficiency and will improve safety and accessibility to the site and in the locality.*

A number of planning conditions are requested in order to address technical matters and also to ensure the highway works are completed before the occupation of the development. Most of those are more appropriate to secure in a S106 agreement. The Applicant agrees to complete the improvements to/widening of Luxborough Lane prior to first occupation of the development.

An objector has raised the matter of land ownership being a constraint on the ability of the developer to deliver the highway improvements. The Applicant does state in the application that there are areas of land adjoining Luxborough Lane which are unregistered and that it is considered searches demonstrate there are some areas of land without ownership. Subsequently the Applicant has submitted much more detailed drawings of the extent of highway works in relation to neighbouring land that also show the pattern and extent of land ownership adjacent to the proposed works by identifying the title areas. That shows the works would not encroach on to any land that is within a registered title.

It is considered the Applicant has taken reasonable steps to clarify land ownership adjacent to Luxborough Lane and served notice on any party with an interest in any part of the site: Tottenham Hotspur Football Club and Thames Water Utilities Ltd. The objectors point in relation to land ownership is not supported by any evidence. In the circumstances, and having regard to the additional drawings, even if the objector is correct, a worst case scenario is the width of the proposed 1.8m wide footpath alongside the southern edge of the carriageway may have to be slightly reduced. That scenario appears unlikely to arise but if it did the consequence for highway safety would be very limited and certainly not fatal to the proposed development.

The matter of parking is for the District Council to assess having regard to the Vehicle Parking Standards 2009.

The standards require a maximum of 9 spaces for the proposed school rather than the 100 proposed. While the Applicant makes a case that the site is in a sustainable location, its degree of accessibility to public transport is limited. Moreover, the proposed school is aimed at children who are likely to be brought to the school by car in any event the maximum standard is not considered appropriate for the proposal. Furthermore, the School has been specifically designed to meet the requirements of the NAS, who would manage it and who have considerable expertise in managing such schools. In the circumstances, it is concluded that the level of provision proposed is appropriate even though it is far in excess of the maximum standard for schools set out in the Vehicle Parking Standards.

The numbers of off-street parking spaces proposed for the houses is slightly in excess of that specified in the Vehicle Parking Standards. There is a shortfall of formal visitors spaces (just over half of the required amount is proposed), however there is ample availability of informal on-street parking provided for within the proposed layout. In the circumstances and in order to maintain the parkland character of the undeveloped part of the site the Applicant was not requested to provide additional formal visitors parking spaces.

## Other Matters:

### *Affordable Housing:*

Having regard to the viability of the development and in order to limit the impact of the proposal on the openness of the Green Belt it was decided not to seek any affordable housing in connection with the development. Planning policy requires the provision of 50% of the dwellings as affordable housing, however, the Applicants have demonstrated that the values of house sales would be significantly less than the cost of the school, with the balance made up by charitable donations. Consequently, in order to achieve 50% affordable housing it is likely the scale of the enabling development would have to double resulting in significant encroachment towards the River Roding and the complete loss of the substantial green area that would give the housing layout its charm. The consequence for the openness of the Green Belt would be severe.

### *Flood Risk:*

The site is within Flood Risk Zone 1. A Flood Risk Assessment submitted with the application demonstrates the proposal would not result in any significant increase in the risk of flooding elsewhere. A planning condition requiring implementation in accordance with the FRA is necessary.

### *Nature Conservation:*

The proposed development is on enclosed land currently laid out as playing fields that were regularly mown and used for a considerable length of time. The form of enclosure varies and includes significant lengths of steel palisade and chain link fencing, often of very significant height. The opportunity for it to be a wildlife corridor and to provide significant areas of habitat is therefore limited. A Phase 1 Habitat Survey submitted with the application did not find evidence of the site serving as a link to adjacent habitat. Some wildlife, including grass snakes and common toads were found and recommendations for mitigation were put forward. They can be secured by condition. No bats were found on site.

Trees on the site are at its edges and do provide nesting opportunities. Few would be lost and the Council's Tree and Landscaping Team raises no objection subject to planning conditions to secure protection of trees in construction and further landscaping.

The proposal does include significant landscaping and measures to create new habitat within the proposal. That is particularly the case at the edges of the school site and for much of the housing site, particularly adjacent to the River Roding. It is therefore concluded the proposals would significantly enhance the available habitat on the site and its links to neighbouring habitat.

### *Playing Fields:*

Although the proposal results in the loss of playing fields, there is provision elsewhere in Chigwell and Sport England raises no objection. The school would include a playing field and the request by Sport England to consider making it available to the wider community is recognised. However, such use could be harmful to the operation of the school and it is therefore considered more appropriate for that to be a matter for the NAS to assess as part of their management function. The imposition of such a requirement on the school within a S106 agreement could potentially undermine the future success of the school and, moreover, Sport England do not say it is necessary for the development to take place.

### *Design and Appearance:*

The proposal is of contemporary design with a mix of traditional and modern materials. The

housing development would be more traditional in appearance. Its layout facilitates links to the River Roding path and cycle route (which addresses one of LB of Redbridge concerns) via a large landscaped area that would serve as a visual buffer between the river and the greater part of the development as well as providing a good recreational facility for residents.

In relation to the future condition of the development the Applicant agrees to the following being the subject of a S106 agreement:

Prior to commencement of the development to submit to the Local Planning Authority for approval details of the management company that will be responsible for the maintenance of roads, public open space and landscaped areas. A management company shall be established in accordance with the approved details.

*Living Conditions:*

Notwithstanding differences in levels between the site and adjacent existing houses, no harm would be caused to the living conditions of neighbouring properties due to the degree of separation between the houses. Within the development there is some potential for overlooking between particular plots, but that can be resolved through the imposition of appropriate planning conditions.

*Education provision:*

The Education Authority advises the proposed enabling development would generate the need for additional school places within mainstream schools. Consequently it is necessary for a financial contribution to be made and the level of contribution is calculated to be £459,179 comprising £66,701 towards early years and childcare, £194,994 towards primary education, and £197,484 towards secondary education. The Applicant has agreed to deal with this in a S106 agreement and the additional cost was factored in to the viability assessment.

*Healthcare Provision:*

In order to fund the provision of enhanced GP services for the development NHS England advises a financial contribution of £19,740 is required. The Applicant has agreed to deal with this in a S106 agreement and the additional cost was factored in to the viability assessment.

**Conclusion:**

The proposed Autistic Spectrum Disorder (ASD) school is demonstrably necessary to meet the need for the provision of education for children with ASD. The proposed housing is demonstrably necessary to enable the delivery of the school. There is no other suitable site outside of the Green Belt where the educational need for the west Essex area could be met. There is also no alternative site within the Green Belt whose development for the proposal as a whole would be less harmful to the Green Belt than carrying out the development at the application site. Therefore, although the proposal is inappropriate development within the Green Belt, very special circumstances that outweigh the harm to the Green Belt have been demonstrated.

All other matters arising from the proposal are either acceptable or can be properly addressed in either planning conditions or a S106 agreement. Heads of terms have been agreed with the Applicant.

Notwithstanding the departure from the Green Belt policies of the Local Plan and Alterations, therefore, it is recommended that planning permission be granted subject to planning conditions and S106 agreement referred to elsewhere in this report.



Should Members decide to grant planning permission, the application will have to be referred to the following week's District Development Control Committee (DDCC) of the Council for decision since the proposal is for a development contrary to adopted planning policy.

Should the DDCC decide to grant planning permission the application will then have to be referred to the National Planning Casework Unit under the Town and Country Planning (Consultation) (England) (Direction) 2009 since the proposal is a departure from the Green Belt policies of the Local Plan.

***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:***

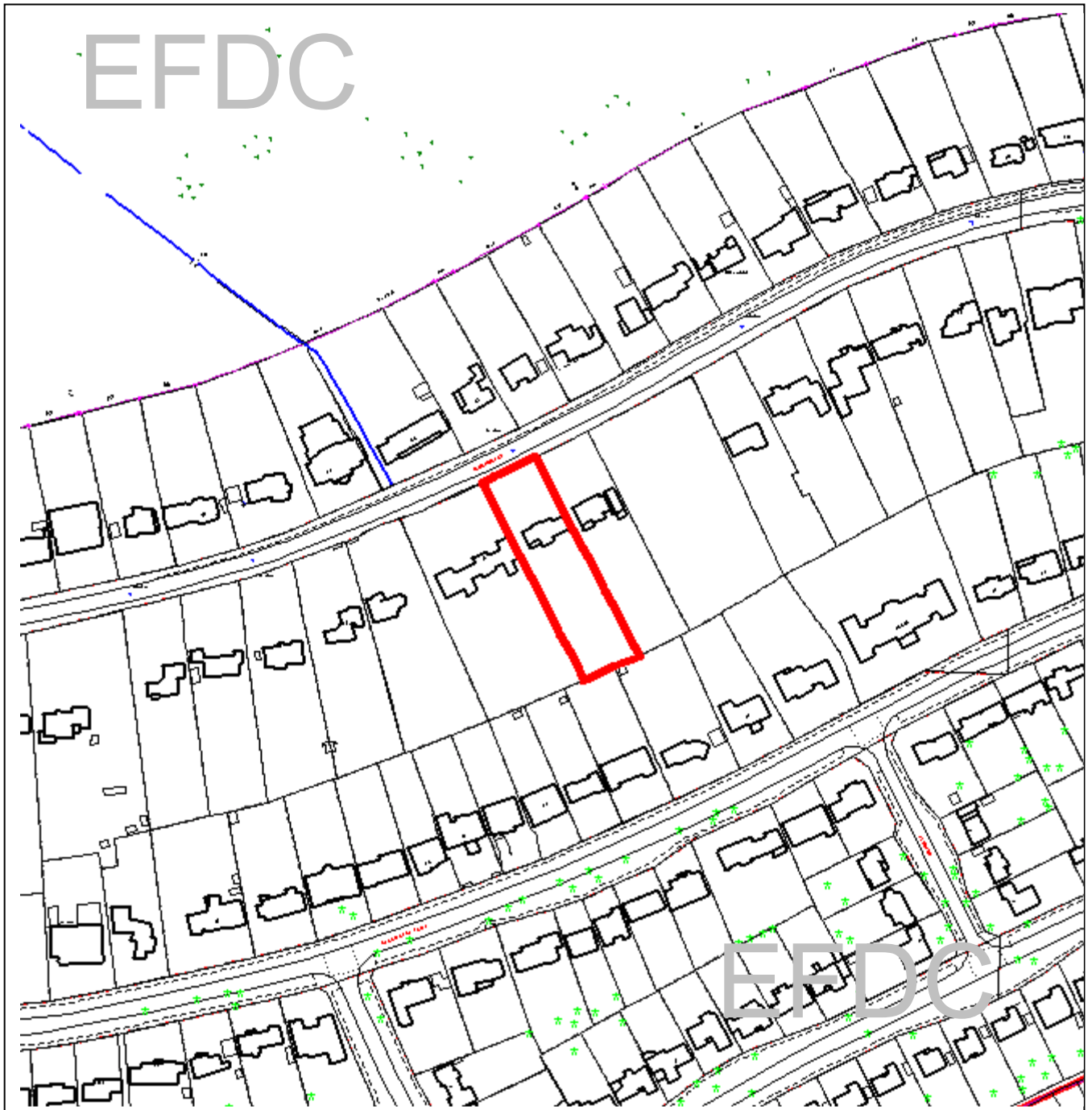
***Planning Application Case Officer: Stephan Solon  
Direct Line Telephone Number: 01992 564018***

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



# Epping Forest District Council

## AGENDA ITEM NUMBER 2



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

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

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

|                     |                                    |
|---------------------|------------------------------------|
| Application Number: | EPF/1793/14                        |
| Site Name:          | 59 Manor Road, Chigwell<br>IG7 5PH |
| Scale of Plot:      | 1/2500                             |

**Report Item No: 2**

|                                 |   |
|---------------------------------|---|
| <b>APPLICATION No:</b>          | EPF/1793/14                                     |
| <b>SITE ADDRESS:</b>            | 59 Manor Road<br>Chigwell<br>Essex<br>IG7 5PH   |
| <b>PARISH:</b>                  | Chigwell  |
| <b>WARD:</b>                    | Grange Hill                                     |
| <b>APPLICANT:</b>               | Lahrie Mohamed & Shehara Lahrie                 |
| <b>DESCRIPTION OF PROPOSAL:</b> | Erection of replacement dwelling with basement. |
| <b>RECOMMENDED DECISION:</b>    | Grant Permission (With Conditions)              |

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

[http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=566291](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=566291)

**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: FDY-10/C, FDY-11/D, FDY-12/C, FDY-13/C and FDY-14/B
- 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 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 the house, rear patio and front and rear gardens in relation to neighbouring land. The development shall be carried out in accordance with those approved details.
- 5 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or

establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 6 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.
- 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.
  6. A scheme for recycling/disposing of waste resulting from demolition and construction works.
- 8 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 retained for the duration of external works and shall be used to clean vehicles immediately before leaving the site.
- 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 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.
- 11 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other Order revoking, further amending or re-enacting that Order) no extensions 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.
- 12 Other than the first floor roof terrace indicated on drawing no. FDY-12/C, access to the flat roof areas of the house hereby approved shall be for maintenance or emergency purposes only and those flat roof areas shall not be used as seating areas, roof gardens, terraces, patios or similar amenity areas.

- 13 The obscure glazed privacy screens to the flanks of the first floor terrace shown on drawing numbers FDY-12/C and FDY-13/C shall be installed prior to the first use of the terrace and thereafter be permanently retained.

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

### **Description of Site:**

The application site comprises a large extended two-storey detached house located on the south side of Manor Road, midway between its junctions with New Forest Lane and Bracken Drive. The house is set 0.5m from the site boundary with 57 Manor Road and 1m from the site boundary with 61 Manor Road. The house at 57 is built up to the boundary with the application site while that at 61 is set 4.5m from the common boundary. Both 57 and 61 are extended significantly to the rear at ground floor. The addition to 61 nearest the site boundary is a conservatory.

Land rises to the rear beyond a patio. There are trees on the side rear garden boundaries and the application site is subject to an area Tree Preservation Order.

### **Description of Proposal:**

It is proposed to erect a replacement house on the site of the existing house. The proposed house would have two-storeys with an additional floor of accommodation in the roof and with an extensive basement extending under much of the front garden and a proposed rear patio. It would be of Classical design

The house would be set approximately 2m from the site boundaries. Its front wall would be in the same position of the existing house, aligning with that of 61 Manor Road and set 2.3m rear of the adjacent part of 57 Manor Road. A central bay set some 7.5m from each side boundary would project 2.5m. The depth of the flank elevation adjacent to the site boundaries would be 16.7m at ground floor and 12.3m at first floor. Central rear projections at ground and first floor would project 2.5m and be set some 8m from the site boundaries. The roof of the ground floor rear projection would include a roof terrace, the flanks of which would be screened by 1.8m high obscure glazed panels. Other flat roofed elements of the ground floor rear projection and that of the first floor rear projection would not be accessible.

### **Relevant History:**

Various applications for extensions but none relevant to this proposal.

