

AREA PLANS SUB-COMMITTEE SOUTH

7 January 2015

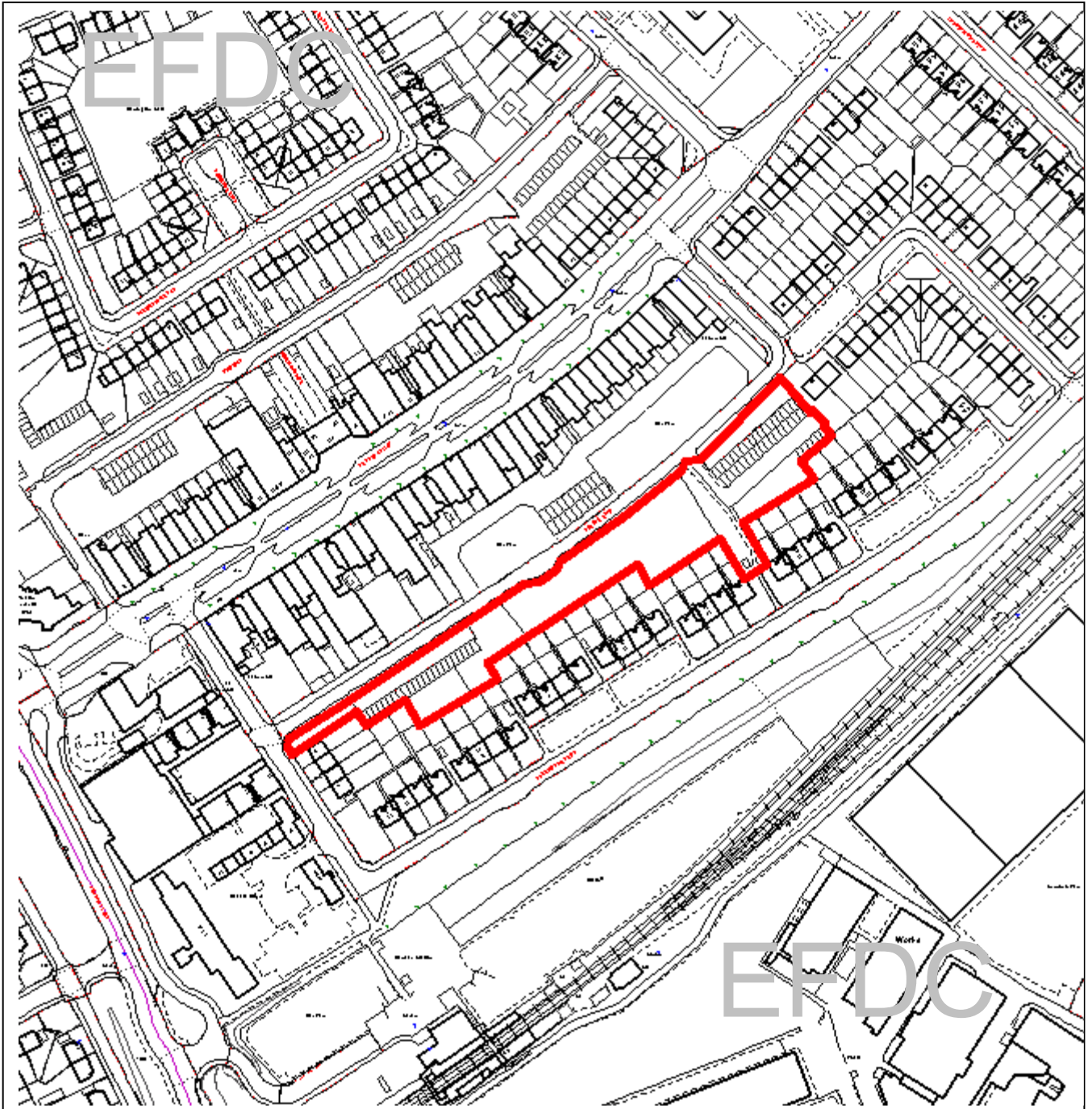
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Epping Forest District Council

AGENDA ITEM NUMBER 1



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Application Number:	EPF/2214/14
Site Name:	Land and garages off Burton Road Debden, Loughton IG10 3TA
Scale of Plot:	1/2500