### **Policies Applied:**

|      |   |
|------|---|
| CP2  | Quality of Rural and Built Environment        |
| CP7  | Urban Form and Quality                        |
| DBE1 | Design of New Buildings                       |
| DBE2 | Effect on Neighbouring Properties             |
| DBE9 | Loss of Amenity                               |
| LL10 | Adequacy of Provision for Landscape retention |
| LL11 | Landscaping Schemes                           |
| ST4  | Road Safety                                   |
| ST6  | Vehicle Parking                               |
| NPPF |   |

## **Consultation Carried Out and Summary of Representations Received**

Number of neighbours consulted. 7

Site notice posted: No, not required

Responses received: No response received from neighbours.

CHIGWELL PARISH COUNCIL: Objection

“The Council OBJECTS this application because of the absence of a construction method statement, a lack of appropriate conditions, and agreements. It also considers the proposal to be an over-development.”

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

The main planning issues are design and appearance, consequence for trees and impact on the living conditions of neighbours.

#### **Design:**

The Classical design proposed is in contrast with the softer appearance of the neighbouring two houses but is similar to a recently completed larger scale house at 63 Manor Road. When initially submitted the proposal included giant order Doric columns supporting a pediment that provided a very dominant focus to the centre of the front elevation. In addition, there was little variation in material. Following objection by the Parish Council the proposal has been modified to introduce a softer facing brick finish to the first floor and the giant order columns have been deleted. The pediment over the front projection is retained and its first floor is supported by pairs of much slender single-storey columns. The changes have given the proposal a more domestic appearance while retaining the grandeur sought by the Applicant.

The proposal is set in significantly from the site boundaries and its height is similar to that of neighbouring houses. That relationship together with the “toning down” of the front elevation has resulted in a scheme that would appear consistent with the character and appearance of the locality.

#### **Trees:**

The extensive basement has the potential to cause harm to the root systems of adjacent trees, some of which make a significant contribution to the visual amenities of the locality. The extent of the basement has been reduced in the course of the application such that the Council’s Tree and Landscaping Team’s initial objections are now overcome subject to the imposition of appropriate conditions dealing with the protection of trees in the course of construction, site levels and hard and soft landscaping.

#### **Living Conditions:**

Due to a combination of the distance the house would be set from the flanks of both neighbouring properties, particularly 61 Manor Road, and the depth of rear extensions to those houses, particularly 57 Manor Road, the proposal would not appear excessively overbearing when seen from those properties. No excessive impact on light would arise from the proposal and, subject to the imposition of suitable conditions, no excessive overlooking would arise.

In order to safeguard the amenities of neighbours during construction, and having regard to the extent of excavation proposed, it is necessary to agree a construction method statement as well as limit hours of construction. That can be achieved through the imposition of appropriate conditions, which would address one of the Parish Council’s concerns. A standard informative concerning the

possible consequences of the basement on hydrology and other matters should also be included on any decision to give permission.

**Conclusion:**

Although in contrast to its immediate neighbours, the proposal would not be inconsistent with the character of the locality and would achieve improved separation from the flanks of the houses. It is therefore considered acceptable in design terms. Following alterations to reduce the extent of basement the feasibility of the proposal in relation to adjacent trees is now acceptable. Planning conditions can adequately deal with matters of fine detail. No excessive harm would be caused to the living conditions of neighbours. Accordingly, the proposal as amended complies with relevant planning policy and it is recommended that planning permission be granted.

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

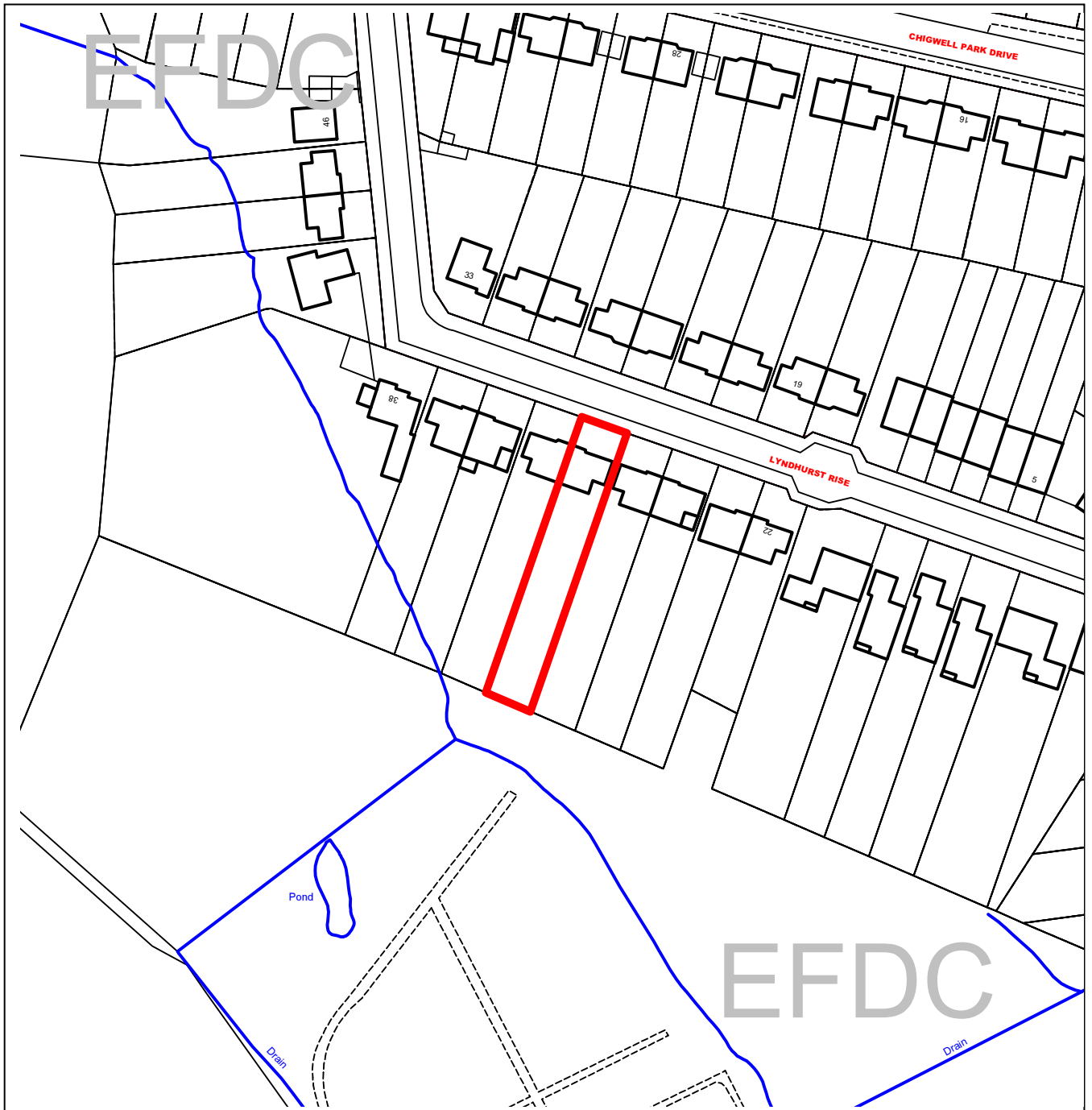
***Planning Application Case Officer: Stephan Solon  
Direct Line Telephone Number: 01992 564018***

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



# Epping Forest District Council

## AGENDA ITEM NUMBER 3



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

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

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

|                     |  |
|---------------------|--|
| Application Number: | EPF/1946/14                            |
| Site Name:          | 30 Lyndhurst Rise, Chigwell<br>IG7 5BA |
| Scale of Plot:      | 1/1250                                 |



**Report Item No: 3**

|                                 |  |
|---------------------------------|--|
| <b>APPLICATION No:</b>          | EPF/1946/14  |
| <b>SITE ADDRESS:</b>            | 30 Lyndhurst Rise<br>Chigwell<br>Essex<br>IG7 5BA  |
| <b>PARISH:</b>                  | Chigwell   |
| <b>WARD:</b>                    | Chigwell Village   |
| <b>APPLICANT:</b>               | TAJ Uddin Ahmed, Azima Khatun, Joygun Nessa  |
| <b>DESCRIPTION OF PROPOSAL:</b> | Demolition of existing garage. Proposed two storey side extension and single storey rear extension. (Revised application to EPF/2723/13 and EPF/0871/14) |
| <b>RECOMMENDED DECISION:</b>    | Grant Permission (With Conditions)   |

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

[http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=567050](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=567050)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.

*This application is before this Committee since it has previously been refused planning permission at the planning committee meeting (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A. (i))*

**Description of site**

Lyndhurst Rise is located within the built up area of Chigwell. The existing building is a two storey semi detached property located within a relatively long, narrow plot. The site slopes sharply from east to west and then levels out. The surrounding buildings are two storey semi detached dwellings, some of which have been extended to the side and rear. The application site is not located within the boundaries of the Metropolitan Green Belt and it is not in a conservation area.

**Description of Proposal**

The proposed development is for a first floor element to be built over an existing single storey garage on the side elevation. The extension will be 2.5m wide and have an eaves height of 5.2m. This extension joins with the existing roof and lessens the existing pitch. The application also includes a single storey rear extension 4m deep, 8.2m wide and a height of 3m.

## **Relevant History**

EPF/2723/13 - Demolition of existing garage and erection of proposed two storey side extension and single storey rear extension – refused by committee

EPF/0871/14 - Demolition of existing garage and erection of proposed two storey side extension and single storey rear extension. (Revised application to EPF/2723/13) – Refused by committee

## **Policies Applied:**

CP2: Quality of Rural and Built Environment

DBE9: Loss of Amenity

DBE10: Residential Extensions

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

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

5 Neighbours consulted – 1 reply:

28 LYNDHURST RISE – No objection

CHIGWELL PARISH COUNCIL – No objection

## **Issues and considerations**

This is a revised application to a previous refusal (EPF/0871/14) which was refused for the following reason:

*By reason of its height adjacent to the site boundary with 32 Lyndhurst Rise, which is at slightly lower level, the proposed single storey rear extension would appear excessively overbearing when seen from that property and consequently would be harmful to living conditions. Accordingly, the proposal is contrary to policy DBE9 of the adopted Local Plan and Alterations which is consistent with the policies of the National Planning Policy Framework*

The first floor extension remains unchanged from the previous refusal and was considered acceptable; as such it is not reassessed in this application. Therefore the main issue to consider is whether this revised application has overcome the previous reason for refusal relating to the single storey rear extension.

### **Neighbour Amenity**

The applicant has reduced the height of the extension from 3.2m to 3m, with a flat roof design. The depth is the same and the width has been reduced to leave a gap of 1m to the shared boundary with no.32.

The Parish Council and the adjacent neighbour offer no objection to this application. The rear extension will be visible from neighbouring residential outlook. However it is of a single storey design that leaves a reasonable gap of 0.8m from the boundary with 28 Lyndhurst Rise. Furthermore, a high and well established hedge is situated on this boundary which acts as a screen. Were this screen removed, the boundary treatment will still obscure the majority of the development.

The site slopes from east to west and therefore the extension will be situated on slightly higher ground than no.32. However the slope is not so severe to significantly increase the height of the extension to this neighbour. Furthermore the 3m projection of the extension is situated 1m from the shared boundary. As such the extension is a reasonable size in the context of the site and will not significantly harm the living conditions of neighbours. Therefore it is contended that the applicant has overcome the previous reason for refusal.

Following the revisions to the rear extension it will not be overbearing or cause a significant loss of light to either neighbour. Therefore it is concluded that this proposal complies with the policy DBE9 of the Adopted Local Plan and Alterations.

### Design

The design of the flat roof extension is conventional and will not be visible from public areas of Lyndhurst Rise. Therefore the proposal complies with DBE10 and CP2(iv) of the Adopted Local Plan and Alterations.

### Conclusion

The applicant has overcome the previous reasons for refusal and therefore it is recommended that planning permission is granted.

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

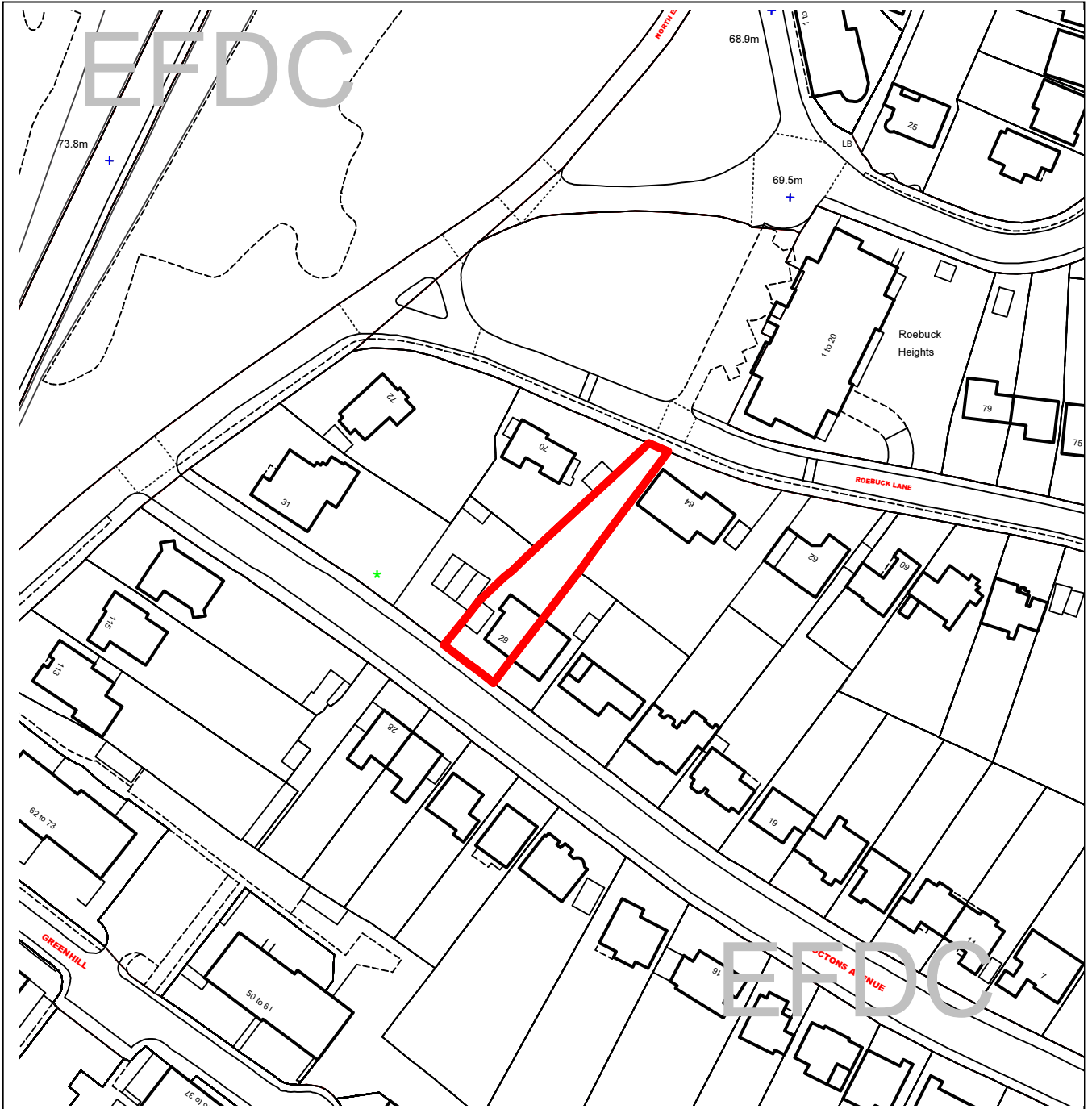
***Planning Application Case Officer: James Rogers  
Direct Line Telephone Number: 01992 564 371***

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



# Epping Forest District Council

## AGENDA ITEM NUMBER 4



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

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

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

|                     |  |
|---------------------|--|
| Application Number: | EPF/2104/14                                  |
| Site Name:          | 29 Luctons Avenue. Buckhurst Hill<br>IG9 5SG |
| Scale of Plot:      | 1/1250                                       |

**Report Item No: 4**

|                                 |   |
|---------------------------------|---|
| <b>APPLICATION No:</b>          | EPF/2104/14   |
| <b>SITE ADDRESS:</b>            | 29 Luctons Avenue<br>Buckhurst Hill<br>Essex<br>IG9 5SG                           |
| <b>PARISH:</b>                  | Buckhurst Hill  |
| <b>WARD:</b>                    | Buckhurst Hill West   |
| <b>APPLICANT:</b>               | Mr Kevin Bingle   |
| <b>DESCRIPTION OF PROPOSAL:</b> | Two storey side extension, loft conversion with rear dormer and 3 no. rooflights. |
| <b>RECOMMENDED DECISION:</b>    | Grant Permission (With Conditions)  |

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

[http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=567835](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=567835)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.

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

**Description of Site:**

The application property is a two-storey semi-detached house, within the built up area of Buckhurst Hill. It is not Listed nor in a Conservation Area. The house has a front gable roofed garage to the side linked to the house by a single storey side projection with a front parapet roof.

Ground levels around the site rise to the northwest and fall to the southeast.

**Description of Proposal:**

A two storey side extension, 4m wide and a maximum of 11.5m deep from the face of a bay window on the front elevation to the rear wall. The depth of the side extension would match the existing house.

Rear dormer, 5.5m wide with full height glazed doors and windows/glazed panels and “Juliette” balcony in front.

3 rooflights to front elevation.

**Relevant History:**

EPF/0239/06 - Demolition of existing garage and erection of new detached 3 bedroom chalet style bungalow with parking space; erected to side of 70 Roebuck Lane, and partly on garden at 29 Luctons Avenue. (Re-submission) – Granted 30/03/2006

**Policies Applied:**

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

NPPF

**Summary of Representations:**

5 Neighbouring properties have been notified. In addition the owner or previous owner of the land to the rear of the site, understood to now be known as 68 Roebuck Lane, was notified of the application by letter. Two properties have objected as follows:

64 ROEBUCK LANE: Strongly object in regard to the proposed windows and balcony in the 2nd floor loft conversion. These directly face our property, and those of our 2 neighbours on Roebuck Lane, and will considerably affect the privacy of our rear garden. I am aware that recent developments at 48 and 52 Roebuck Lane have allowed windows at 2nd floor level, mistakenly in my view, but there the distance between Roebuck Lane and Luctons Avenue is far greater than at this site.

The house currently being constructed between 29 and 31 Luctons has only sloping roof windows. The house directly behind 29 Luctons, recently constructed between 64 and 70 Roebuck, was permitted to have only obscure glass at FIRST floor level so as not to affect the privacy of 29 Luctons. The recent loft conversion at 25 Luctons has a solid rear-facing wall and a roof skylight. We ask that you refuse permission for this extension until the applicant conforms to the precedent of 25 Luctons regarding the loft conversion, with no windows facing the rear.

I note that the list of neighbours to be consulted does not include either the house directly behind this site, at 68 Roebuck Lane, nor the new house directly adjacent currently being constructed between 29 and 31 Luctons, these 2 houses being the most affected by these plans.

70 ROEBUCK LANE: We object to the balcony and windows which are proposed to be built on the second floor. This house looks down on the rear of our bungalow, and this will mean everything in our garden will be able to be clearly seen. My son owns the house next to ours, 68 Roebuck Lane, which is directly behind 29 Luctons Avenue, and the same applies. (This house is currently let). Further, the new house being built between 29 and 31 Luctons already blocks a lot of light to both houses, and this large extension at 29 will make that worse.

BUCKHURST HILL PARISH COUNCIL: Overdevelopment of site. Out of keeping with the size of the neighbouring property.

THAMES WATER: No objection. Comment made regarding surface water drainage and legal changes meaning that pipes could have transferred to Thames Water’s ownership.

## **Main Issues and Considerations:**

The main issues that arise with this application are the potential impact to the street scene in terms of design and potential adverse impact to neighbouring properties.

### **Street scene**

The front elevation would be seen in the context of its attached neighbour to the right hand side and a substantial detached house to the left hand side. The house to the left hand side has a shallow front bay with a gable end and the house as a whole has an almost pyramidal roof, just truncated at the top such that it has two side hips. This house has an imposing bulk and mass, emphasised by being set on a higher ground level than the application property. This house to the left hand side is set close to the common side boundary. Within this context, the design of the proposed front elevation is considered acceptable.

The side elevation would be effectively hidden between the built form of the proposal and the built form of the house to the left hand side.

### **Neighbouring amenity**

The proposed windows would have oblique views of the rear gardens of 31 and 27 Luctons Avenue but to no materially greater extent than exists now from first floor bedroom windows.

There is approx. 30m distance between the proposed dormer and the main rear wall of the chalet bungalows to the north in Roebuck Lane, which is a reasonable separation distance to not cause undue loss of privacy to these neighbours from overlooking. The rear dormer to the recently built chalet bungalow to the immediate rear of the site was conditioned to have obscure glazing because it had a shallow depth rear garden and was deemed necessary to safeguard against serious overlooking of the applicants rear garden. The reverse situation in respect of the proposed dormer does not result in the same amenity impact and therefore obscure glazing is not necessary. The roof of 25 Luctons Avenue is not the same as the applicant's house and a glazing window to a dormer is in design terms preferable and more practical than a solid finish on its rear elevation.

Only one neighbour would be affected by the position and size of the side extension, a new house at no. 31, set to the northwest. This neighbouring property almost fills its plot width such that the house itself at no. 31 overshadows its own rear garden to the northeast of the house. The proposal would cause no material detrimental overshadowing or loss of outlook.

## **Conclusion:**

The proposals are considered acceptable in design terms and impacts to neighbouring amenity are not to the significant degree required to justify refusal. The proposals are akin to many considered appropriate throughout the District and accordingly Officers recommend approval.

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

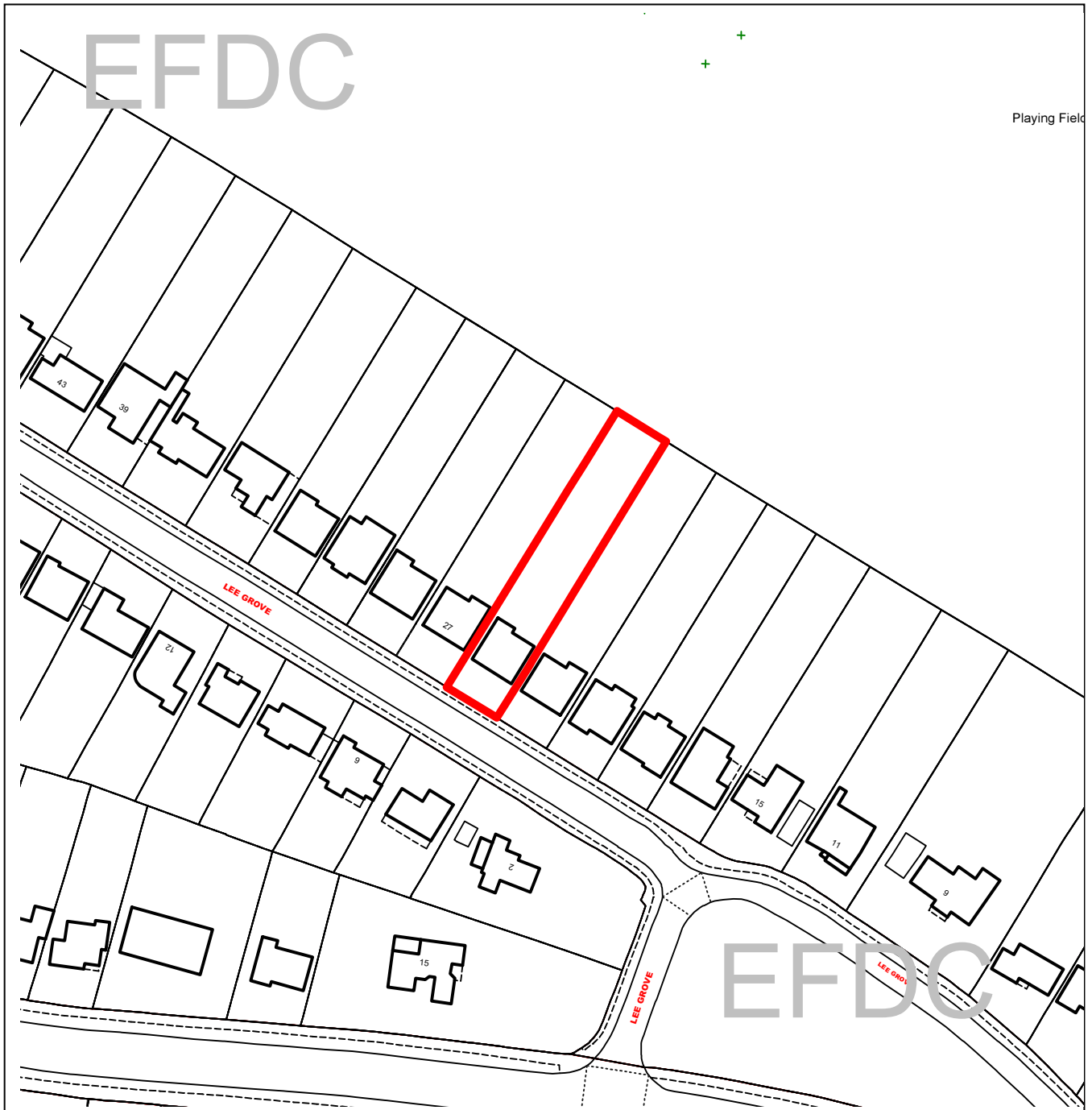
***Planning Application Case Officer: Jonathan Doe  
Direct Line Telephone Number: 01992 564103***

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



# Epping Forest District Council

## AGENDA ITEM NUMBER 5



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

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

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

|                     |                                   |
|---------------------|-----------------------------------|
| Application Number: | EPF/2119/14                       |
| Site Name:          | 25 Lee Grove, Chigwell<br>IG7 6AD |
| Scale of Plot:      | 1/1250                            |



**Report Item No: 5**

|                                 |   |
|---------------------------------|---|
| <b>APPLICATION No:</b>          | EPF/2119/14   |
| <b>SITE ADDRESS:</b>            | 25 Lee Grove<br>Chigwell<br>Essex<br>IG7 6AD  |
| <b>PARISH:</b>                  | Chigwell  |
| <b>WARD:</b>                    | Chigwell Village  |
| <b>APPLICANT:</b>               | Mr Ramzan Mulji   |
| <b>DESCRIPTION OF PROPOSAL:</b> | Erection of single and two storey rear extension, roof extension and front porch (Revised application to EPF/1096/14) |
| <b>RECOMMENDED DECISION:</b>    | Grant Permission (With Conditions)  |

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

[http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=567895](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=567895)

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

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

**Description of Site:**

The application site comprises a detached two-storey house within a residential area. Beyond the rear garden is a playing field that forms part of the Metropolitan Green Belt. The immediate neighbours, 23 and 27 Lee Grove, are also detached two-storey houses. Both are extended, no 23 by some 4m to the rear at two-storey. It has a conservatory in addition. No. 27 has a 3m deep two-storey rear extension adjacent to the site boundary with a conservatory beyond that.

### **Description of Proposal:**

It is proposed to erect a two storey rear extension together with a roof enlargement and new front porch.

This is a revised application following a recent refusal of planning permission.

The proposal would result in the house changing from a hipped end to a gable ended roof with a 6m deep ground floor and 4m deep first floor projection to the rear, almost spanning the full width of the rear elevation. Accommodation would also be provided in a roof void at a second floor that would have a balcony at the rear contained within the side roof slopes.

### **Relevant History:**

EPF/1096/14 – Two storey rear extension, roof extension and front porch – Refused 29 July 2014 for the following 2 reasons:-

*By reason of its bulk and rearward projection at first and second floor level, together with the flat roofed design of the second floor, the proposed rear extension would appear as a highly prominent discordant addition that would fail to complement the existing house and would detract from the character and appearance of the locality. The proposal is therefore contrary to Local Plan and Alterations policies CP2(iv) and DBE10, which are consistent with the policies of the National Planning Policy Framework.*

*By reason of its rearward projection and inclusion of balconies at first and second floor level the proposed rear extension would give rise to an excessive degree of overlooking of the most private parts of the rear gardens of nos. 23 and 27 Lee Grove. As a consequence the proposal would cause excessive harm to the living conditions of those dwellinghouses contrary to policy DBE9 of the Local Plan and Alterations, which is consistent with the policies of the National Planning Policy Framework.*

### **Policies Applied:**

Local Plan:

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

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

### **Consultation Carried Out and Summary of Representations Received:**

Number of neighbours consulted. 3

Site notice posted: No, not required

Responses received: No response received from neighbours.

CHIGWELL PARISH COUNCIL - OBJECTS to this application due to the poor design, and considers the proposal inappropriate to the locality, also the 2<sup>nd</sup> floor balcony still create major overlooking problems

## **Main Issues and Considerations:**

The main issues raised by the proposal are design and consequence for the living conditions to neighbours.

### Design:

This part of Lee Grove is predominantly characterised by detached houses with hipped roofs and the neighbouring houses take that form. However, gabled roof designs are also part of the street scene and the proposal would be consistent with that pattern. On balance, it is concluded that sufficient separation from neighbours would be retained to prevent the enlarged house appearing cramped in relation to its immediate neighbours. The porch is not of any significant consequence.

To the rear the proposed rear addition has been reduced in depth from the previous refusal such that the first floor depth has been cut back by 2m and now aligns with the rear of houses on either side. Previously, it proposed highly prominent flanks and was to be finished with a flat roof at odds with the design of the enlarged main roof. This was considered to contrast to the design and scale of the main part of the house and consequently failed to complement its design, as well as appear too prominent when seen from neighbouring gardens. The revised proposal removes the flat roof elements and instead the roof slope and shape now conforms to the main house and those surrounding, such that it is more in keeping and less bulky. It is considered that the proposal now conforms to policies CP2 and DBE10.