Report Item No: 1

APPLICATION No:	EPF/2214/14
SITE ADDRESS:	Land and garages off Burton Road Debden Loughton Essex IG10 3TA
PARISH:	Loughton
WARD:	Loughton Broadway
APPLICANT:	East Thames Housing Group
DESCRIPTION OF PROPOSAL:	Erection of 52 affordable dwellings with 27 parking spaces, private gardens and amenity space.
RECOMMENDED DECISION:	Grant Permission (Subject to Legal Agreement)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=568330

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: 612/033/PL01/A, 612/033/PL02/A, 612/033/PL03/A, 612/033/PL04/D, 612/033/PL05/D, 612/033/PL06/D, 612/033/PL07/C, 612/033/PL08/C, 612/033/PL09/C, 612/033/PL10/C, 612/033/PL11/D, 612/033/PL12/A, 612/033/PL13/A, 612/033/PL14/A, 612/033/PL15/A, 612/033/PL16/B, 612/033/PL17/A, 612/033/PL18/A, 612/033/PL19/B and 612/033/PL20/A
- 3 Notwithstanding the details indicated on drawing number 612/033/PL19/B, no construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 4 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where

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

- 5 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tools. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.
- 6 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]
- 7 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows]
- 8 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless

otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.

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

- 9 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
- 10 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.
- 11 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.
- 12 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.
- 13 Prior to first occupation of the development hereby approved, those windows shown to be obscure glazed on drawing numbers 612/033/PL09/C, 612/033/PL10/C and 612/033/PL11/C shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.

- 14 Access to the areas of sedum flat roof system of Block C and Block D, identified on drawing numbers 612/033/PL10/C and 612/033/PL12/A, shall be for maintenance or emergency purposes only and those areas of flat roof shall not be used as a seating area, roof garden, terrace, patio or similar amenity area.
- 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 extensions, alterations to external materials, roof additions, porches or outbuildings with a volume in excess of 10 cubic metres generally permitted at dwellinghouses by virtue of Classes A, B, D and E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.

This application is before this Committee since:

1. *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 Directorate – Delegation of Council function, Schedule 1, Appendix A.(d))*
2. *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 Directorate – Delegation of Council function, Schedule 1, Appendix A.(f).)*
3. *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 land on the south-east side of Burton Road between Torrington Gardens to the north east and Torrington Drive to the south west. It is a linear site presently developed as garages at either end separated by a grassed amenity area that includes a right of way between Burton Road and Torrington Drive alongside the northern block of garages. Torrington Drive continues parallel to Burton Road and the gardens of maisonettes on Torrington Drive back on to the application site. Opposite the site, to the north-west, is a large public carpark and parking and yard areas rear of shop premises on the Broadway. A bus stop and bus waiting layby are situated midway along Burton Road adjacent to the site.

Land on the north west of Burton Road forms part of the Broadway Town Centre, as defined in the Local Plan and Alterations. Buildings on the Broadway are three-storey and of substantial bulk. Other buildings in the locality are predominantly two-storey terraces of houses or maisonettes. Via existing footways Debden Underground Station is approximately 130m from the nearest part of the site and 370m from its most distant part adjacent to Torrington Gardens.

Description of Proposal:

This application proposes the erection of 52 affordable dwellings with 27 parking spaces, private gardens and amenity space. The proposal would comprise 17 houses and 35 flats fronting Burton Road.

The houses would take up the western part of the site and predominantly take the form of a part single-storey, part three-storey terrace of 15 three bedroom houses. The single-storey element of each house would be recessed and visually separate that house from the three-storey part of the attached neighbour. It would include a roof terrace that looks towards Burton Road with a screen wall at the rear to obstruct all views towards the gardens of maisonettes on Torrington Drive. The remaining two houses would be sited towards the junction of Burton Road with Torrington Drive and would comprise a two-storey pair of two-bedroom semi-detached houses. All the houses would be finished in facing brick with metal clad upper level bays to the three-storey elements. The single-storey elements would be timber clad. Roofs would be mono-pitched, falling to the rear, and clad in artificial slate. Solar panels would be incorporated into the design of the roofs. Each terraced house would have a private drive capable of accommodating a good sized car.