### Living Conditions:

The ground floor element of the proposal, although of significant depth, would not harm the living conditions of neighbours. Its reduced depth would not appear excessively overbearing when seen from neighbouring properties due to the combined depth of their extensions and conservatories.

The twin level recessed balconies of the previous proposal have been removed and where they would have resulted in loss of privacy to the rear of nos. 23 and 27 Lee Grove, the revised proposal has no first floor balcony and now only has a fully recessed second floor balcony with no views to the sides into either neighbour. There will be a view down the applicant's own garden and to a lesser extent the end part of the neighbours' gardens, but this is limited and not to the extent where either neighbour could claim significant overlooking to justify a refusal. The proposal therefore complies with policies CP2 and DBE9.

## **Conclusion:**

The revised proposal in this application is a more modest and conventional design of reduced depth at upper floor level, which better complements the appearance of the existing house. The previously proposed non-conforming rear flat roof design has been replaced by a modern rear facing elevation with a well designed ridged roof. The balcony is recessed into the main fabric of the second floor roof design and there will be no undue loss of amenity to the neighbours. A grant of planning permission is recommended.

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

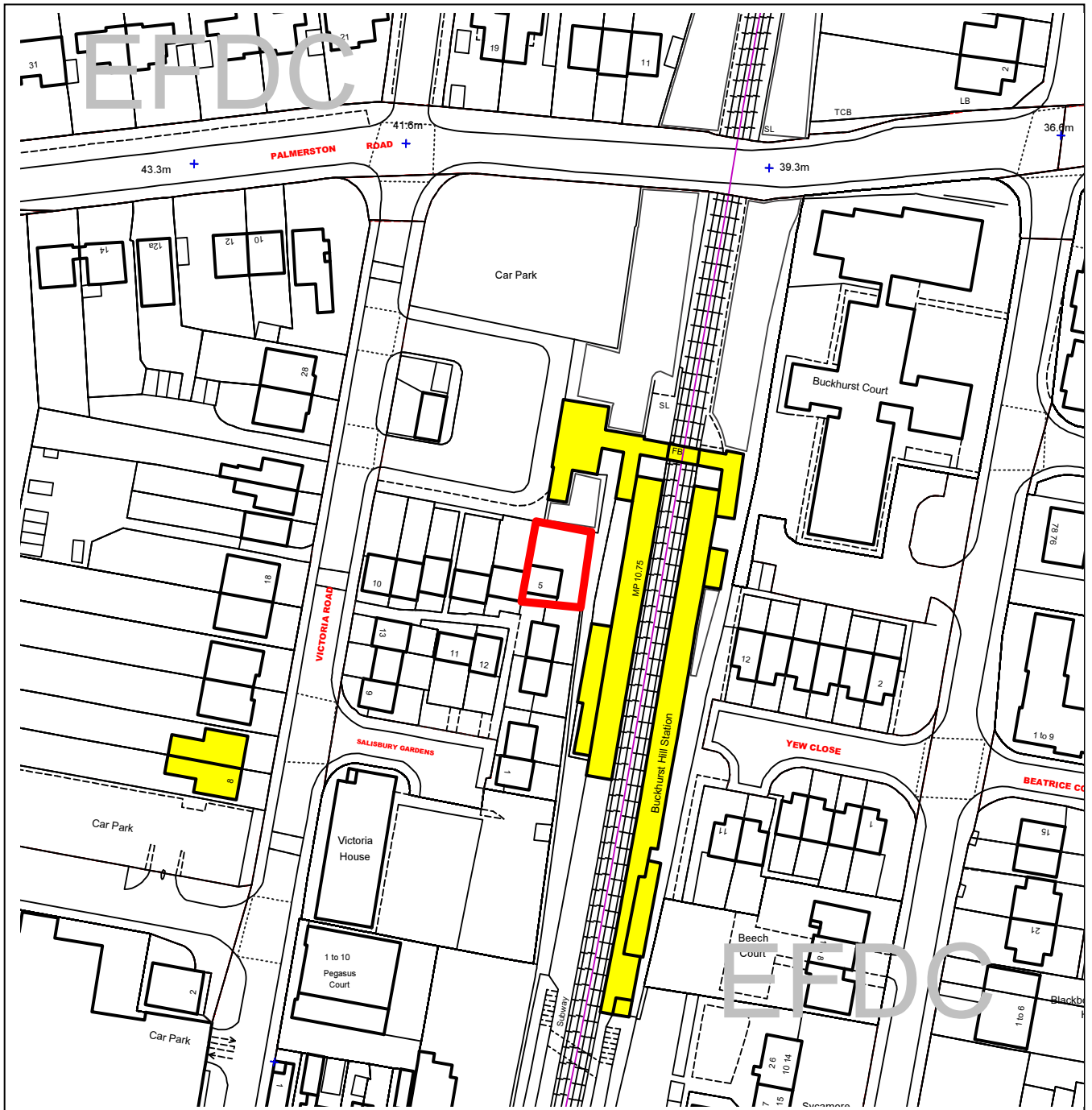
***Planning Application Case Officer: Stephan Solon  
Direct Line Telephone Number: 01992 564018***

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



# Epping Forest District Council

## AGENDA ITEM NUMBER 6



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

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

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

|                     |  |
|---------------------|--|
| Application Number: | EPF/2147/14                                    |
| Site Name:          | 5 Salisbury Gardens, Buckhurst Hill<br>IG9 5ER |
| Scale of Plot:      | 1/1250   |

**Report Item No: 6**

|                                 |   |
|---------------------------------|---|
| <b>APPLICATION No:</b>          | EPF/2147/14   |
| <b>SITE ADDRESS:</b>            | 5 Salisbury Gardens<br>Buckhurst Hill<br>Essex<br>IG9 5ER |
| <b>PARISH:</b>                  | Buckhurst Hill  |
| <b>WARD:</b>                    | Buckhurst Hill West                                       |
| <b>APPLICANT:</b>               | Miss Shirley Brennan                                      |
| <b>DESCRIPTION OF PROPOSAL:</b> | Two storey side extension and internal alterations.       |
| <b>RECOMMENDED DECISION:</b>    | Grant Permission (With Conditions)                        |

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

[http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=568051](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=568051)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 3 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.

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

**Description of Site:**

A two storey end of terrace house located in a modern group of homes built in the 1970's/80's. The property lies adjoining the embankment and tube line close to Buckhurst Hill underground station. The house is not listed nor does it lie in a conservation area.

### **Description of Proposal:**

Erection of two storey side extension.

### **Relevant History:**

None.

### **Policies Applied:**

DBE9 - Loss of amenity.

DBE10 – Residential extensions.

LL10 – Adequacy of provision for landscape retention

These three policies are compliant with the NPPF.

### **Summary of Representations:**

BUCKHURST HILL PARISH COUNCIL – Object – overlooking and loss of amenity for the next door neighbour. Insufficient detail on the plan to judge the impact of light on the next door neighbour.

BUCKHURST HILL RESIDENTS ASSOCIATION – object on grounds of overlooking of rear gardens of houses to immediate south which lie at a right angle to no.5.

NEIGHBOURS – 3 properties consulted and no replies received.

EFDC TREES AND LANDSCAPE SECTION – Object – there are two preserved Cypress trees in the back garden. Although they are some distance from the proposed extension without detailed information e.g. tree surveys, it is not possible to fully assess whether the trees will be affected in the proposal (see below for further comment on this issue).

### **Issues and Considerations:**

This two storey side extension will be 4m wide and will be the same depth as the existing house, and it will leave a 1m gap to the side boundary with the tube line embankment. The bulk and form of the extension will have no effect on the amenity of the adjoining terraced house at no.6.

The other detached neighbour at no.4 lies at right angles to no.5 and hence the front of no.5 faces the flank wall of no.4 at a distance of some 11m. At this distance the proposed side extension will not have an overbearing effect on no.4 – it will also lie on the north side of no.4 so sunlight to no.4 will not be affected. The Parish Council are concerned there will be overlooking from the front windows in the proposed extension over the rear windows and rear garden of no.4. It is agreed that there is some potential for overlooking and to prevent this, the applicants are to amend their plans by introducing a slightly higher section of boundary fence in front of the proposed kitchen window – to 2m in height, and to revise the design of the new first floor bedroom window so that the bottom half is glazed and fixed shut, with the top half clear and part opening. This amended bedroom window design will prevent someone being able to look out and down over the rear of no.4. At the time of writing this report amended plans are expected to be received on 17/11/14, and their submission will be confirmed at the Committee.

The design and profile of the extension will match the existing house, and it will have an acceptable appearance.

Comments on representations received:-

The loss of privacy concerns of the parish council and local resident's association have been addressed above.

With regard to the trees officer's comments, there is in fact only one and not two preserved trees at the foot of the rear garden. Given the objection of the Parish Council to this proposal it would be unreasonable to require the applicants to go to the expense of commissioning tree protection reports which could be abortive if the proposal were to be then refused on grounds of overlooking. In addition, as the trees officer observes, the preserved tree lies a fair distance (9m) away from the proposed extension. In this context therefore it is proposed that a condition is imposed on any consent requiring details of tree protection to be submitted before any works commence –and such a condition would provide adequate 'protection' to the preserved tree from building operations.

**Conclusions:**

For the reasons given above this proposal complies with relevant local plan policies and it is recommended that conditional planning permission be granted.

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

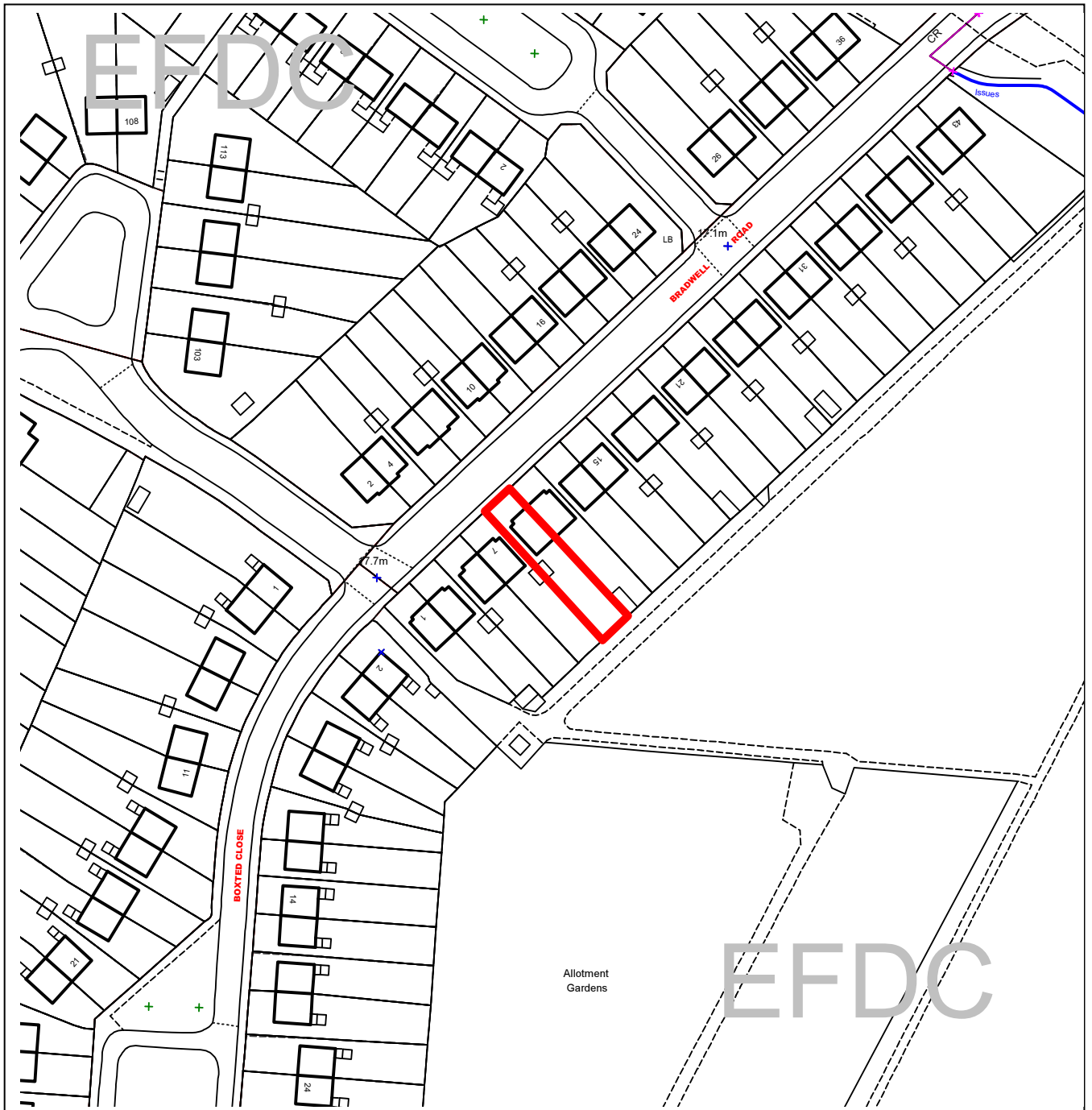
***Planning Application Case Officer: David Baker  
Direct Line Telephone Number: 01992 564514***

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



# Epping Forest District Council

## AGENDA ITEM NUMBER 7



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

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

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

|                     |  |
|---------------------|--|
| Application Number: | EPF/2186/14                                |
| Site Name:          | 9 Bradwell Raod, Buckhurst Hill<br>IG9 6BY |
| Scale of Plot:      | 1/1250                                     |



**Report Item No: 7**

|                                 |  |
|---------------------------------|--|
| <b>APPLICATION No:</b>          | EPF/2186/14  |
| <b>SITE ADDRESS:</b>            | 9 Bradwell Road<br>Buckhurst Hill<br>Essex<br>IG9 6BY          |
| <b>PARISH:</b>                  | Buckhurst Hill   |
| <b>WARD:</b>                    | Buckhurst Hill East  |
| <b>APPLICANT:</b>               | Mr & Mrs Survinder Singh and Ulle Chadda/Poldaas-Chadda        |
| <b>DESCRIPTION OF PROPOSAL:</b> | Two-storey rear extension and extension to rear dormer window. |
| <b>RECOMMENDED DECISION:</b>    | Grant Permission (Subject to Legal Agreement)                  |

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

[http://planpub.eppingforestdc.gov.uk/AniTelM\\_websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=568211](http://planpub.eppingforestdc.gov.uk/AniTelM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=568211)

**CONDITIONS**

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

**And the completion by the 1 March 2015 (unless otherwise agreed in writing by the Local Planning Authority) of a legal agreement under section 106 of the Town and Country Planning Act to ensure that the extension is built at the same time as EPF/2187/14 (11 Bradwell Road). In the event that the developer/applicant fails to complete a Section 106 Agreement within the stated time period, Members delegate authority to officers to refuse planning permission on the basis that the proposed development would harm the living conditions of 11 Bradwell Road.**

*This application is before this Committee since it is an application that is considered by the Director of Planning and Economic Development as appropriate to be presented for a Committee decision (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(k))*

## **Description of Site**

Bradwell Road is located within the built up area of Buckhurst Hill. The existing building is a two storey semi detached property situated within a relatively long plot. The property has an existing single storey rear extension and a roof addition which wraps around the side and rear. The neighbours are similar semi detached properties, some of which have been extended to the rear. The application site is not located within the boundaries of the Metropolitan Green Belt and it is not in a conservation area.

## **Description of proposal**

The proposed development is for a first floor rear extension to be built above an existing single storey element. The existing dormer window will be replaced and built out at the rear. The application also includes a hip to gable roof extension. The neighbouring property (no.11) has an application with the Council (EPF/2187/14), next item on this agenda, which if approved with this application would give both dwellings a common appearance with identical extensions.

## **Relevant History**

None relevant

## **Policies Applied**

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

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

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

3 Neighbours consulted – 1 reply :-

7 BRADWELL ROAD – OBJECTION - I object to the proposed extension to 9 Bradwell Road as the size and width of the two-storey extension will overshadow 7 Bradwell Road. It will significantly reduce the natural daylight entering into the kitchen and utility room areas which have little natural light anyway and it will make it considerably darker. In addition it will also partially reduce the natural light and may impact early morning sunlight entering the bathroom area on the first floor. I also believe that the proposed works may make the building appear bulky and out of character to the neighbouring properties.

Buckhurst Hill Parish Council – NO OBJECTION

## **Issues and considerations**

The main issues to consider when assessing this application are the potential harm to the living conditions of neighbours and the design of the proposal in relation to the existing building and its setting.

### Neighbouring living conditions

The immediate adjoining neighbouring house, 11 Bradwell Road, has an application for identical extensions to this application also on this agenda. Both 9 and 11 have bedroom windows close to the shared boundary on the first floor and as such, if one were built without the other then the first floor extension would be hard up against the boundary with this bedroom window. The first floor addition above the existing ground floor would if built alone appear overbearing and cause significant loss of light to a primary living area at no.11. However were the extensions to be built at the same time there would be no harm to either property's living conditions as the rear building line would be the same. It is therefore recommended that the applicants of both applications enter into a legal agreement to ensure that the extensions were built at the same time.

There is an objection from no.7. The first floor rear extension would project 3.5m from the existing rear elevation. Given that there is a gap of approximately 2.4m between no.9 and no.7 Bradwell Road, a 45 degree line taken from the centre of the closest habitable first floor window is not intercepted. Furthermore, the first floor extension leaves a gap of 1.1m to the shared boundary with no.7. For these reasons the extension will not appear significantly overbearing or cause any loss of light to the residents of no.7.

The hip to gable roof extension will not harm the living conditions of the neighbours.

### Design

The proposed extension will not appear overly prominent in the street scene given that it is on the rear elevation and screened by neighbouring houses, which limits the visual impact of the bulk of the rear addition that uncharacteristically lessens the existing angle of rear roof slope because it stretches out over the proposed rear extension with an elongated dormer above. In isolation, and if the houses were further spaced apart, this could look bulky and visually harmful, but on balance, the visual impact is acceptable. Furthermore hip to gable roof extensions are common in the street scene and both no.9 and no.11 will be symmetrical and as such there will be no harm caused to the character of the street scene.

### Conclusion

The proposal will not harm the living conditions of no.7 Bradwell Road. The potential harmful amenity impact on no.11 would be overcome through a mutually signed legal agreement ensuring the extensions are built at the same time. The bulk and design of the rear addition is unusual, but there will be limited visual impact on the street scene and on balance, not harmful to justify a refusal because of its visual impact on the neighbours and so it is recommended that planning permission is granted.

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

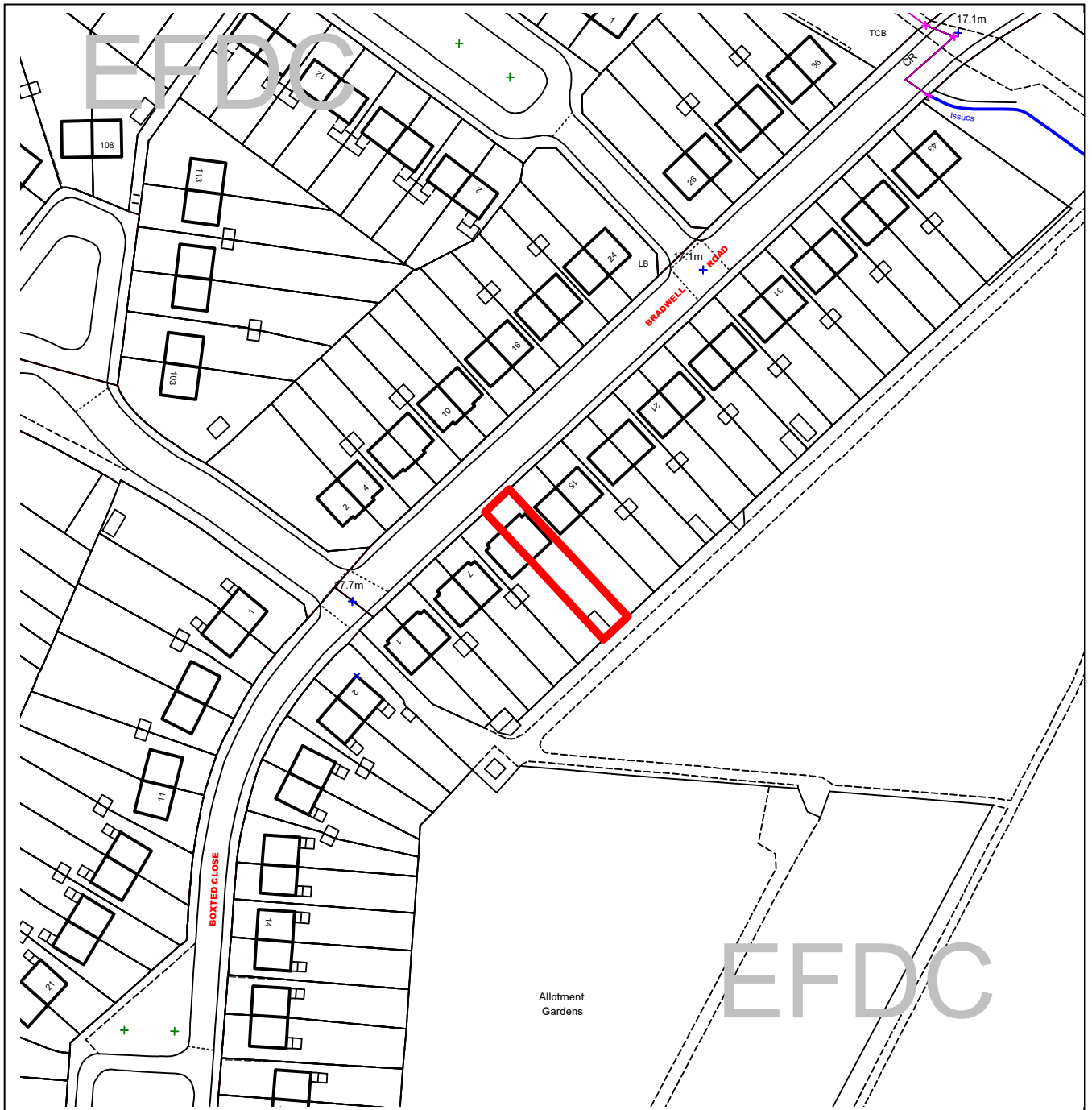
***Planning Application Case Officer: James Rogers  
Direct Line Telephone Number: 01992 564371***

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



# Epping Forest District Council

## AGENDA ITEM NUMBER 8



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

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

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

|                     |   |
|---------------------|---|
| Application Number: | EPF/2187/14                                 |
| Site Name:          | 11 Bradwell Road, Buckhurst Hill<br>IG9 6BY |
| Scale of Plot:      | 1/1250                                      |

**Report Item No: 8**

|                                 |  |
|---------------------------------|--|
| <b>APPLICATION No:</b>          | EPF/2187/14  |
| <b>SITE ADDRESS:</b>            | 11 Bradwell Road<br>Buckhurst Hill<br>Essex<br>IG9 6BY |
| <b>PARISH:</b>                  | Buckhurst Hill   |
| <b>WARD:</b>                    | Buckhurst Hill East                                    |
| <b>APPLICANT:</b>               | Mr & Mrs Luke Jonathan and Kriss Sandra Atkin          |
| <b>DESCRIPTION OF PROPOSAL:</b> | Two-storey rear extension and rear dormer window.      |
| <b>RECOMMENDED DECISION:</b>    | Grant Permission (Subject to Legal Agreement)          |

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

[http://planpub.eppingforestdc.gov.uk/Anitelm.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=568212](http://planpub.eppingforestdc.gov.uk/Anitelm.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=568212)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.

**And the completion by the 1 March 2015 (unless otherwise agreed in writing by the Local Planning Authority) of a legal agreement under section 106 of the Town and Country Planning Act to ensure that the extension is built at the same time as EPF/2186/14 (9 Bradwell Road). In the event that the developer/applicant fails to complete a Section 106 Agreement within the stated time period, Members delegate authority to officers to refuse planning permission on the basis that the proposed development would harm the living conditions of 9 Bradwell Road.**

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

**Description of Site**

Bradwell Road is located within the built up area of Buckhurst Hill. The existing building is a two storey semi detached property situated within a relatively long plot. The property has not previously been extended to the rear. The neighbours are similar semi detached properties, some of which have been extended to the rear. The application site is not located within the boundaries of the Metropolitan Green Belt and it is not in a conservation area.

## **Description of Proposal**

The proposed development is for a two storey rear extension, a hip to gable roof extension and a rear dormer window. The neighbouring property (no.9) has an application with the Council (EPF/2186/14) which if approved with this application would give both dwellings a common appearance with identical extensions.

## **Relevant History**

None relevant

## **Policies Applied**

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

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

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

3 Neighbours consulted – No comments received

Buckhurst Hill Parish Council – OBJECTION – Overbearing on no.13 and loss of amenity.

## **Issues and considerations**

The main issues to consider when assessing this application are the potential harm to the living conditions of neighbours and the design of the proposal in relation to the existing building and its setting.

### **Amenity of Neighbours**

The immediate adjoining neighbouring house, 9 Bradwell Road, has an application for identical extensions to this application also on this agenda. Both 9 and 11 have bedroom windows close to the shared boundary on the first floor and as such, if one were built without the other then the first floor extension would be hard up against the boundary with this bedroom window. The two storey addition if built alone would appear overbearing and cause significant loss of light to a primary living area at no.9. However were the extensions to be built at the same time there would be no harm to either property's living conditions as the rear building line would be the same. It is therefore recommended that the applicants of both applications enter into a legal agreement to ensure that the extensions were built at the same time.

The neighbour on the other side at no.13 is approx. 2.5m away and has a ground floor addition. Their nearest 1<sup>st</sup> floor window is well clear of the extensions 45 degree line, such that there is no loss of amenity. Despite the Parish Council's objection, there will be no justification for refusal.

The hip to gable roof extension will not harm the living conditions of the neighbours.

### **Design**

The proposed extension will not appear overly prominent in the street scene given that it is on the rear elevation and screened by neighbouring houses, which limits the visual impact of the bulk of the rear addition that uncharacteristically lessens the existing angle of rear roof slope because it stretches out over the proposed rear extension with an elongated dormer above. In isolation, and if the houses were further spaced apart, this could look bulky and visually harmful, but on balance, the visual impact is acceptable. Furthermore hip to gable roof extensions are common in the street scene and both no.9 and no.11 will be symmetrical and as such there will be no harm caused to the character of the street scene.

### **Conclusion**

The proposal will not harm the living conditions of no.13 Bradwell Road nor no.9 subject to a legal agreement ensuring the extensions are built at the same time. The design with the lower angled rear roof slope and elongated dormers are unusual, but there will be limited visual impact and on balance it is recommended that planning permission is granted.

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

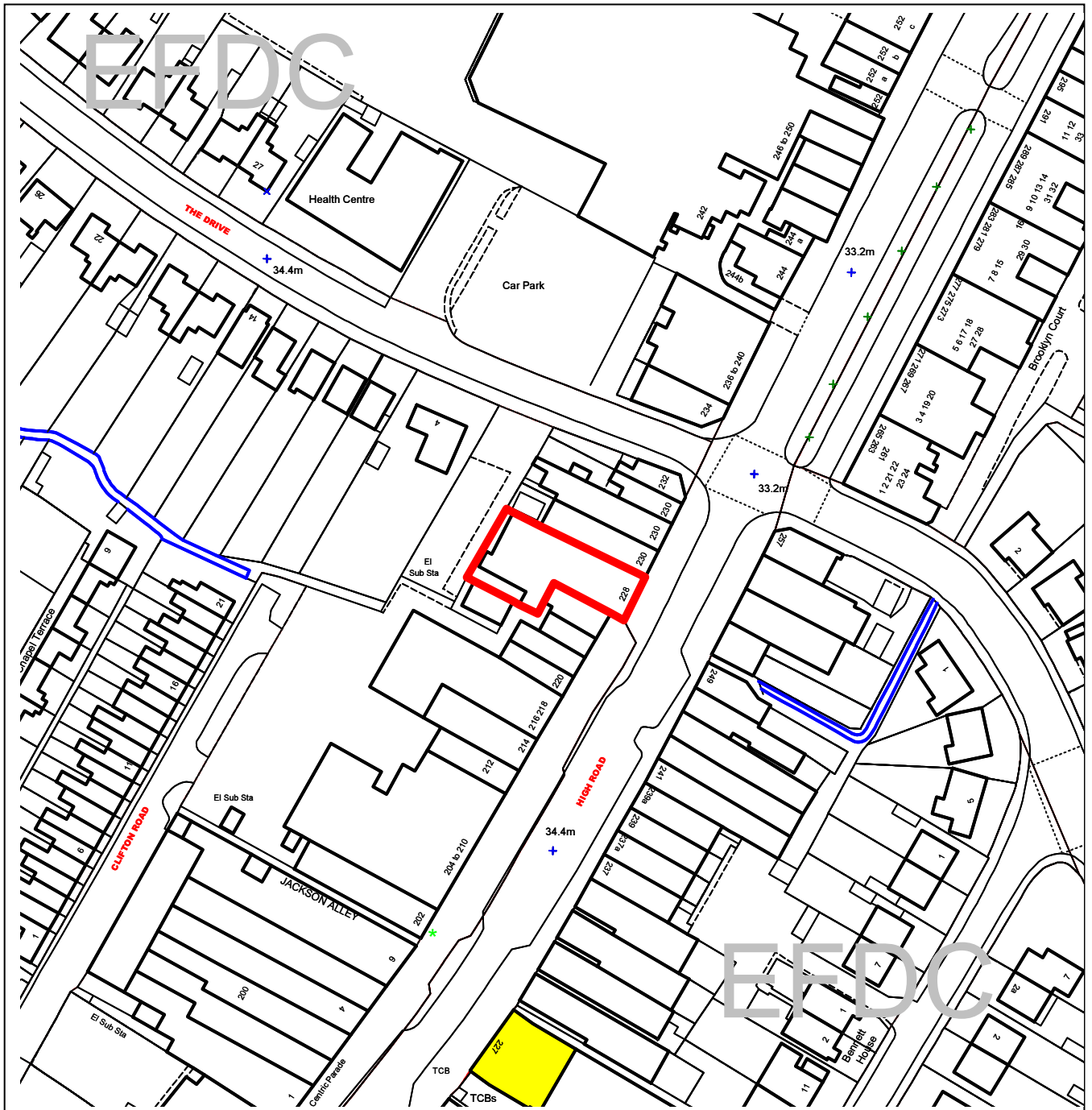
***Planning Application Case Officer: James Rogers  
Direct Line Telephone Number: 01992 564371***

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



# Epping Forest District Council

## AGENDA ITEM NUMBER 9



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

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

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

|                     |  |
|---------------------|--|
| Application Number: | EPF/2228/14  |
| Site Name:          | Cycle Rhythm, 228B High Road<br>Loughton, IG10 1ET |
| Scale of Plot:      | 1/1250   |



**Report Item No: 9**

|                                 |   |
|---------------------------------|---|
| <b>APPLICATION No:</b>          | EPF/2228/14   |
| <b>SITE ADDRESS:</b>            | Cycle Rhythm<br>228B High Road<br>Loughton<br>Essex<br>IG10 1ET   |
| <b>PARISH:</b>                  | Loughton  |
| <b>WARD:</b>                    | Loughton St Marys   |
| <b>APPLICANT:</b>               | Mr Steve Mucklow  |
| <b>DESCRIPTION OF PROPOSAL:</b> | Retrospective application for retention of internally illuminated 'Cycle Rhythm' sign on exposed south facing flank wall at first floor level - in connection with gymnasium/leisure use. |
| <b>RECOMMENDED DECISION:</b>    | Grant Permission (With Conditions)  |

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

[http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=568371](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=568371)

**CONDITIONS**

**STANDARD ADVERTISEMENT CONDITIONS ONLY**

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

**Description of Site:**

The property is located on the High Road in Loughton Town centre. It comprises a ground floor shop with the first floor in use as a cycle fitness studio, and the second floor in use as a yoga studio. The property is not listed nor does it lie in a conservation area.

**Description of Proposal:**

Retrospective application for retention of internally illuminated 'Cycle Rhythm' sign on exposed flank wall at first floor level – in connection with a gymnasium/leisure use.

**Relevant History:**

None.

**Policies Applied:**

DBE13 – Advertisements - this policy is compliant with the NPPF.

### **Summary of Representations:**

LOUGHTON TOWN COUNCIL – object - the Committee deplored this retrospective application and object because the sign is too large and detrimental to the street scene. Members suggested the signage should be sited on the windows where it would be less obtrusive.

LOUGHTON RESIDENTS ASSOCIATION PLANS GROUP – object – the prominence of the sign is out of keeping with its surroundings. In general there are few signs above ground level in the High Road Key Retail area, reflecting the fact that this is a mixed shopping and residential area, rather than solely a shopping area.

NEIGHBOURS – 7 properties consulted and no replies received.

### **Issues and Considerations:**

The application property, together with 4 neighbouring properties 230 to 232 High Road, has a front building line which projects 1.3m forward of the long parade of shops to the immediate south. Therefore a 1.3m front section of the 3 storey flank wall of the application property is exposed above the pavement. This 'Cycle Rhythm' sign is located on this exposed flank wall, as is a larger sign at second floor level advertising the Bikram Yoga use of the second floor of the building.

This individual letter sign is inscribed into an acrylic or clear plastic base, and this base measures 1.9m in width by 0.975m in height. It is positioned just above the fascia level of the ground floor shop, and only the individual letters are internally illuminated. The sign has a neat appearance and its size and illumination is considered to be modest, and overall the sign is appropriate in the street scene.

The use of floors above shops for business use is strongly supported by both local and central government planning policies in order to reduce vacancy, and increase the viability of town centres. In this context the use of the upper floors of this property as fitness studios is an appropriate use in a town centre which enjoys relatively good public transport links. However, a longstanding problem of upper floor businesses is how to indicate to the public where they are located, and what services they provide. The 'Cycle Rhythm' sign erected on this flank addresses this problem in a proportionate and acceptable manner. In addition the brickwork on this exposed flank is a rather unattractive Fletton brick, and it could be argued that this sign improves rather than detracts from the appearance of this flank wall.

### **Comments on representations received:-**

The concerns of the Town Council and the LRA Plans Group about the large size of the sign and its prominence have been addressed above. The Town Council suggest that signage could be placed instead on the front facing windows of the first floor. However such signage can look cluttered and detract from the design and appearance of the principal elevation on a high street façade. In this case the position of the sign on the flank wall provides a better and neater solution.

### **Conclusions:**

For the reasons given above this proposal complies with the relevant local plan policy, and it is recommended that advertisement consent be granted.

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

***Planning Application Case Officer: David Baker***

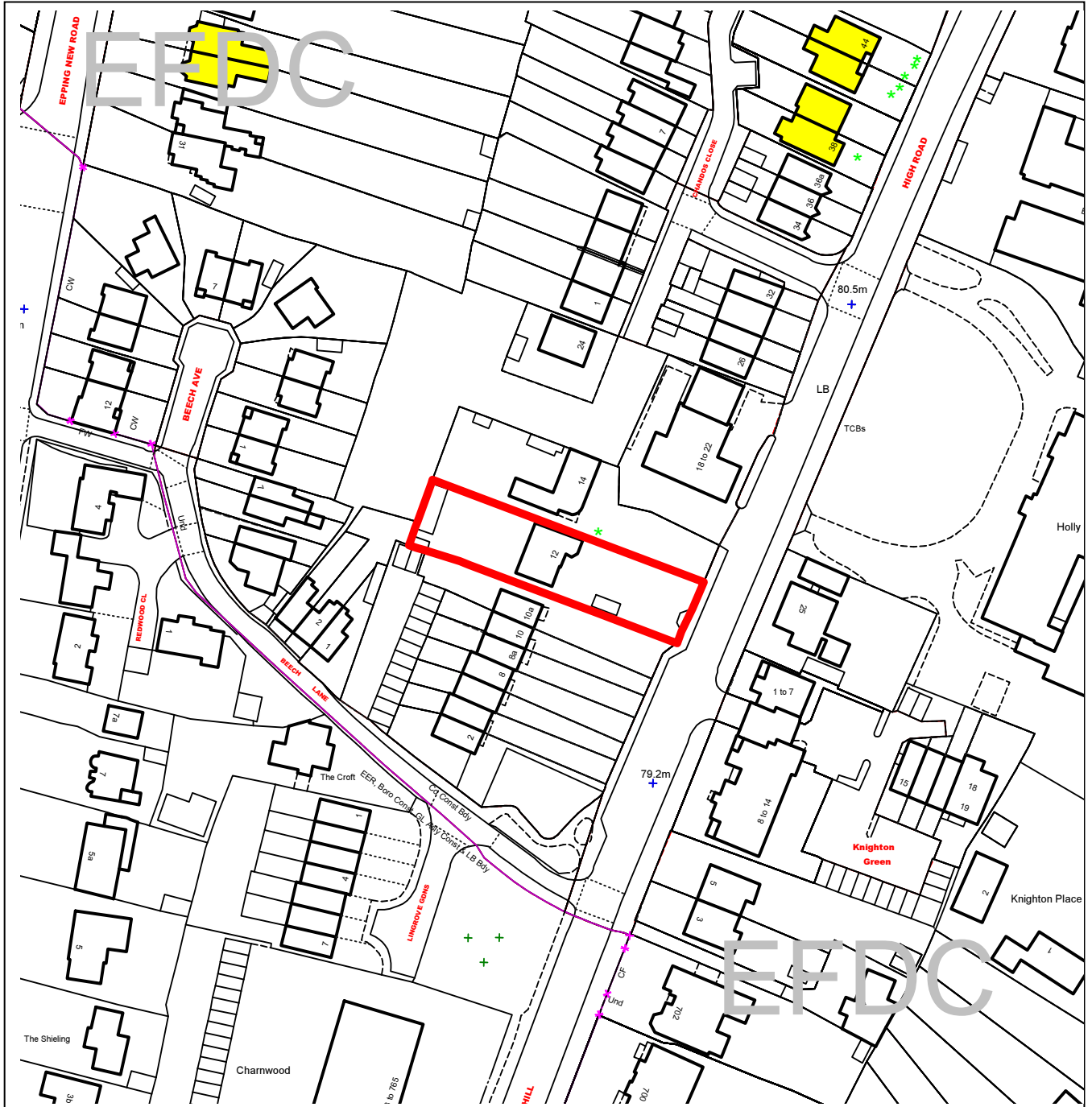
**Direct Line Telephone Number: 01992 564514**

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



# Epping Forest District Council

## AGENDA ITEM NUMBER 10



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

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

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

|                     |   |
|---------------------|---|
| Application Number: | EPF/2232/14                             |
| Site Name:          | 12 High Road, Buckhurst Hill<br>IG9 5HP |
| Scale of Plot:      | 1/1250                                  |

**Report Item No: 10**

|                                 |   |
|---------------------------------|---|
| <b>APPLICATION No:</b>          | EPF/2232/14   |
| <b>SITE ADDRESS:</b>            | 12 High Road<br>Buckhurst Hill<br>Essex<br>IG9 5HP  |
| <b>PARISH:</b>                  | Buckhurst Hill  |
| <b>WARD:</b>                    | Buckhurst Hill West   |
| <b>APPLICANT:</b>               | Mrs Ziggy Barclay   |
| <b>DESCRIPTION OF PROPOSAL:</b> | Variation of condition 4 'obscure glazed non opening window' of EPF/1597/14 (Use of 1 bedroom outbuilding as bed and breakfast accommodation) to permit the window to be openable for emergency access. |
| <b>RECOMMENDED DECISION:</b>    | Grant Permission (With Conditions)  |

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

[http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=568391](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=568391)

**CONDITIONS**

- 1 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: D.A.1 and the submitted location Plan and Block Plan
- 2 The use hereby permitted shall cease on or before the following date: 2 September 2017.
- 3 The use hereby approved shall only be carried out by an occupier of the house at 12 High Road, Buckhurst Hill.
- 4 The use hereby approved shall not commence until the window opening to the Cot Room identified on drawing number D.A.1 is fitted with an obscure glass window up to a minimum height of 1.7m above the floor level of the room. Thereafter the window shall be maintained in that condition.
- 5 The new 1.8m high fencing and pedestrian gates between the outbuilding and the house at 12 High Road, Buckhurst Hill, indicated on the submitted Block Plan and drawing number D.A.1 shall be retained so long as the use hereby approved is carried out.

*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 function, Schedule 1, Appendix A. (g))*

### **Description of Site:**

The site forms part of the site of a chalet bungalow situated on the west side of High Road, BH. It comprises a single-storey outbuilding with its own garden area at the rear of the bungalow's garden, pedestrian access from the front of the site and part of the front garden. The outbuilding is used to provide ancillary living accommodation.

To the north of the bungalow is a further bungalow in alignment with it which projects well beyond its rear wall. To the south is a substantial two-storey terrace with an additional floor of accommodation in the roof space. Land falls away to the rear of the bungalow to the outbuilding, which is the width of the property. Rear of the outbuilding is a small garden area enclosed by 1.8m high fencing. A fence also separates the outbuilding and a pedestrian access to it from the front of the site.

### **Description of Proposal:**

It is proposed to vary one of the conditions (no.4) attached to a planning permission EPF/1597/14 which allowed the use of the outbuilding to provide bed and breakfast accommodation. Condition 4 states that a window to the "cot room" shall be obscure-glazed and non-openable. This proposal is to vary the condition to permit the window to be openable,

### **Relevant History:**

EPF/1230/93 Change of use of annexe to office for export business and domestic purposes. Approved for 5 years  
EPF/0367/99 Renewal of temporary planning permission for continuance of use of annexe for office and domestic study. Approved for 5 years  
EPF/0316/14 Change of use of existing annexe to separate dwelling. Refused.  
EPF/1597/14 Use of 1 bedroom outbuilding as bed and breakfast accommodation until 2 September 2017. Approved

### **Policies Applied:**

Local Plan:  
DBE9 Loss of Amenity

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

### **Consultation Carried Out and Summary of Representations Received:**

Number of neighbours consulted: 5, no responses received in respect of this application.  
Site notice posted: No, not required

BUCKHURST HILL PARISH COUNCIL: Objection. Situation has not changed – privacy of no.10 would still be compromised.

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

The only issue is whether varying the condition to allow the relevant window in this case to be openable would result in significant loss of amenity to the occupants of the adjacent neighbouring

residential property at 10a (No.10 is not affected, so assume the parish council actually are concerned with 10a).

Living Conditions:

As reported previously, the activity associated with the use of the building as bed and breakfast accommodation is not normally likely to be excessively noisy or cause any other harm to the living conditions of neighbours.

The window in question is adjacent to a fence on the site boundary so no overlooking of the garden of 10a from it would occur. It was reported that obscure glazing would prevent any views to the upper level of 10a from a distance of some 12m. That was considered reasonable and necessary to safeguard the privacy of 10a High Road.

The condition requires varying because under the Building Regulations, a direct means of escape is required from this room in the event of a fire. The building is next to the end of no.10a's rear garden and it is considered that the amenity loss will not be significant if the window opens, given the condition would still require the window to be obscure glazed.

Conclusion:

Rewording this condition to delete reference to non-openable would still prevent undue loss of privacy to no.10a High Road and comply with policy DBE9 which aims to safeguard against "excessive" loss of amenity. The application is therefore recommended for approval. Given it will be forming a new planning permission the previous conditions are repeated with the varied condition 4 under the recommendation.

***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:***

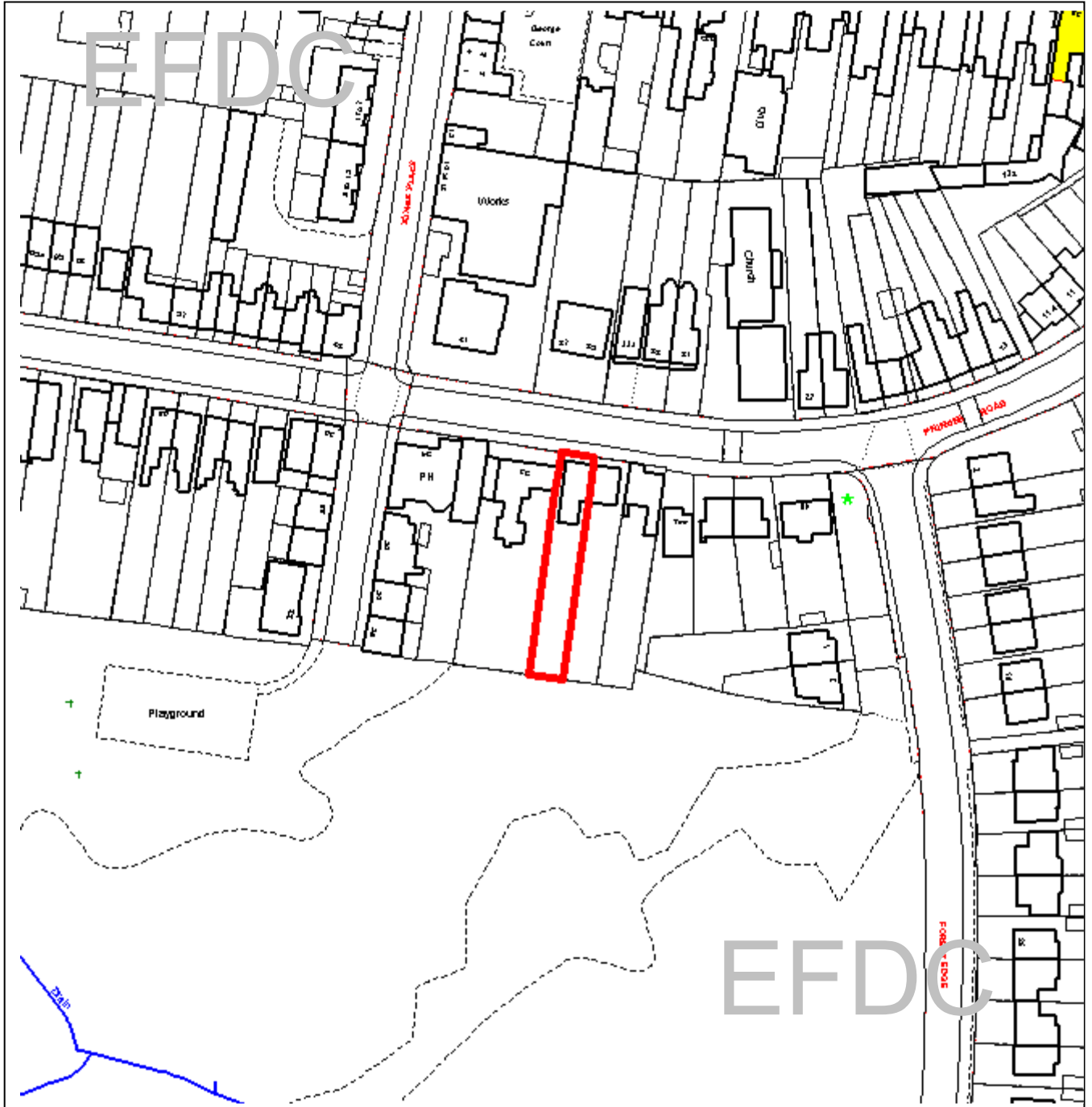
***Planning Application Case Officer: Stephan Solon  
Direct Line Telephone Number: 01992 564018***

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



# Epping Forest District Council

## AGENDA ITEM NUMBER 11



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

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

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

|                     |  |
|---------------------|--|
| Application Number: | EPF/2237/14                                |
| Site Name:          | 50 Princes Road, Buckhurst Hill<br>IG9 5EE |
| Scale of Plot:      | 1/1250                                     |



**Report Item No: 11**

|                                 |  |
|---------------------------------|--|
| <b>APPLICATION No:</b>          | EPF/2237/14  |
| <b>SITE ADDRESS:</b>            | 50 Princes Road<br>Buckhurst Hill<br>Essex<br>IG9 5EE  |
| <b>PARISH:</b>                  | Buckhurst Hill   |
| <b>WARD:</b>                    | Buckhurst Hill West  |
| <b>APPLICANT:</b>               | Mrs Helena Walpole-Knight  |
| <b>DESCRIPTION OF PROPOSAL:</b> | Erection of a ground floor side infill extension, ground floor rear extensions, and part one / part two storey rear extension to existing house, including removal of existing conservatory. |
| <b>RECOMMENDED DECISION:</b>    | Refuse Permission (Householder)  |

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

[http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=568452](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=568452)

**REASON FOR REFUSAL**

- 1 The proposed first floor rear extension, by reason of its depth, width, and flat roof profile, would represent an unneighbourly development which would detract from the outlook, light, and visual amenity of neighbouring residents. The proposal is therefore contrary to policies DBE9 and DBE10 of the adopted Local Plan and Alterations and contrary to the National Planning Policy Framework.
- 2 The proposed use of timber cladding and welsh slate on the walls of the first floor and ground floor extensions would be out of keeping with neighbouring properties, and would detract from the visual amenity of nearby residents. The proposal would therefore be contrary to policy DBE10 of the adopted Local Plan and Alterations, and contrary to the National Planning Policy Framework.

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

**Description of Site:**

A two storey semi detached Victorian house located on the south side of Princes Road a few doors to the east of its junction with Kings Place. The property is not listed nor does it lie in a conservation area.

**Description of Proposal:**

Erection of a ground floor side infill extension, ground floor rear extensions, and part one and part two storey rear extension to existing house including removal of existing conservatory.

### **Relevant History:**

EPF/0888/14 proposing extensions to the house was withdrawn after discussions with officers.

EPF/1428/14 proposing extensions to the house was Refused - on grounds that the size and form of the rear extensions would detract from neighbour's amenity, and that the two storey side infill extension would remove the gap between Nos. 50 and 52 thus creating a cramped terracing effect.

### **Policies Applied:**

DBE9 - Loss of amenity.  
DBE9 – Residential extensions.

The above two policies are compliant with the NPPF.

### **Summary of Representations:**

BUCKHURST PARISH COUNCIL – object – overdevelopment of the site, overbearing on neighbouring properties particularly on the first floor, design at rear out of keeping with other properties.

Neighbours – 7 consulted and three replies received:-

48, and 50, PRINCES ROAD – a joint objection from both neighbours – the only change of a positive nature from the previously refused proposal is the removal of the 2 storey infill extension and its replacement with a single storey infill extension. We reiterate our previous objections that the proposed ground floor and first floor rear extensions are large and have an unneighbourly development impacting on our light and outlook. They also are of poor design with flat roofs and facing materials (timber cladding and welsh slate) which are out of keeping.

BUCKHURST HILL RESIDENTS ASSOCIATION – object - the proposal still has an overbearing effect on neighbours causing a loss of amenity. The design of the rear extensions is inappropriate.

### **Issues and Considerations:**

#### **Background**

This application is reported to Committee given the long period of time that has elapsed since April 2014 when the first application was lodged. Moreover, following the withdrawal of the first application the then case officer indicated to the applicants that the second revised application (EPF/1428/14) had a reasonable chance of being approved. However he left the Council before his report and recommendation was finalised and submitted to senior officers, and the new case officer, along with senior officers, felt the proposal was in fact unacceptable - and it was then refused for the reasons outlined above. This revised third application is also being recommended for refusal - but it is felt appropriate for this recommendation to be endorsed by Committee, and, by reporting the application to Committee, the applicants will also have an opportunity to speak in favour of their proposals, given this background of conflicting case officer views.

#### **Material considerations**

This semi detached house has a two storey rear extension of 3.6m in depth and then a ground floor further projection of 5.35m which is principally made over to a conservatory. The adjoining semi at no.48 also has a 2 storey extension but this is some 0.8 shorter in depth. It too has a

conservatory extension which projects outwards at ground floor level. The detached other neighbour at no.52 has a quite different footprint such that rear windows to habitable rooms close to the common boundary with no.50 are well recessed behind the rear walls of the application property.

This third application proposes only a single storey and not two storey side infill extension in the gap between nos. 50 and 52, and this change has adequately addressed the second reason for refusal on EPF/1428/14. However the rear extensions originally proposed in this third application were of a similar size to those proposed before, but following further discussions these have been reduced in revised plans that have been submitted. Consequently the ground floor rear extensions (which infill the spaces between the existing rear extension and each side boundary) have been reduced from 6.25m in depth to 4.5m in depth. While this smaller depth still has some impact on the amenity of neighbours this impact is now reduced to an acceptable level.

A particular sticking point in recent discussions has been the proposal to extend the existing first floor rear extension rearwards. The applicants have now significantly reduced the depth of this extension from 3.3 m to 1.6m. However this 1.6m extension still means that the first floor will extend by a total of 5.2m from the main rear wall of the house, and it is also being widened by 0.4m taking it closer to the boundary with no.48. This further extension at first floor level will be clearly viewed from within the ground floor conservatory in no.48, and its height and depth will detract from that property's outlook and amenity. As mentioned above the other neighbour at no.52 lies in a more recessed position and the existing 2 storey addition to no.50 takes some light and outlook away from rear facing windows, including a ground floor living room. In this context a further 1.6m extension to the 2 storey addition would be an overbearing development. No.52 also has a useable garden area to the immediate rear of this living room and the proposed two storey extension would detract from the outlook and setting of this garden area. Finally, the extended first floor would have a flat roof over and this roof profile would be out of keeping and discordant.

It is proposed to clad the walls of first floor rear extension in 'Cape Cod' timber cladding, and to use welsh slate on the walls of the ground floor extensions. These materials are not in keeping and it would be preferable if facing brickwork or render was employed instead. However negotiations with the applicants to date have focussed on the size of the proposed extensions and it may be that agreement on materials to be used on external surfaces could be obtained.

### **Conclusions, and is there a way forward?**

It is acknowledged that the applicants wish to rebuild and extend the first floor rear addition to provide a more 'self contained' bedroom and bathroom for an elderly relative – and that their expectations were previously raised that this first floor extension may have been approved. However this first floor extension, even reduced to 1.6m in depth, would significantly detract from the amenity and outlook of both neighbours. It has been suggested that the ground floor extension, replacing the existing conservatory, could be further extended than shown on the submitted plans, but seemingly this does not meet the applicant's desire for more bedroom accommodation.

The infill side extension and the rear ground floor extensions next to each side boundary, are now satisfactory elements of the proposal. However, for the reasons expressed above, the size and profile of the first floor extension is not acceptable. A secondary issue of concern is the external materials to be used on the walls of the rear extensions. It is therefore recommended that planning permission be refused for the reasons outlined above.

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

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

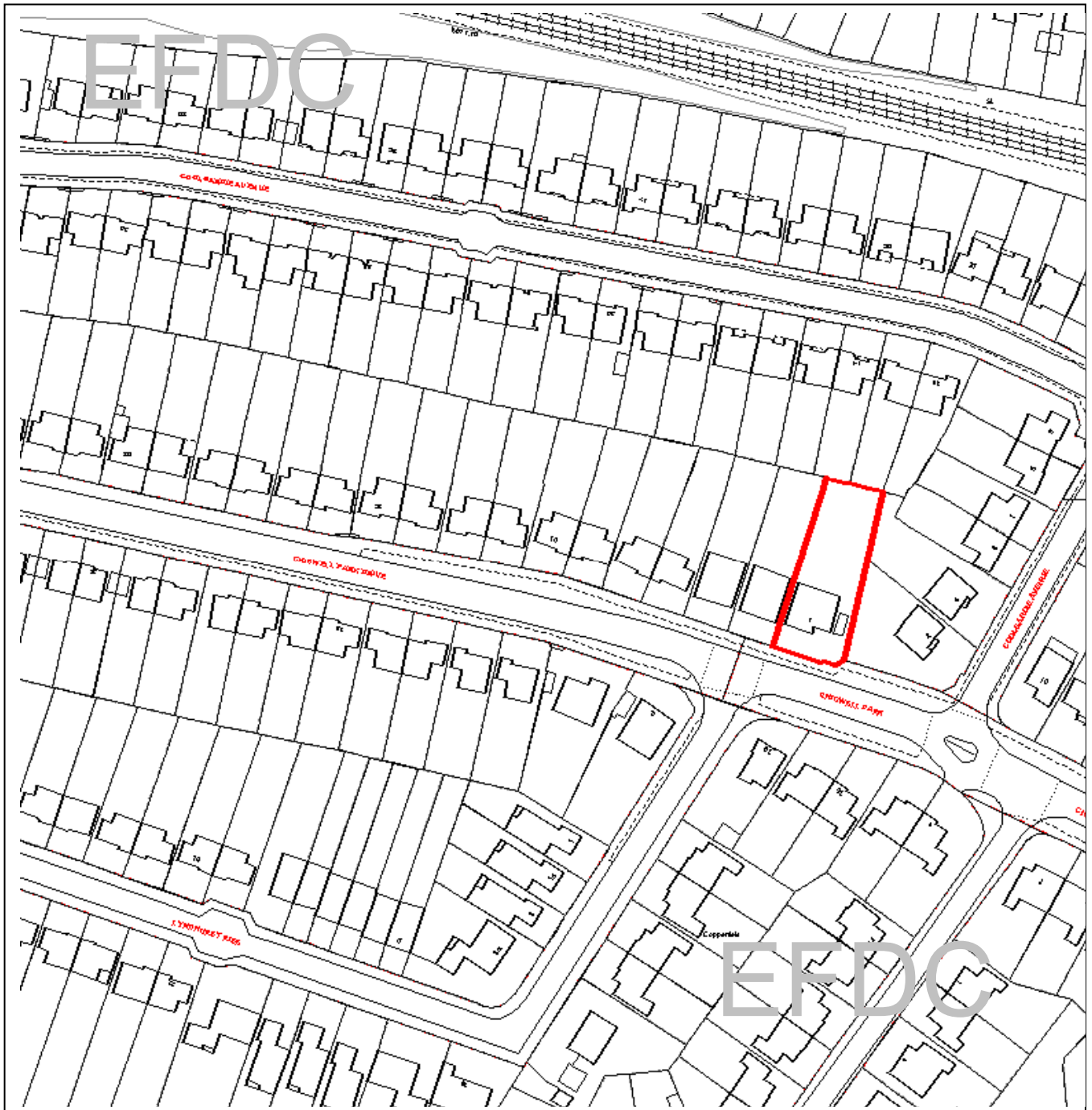
**or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)**

THIS PAGE IS INTENTIONALLY LEFT BLANK



# Epping Forest District Council

## AGENDA ITEM NUMBER 12



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

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

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

|                     |  |
|---------------------|--|
| Application Number: | EPF/2238/14                                |
| Site Name:          | 1 Chigwell Park Drive, Chigwell<br>IG7 5BD |
| Scale of Plot:      | 1/1250                                     |

**Report Item No: 12**

|                                 |  |
|---------------------------------|--|
| <b>APPLICATION No:</b>          | EPF/2238/14  |
| <b>SITE ADDRESS:</b>            | 1 Chigwell Park Drive<br>Chigwell<br>Essex<br>IG7 5BD  |
| <b>PARISH:</b>                  | Chigwell   |
| <b>WARD:</b>                    | Chigwell Village   |
| <b>APPLICANT:</b>               | Mr Pat Robbins   |
| <b>DESCRIPTION OF PROPOSAL:</b> | Remove roof to existing bungalow. Erect full first floor extension with new pitched roof and dormers. (Revised application to EPF/1274/14) |
| <b>RECOMMENDED DECISION:</b>    | Grant Permission (With Conditions)   |

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

[http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=568453](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=568453)

**CONDITIONS**

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

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

**Description of site**

Chigwell Park Drive is located within the built up area of Chigwell. The existing building on the site is a single storey bungalow which is located within a relatively long plot. The street scene has bungalows and two storey dwellings within it. There are some examples of front dormer windows in the immediate street scene. The neighbour to the east (2 Coolgardie Avenue) is a two storey dwelling and is sited with its rear elevation facing onto the flank wall of the application property. The adjacent neighbour to the west (no.3 Chigwell Park Avenue) is a single storey bungalow. The

application site is not located within the boundaries of the Metropolitan Green Belt and it is not in a conservation area.

### **Description of proposal**

The proposed development is to erect a first floor over an existing bungalow. The first floor would include small front and rear dormer windows.

### **Relevant History**

EPF/1274/14 – Erection of first floor over existing bungalow with associated front and rear dormer windows – Refused

### **Policies Applied**

CP2 – Protecting the Quality of the Rural and Built Environment  
DBE10 – Design of Residential Extensions  
DBE9 – Impact on amenity

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

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

14 Neighbours consulted – 1 response:

Objectors from same household at a property to the rear of 1 Chigwell Park Drive (No address given) – 3 separate letters of OBJECTION received from each member of the same family – The extensions will cause excessive overlooking into our property and the excessive bulk, height and scale will cause it to appear overbearing in the street scene.

CHIGWELL PARISH COUNCIL – OBJECTION – The proposal is out of character, overbearing on neighbouring properties, poor design and excessively bulky.

### **Issues and considerations**

This is a resubmission to a previously refused planning application under reference EPF/1274/14 which was refused for the following reasons:

*By reason of its excessive size, height and bulk, the proposed first floor extensions to the front, side and rear will appear significantly overbearing and cause significant loss of daylight to no 2 Coolgardie Avenue. Therefore there will be significant harm caused to their living conditions contrary to policy DBE9 of the Adopted Local Plan and Alterations and with the objectives of the National Planning Policy Framework.*

*By reason of its excessive height, bulk and massing, the proposed first floor extensions to the existing bungalow will appear overly prominent within the street scene of Chigwell Park Drive. Furthermore, this is exacerbated due to the application property being located on higher ground than other properties along Chigwell Park Drive. Therefore this application will cause significant harm to the character and appearance of the street scene, contrary to policies CP2(iv) and DBE10 of the Adopted Local Plan and Alterations and with the objectives of the National Planning Policy Framework.*



The main issues to consider when assessing this application are whether this revised application has overcome these reasons for refusal having regard to the neighbouring living conditions and the design of the extension.

### Neighbour Amenity

The previously refused application proposed the first floor element to be 1.4m from the shared boundary with no.2 Coolgardie Avenue. The applicant has since reduced the size of the first floor element to set it 2.2m from the shared boundary with no.2. This would create a distance of 12.7m between the rear elevation of no.2 and the first floor side elevation of the application property. Given the significant distance between the properties and the vegetation on the shared boundary which acts as a robust screen, the extension will not appear excessively overbearing or cause a significant loss of light to no.2. This is further offset given that no.2 is orientated away from the application site lessening the potential impact of the extension.

The adjacent neighbour (3 Chigwell Park Drive) is also currently a bungalow. The application property has been extended further to the rear than no.3 however the extension will not appear overbearing given the separation between the two dwellings and the limited net projection of the application property. Furthermore, the majority of the first floor will be set against its side elevation and therefore will not be visible. Therefore there will be no excessive harm to the living conditions of this neighbour.

### Design

The erection of a first floor will make the bungalow appear more prominent within the street scene of Chigwell Park Road, however there are many examples of two storey dwellings in the locality and indeed, the application property is bordered by a two storey dwelling to the east (no.2 Coolgardie Ave) and many other examples in the locality. The ridge height of the dwelling will exceed that of the neighbouring bungalow, however given the mixed character of the street scene, a two storey dwelling with a traditional roof, will not appear incongruous in the street scene.

The introduction of a small front dormer window will not appear overly prominent or incongruous in the street scene given the significant number of scattered examples in the extended locality. The rear dormer window will not be visible from public areas and therefore will not harm the character of the street scene. Both are well designed features.

### Conclusion

The changes made by the applicant have overcome the previous reasons for refusal and therefore it is recommended that planning permission is granted.

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

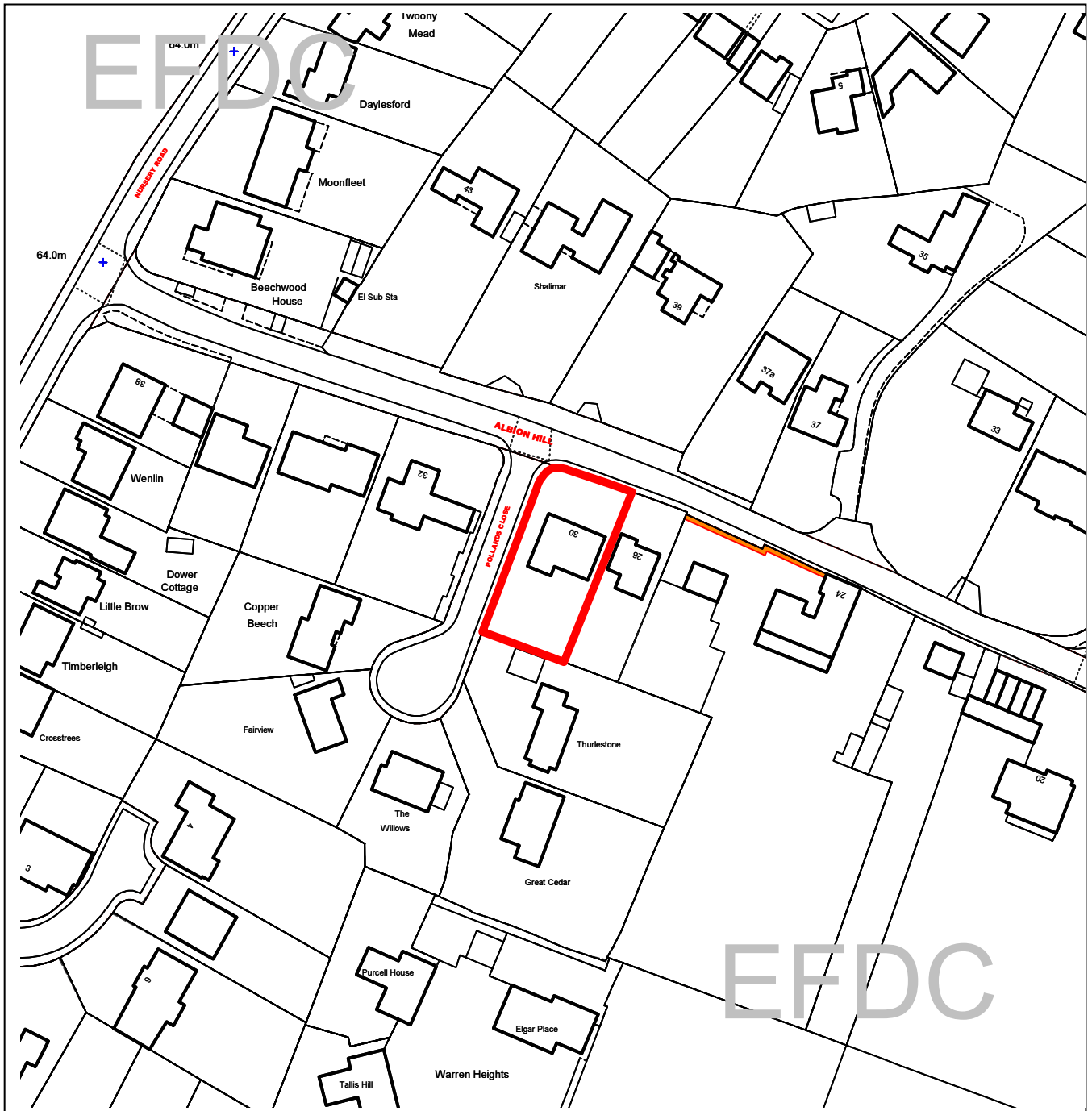
***Planning Application Case Officer: James Rogers  
Direct Line Telephone Number: 01992 564 371***

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



# Epping Forest District Council

## AGENDA ITEM NUMBER 13



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

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

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

|                     |                                      |
|---------------------|--------------------------------------|
| Application Number: | EPF/2251/14                          |
| Site Name:          | 30 Albion Hill, Loughton<br>IG10 4RD |
| Scale of Plot:      | 1/1250                               |

**Report Item No: 13**

|                                 |  |
|---------------------------------|--|
| <b>APPLICATION No:</b>          | EPF/2251/14  |
| <b>SITE ADDRESS:</b>            | 30 Albion Hill<br>Loughton<br>Essex<br>IG10 4RD  |
| <b>PARISH:</b>                  | Loughton   |
| <b>WARD:</b>                    | Loughton Forest  |
| <b>APPLICANT:</b>               | Mr Gohir Rashid  |
| <b>DESCRIPTION OF PROPOSAL:</b> | Retrospective application for revisions to EPF/0823/13 (Loft conversion, hip to gable, two storey front projection and internal alterations). Revisions comprising changes to detailing of windows and door on front elevation, removal of single rooflight. Removal of first floor side window and addition of ground floor porch side window facing Pollards Close. Additional high level rear side facing roof light and new window in rear gable. New rear facing rooflight in main roof and ground floor porch side window facing 28 Albion Hill. |
| <b>RECOMMENDED DECISION:</b>    | Grant Permission (With Conditions)   |

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

[http://planpub.eppingforestdc.gov.uk/AnitELM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=568532](http://planpub.eppingforestdc.gov.uk/AnitELM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=568532)

**CONDITIONS**

- 1 Within 6 months of the date of this permission, the proposed roof light in the rear projection facing 28 Albion 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.

*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**

30 Albion Hill is a large detached property situated on the south side of Albion Hill at the junction with Pollards Close. The surrounding area is characterised by detached dwellings of various designs and styles. Albion Hill slopes down from west to east, and the site also slopes significantly down to the rear. Due to the significant slope the property appears as two storey from the front, but is three storey to the rear, the rear roof slope also has a much lower eaves height than the front. The applicant has carried out works under a lawful development certificate to provide dormer windows to the rear. The property is within the built up area of Loughton and not within the Metropolitan Green Belt or a Conservation Area.

## **Description of proposal**

There is an extant permission for loft conversion incorporating a hip to gable extension, two storey front projection and alterations to existing materials (EPF/0823/13). The hip to gable is to both sides of the property, and the two storey front projection is a pitched roof addition incorporating an enlarged porch and stairwell. The approved proposal also includes the rendering and a change to the roof material of the property.

This application seeks to revise detailing on the already permitted consent. On the front elevation one roof light would be omitted, the size of the openings within the existing window frames would be revised and the front gable would be revised with reduction to the size of the first floor window. Facing 28 Albion Hill the side elevation now incorporates a ground floor side window in the porch projection (which is central in the site) and a new roof light in the side of the rear roof projection. Facing Pollards Close, a first floor side window is proposed to be omitted and at ground floor the central porch now proposes a side facing window. Finally to the rear, the applicant has separately obtained a CLD for a dormer window on the upper floor. The applicant now proposes to vary the permission to include both the CLD and the extant permission, but with the variation of an additional rear facing window in the gable projection and an additional roof light.

This number of changes to the permission are sufficient to be a material change to the scheme, as such the applicant seeks a minor material amendment to the extant permission to vary the drawings originally approved.

## **Representations Received**

LOUGHTON TOWN COUNCIL: The committee OBJECTED to this application owing to the overlooking of the property at the rear, Thurlestone in Pollards Close, from the roof level of the rear gable window and high side facing window.

7 Neighbours consulted: One response as follows:

THURLESTONE: Object to loss of privacy and amenity arising from the scheme, namely in relation to the overlooking of the front garden area and front of the property. The proposed works are considered unattractive and overbearing in relation to the street scene and there is concern at the piecemeal nature of the applications on site, in particular with repeated and now retrospective applications. There is also concern as application EPF/1756/14 was recently refused and this application seeks permission for the same thing.

## **Relevant History**

EPF/1756/14 - Non material amendment to EPF/0823/13 comprising use of render, changes to front window and roof lights - Refused

EPF/0823/13 – Loft conversion incorporating a hip to gable extension, two storey front projection and alterations to existing materials - Approved

EPF/0930/12 - Loft conversion incorporating a hip to gable extension and front and rear dormer - Refused

EPF/2206/11 - Certificate of lawful development for a proposed hip to gable roof alterations and a rear dormer window in connection with a loft conversion – Lawful

## **Policies Applied**

CP2 – Protecting the Quality of the Rural and Built Environment

DBE10 – Design of Residential Extensions

DBE9 – Impact on amenity

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

### **Issues and Considerations**

The main issues to be considered are whether the proposed variations from the extant approval result in any significant additional impact in respect of design and street scene or neighbouring amenity.

#### Design and impact to street scene

The alterations to the front and side elevations result in no adverse impact to street scene. The alteration to detailing raises no concerns.

On the rear elevation the provision of a dormer window is noted, however these works have been carried out as part of a lawful development certificate issued under EPF/2206/11. Thus impacts under consideration in relation to street scene relate to additional high level roof lights and window in the rear gable projection. The roof light and window in the gable are features that are common in an urban area and are not contrary to policy DBE10, thus in design terms no concerns are raised.

#### Impact to neighbouring amenity

The alterations to the side and front elevations have no significant impact to neighbouring amenity. The changes to the side and front either involve ground floor openings, for which there is no concern, or reduced openings at first floor.

On the rear the openings do provide further windows that would overlook the rear garden area. However these windows (in the gable and the side facing roof light) would not benefit from any greater outlook than established openings on the property and those already approved. The roof light may be obscure glazed by condition due to its height within the roof slope and position on a side wall. This would mitigate any overlooking concerns. The rear facing window however would benefit from the same views as those achieved in the lawful dormer window. Whilst this outlook is towards the property known as Thurlestone, the area overlooked is to the front of the property. Properties in urban areas frequently overlook one-another due to proximity. The front of the neighbouring property is publically visible, open and not what could be considered a private amenity space which would usually be enclosed and not public. For these reasons whilst overlooking is acknowledged, it is not considered that the proposed alterations to the existing approval would result in *excessive* loss of amenity such that it would justify a refusal as required by policy DBE9.

#### Other matters

The neighbouring property at Thurlestone has raised concerns that the proposals have already been refused under EPF/1756/14. For the purposes of clarification EPF/1756/14 sought permission to make changes that were non-material. Officers assessed the changes being made and considered that these alterations were a material change and as such a fresh application was required to assess the impacts of these changes proposed. The application previously refused included no assessment of the merits of the proposed changes. The applicant is now applying for material changes to the permission issued as Officers have confirmed this is the appropriate application to make. Therefore this current application assesses the merits of the scheme as set out above.

In relation to retrospective applications, the Council is required to assess each application on its merits, whilst it is undesirable to make a retrospective application, the works already carried out have no bearing on the merits of the scheme.

### **Conclusion**

The proposed alterations to the existing approval would result in no significant adverse impacts beyond those already considered under EPF/0823/13 and as such approval is recommended.

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

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

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