The flats would be sited at the eastern part of the site and take the form of 2 four-storey buildings either side of the footpath linking Burton Road with Torrington Drive. That nearest the proposed houses is identified as Block C and that nearest Torrington Gardens as Block D. The top floor of each block would be much reduced in area compared to the lower floors and recessed from all edges. The flats would comprise 11 one-bedroom and 24 two-bedroom dwellings. They would be finished in similar materials to the proposed houses but would have flat sedum roofs. Balconies would look to Burton Road and the footpath separating the blocks. The southern edge of balconies looking to the footpath would be enclosed by the southern wall of the building. A total of 10 parking spaces would be provided for the flats. They would be accessed directly off Burton Road, with two adjacent to Block C and 8 adjacent to Block D.

The proposal also includes realigning the footpath linking Burton Road with Torrington Drive, relocating the existing bus stop on Burton Road such that it is at the end of the footpath and relocating the existing bus waiting layby to the western end of Burton Road, adjacent to its junction with Torrington Drive.

The southern site boundary would be enclosed by 1.8m high closeboard fencing topped by 300mm trellis.

The application is accompanied by a signed Unilateral Undertaking in respect of a financial contribution of £17,140 towards healthcare provision in the locality.

Relevant History:

None

Policies Applied:

CP2	Quality of Rural and Built Environment
CP3	New Development
CP7	Urban Form and Quality
H2A	Previously Developed Land
H4A	Dwelling Mix
H5A	Provision for Affordable Housing
H6A	Site Thresholds for Affordable Housing
H7A	Levels of Affordable Housing
H8A	Availability of Affordable Housing in Perpetuity
DBE1	Design of New Buildings
DBE3	Design in Urban Areas
DBE5	Design and Layout of New Development
DBE6	Car Parking in New Development
DBE8	Private Amenity Space
DBE9	Loss of Amenity

LL11	Landscaping Schemes
ST1	Location of Development
ST3	Transport Assessments
ST4	Road Safety
ST6	Vehicle Parking

NPPF

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted. 409

Site notice posted: Yes

Press advertisement: Yes

Responses received: Representations were received from 13A The Broadway, 1, 31, 41, 133 and 134 Torrington Drive and 48 Torrington Gardens.

Responses are in the form of objections or comments but regardless they raise the same main point: the amount of off-street parking provision is not adequate for the number of dwellings proposed and that the under provision would seriously exacerbate an existing on-street parking problem. The existing demand for on-street parking is said to be very high due to the numbers of commuters driving to the locality to access Debden Underground Station.

Other comments:

1. Additional off-street parking should be provided in the locality by removing the green at Torrington Gardens and providing residents with parking permits to use the existing public car park on Burton Road.
2. The design of the houses is not very pleasant looking - the windows look slitty and the flat roofs make the houses look boxy and not pleasing to the street scene.
3. There is no provision for a play area for the extra children to play out. I think this should have been factored in. We have now 3 potential new sites springing up in close proximity within the next 2 years and we need to ensure that these integrate well and more proactive planning to this end is required.

THAMES WATER: Informatives requested on any consent given.

LONDON UNDERGROUND: No comment

LOCAL EDUCATION AUTHORITY: The development is 100% affordable housing and not for profit so on this occasion no S106 contribution for education purposes is sought.

NHS ENGLAND: The existing GP practices do not have capacity to accommodate the additional growth resulting from the proposed development. The development would give rise to a need for improvements to capacity by way of extension, refurbishment, reconfiguration or relocation at the existing practices. A developer contribution of £17,140 will be required to mitigate the impacts of this proposal, which should be secured in a S106 agreement.

LOUGHTON RESIDENTS ASSOCIATION (PLANS GROUP) – Objection

The amount of parking provided is wholly insufficient in an area which is already subject to considerable parking pressures. The proposal provides for only a quarter of the ECC standard. Even if the location is considered sustainable, the amount of parking is inadequate given existing parking problems.

Should consent be granted, conditions controlling construction hours and the form of internal lighting.

LOUGHTON TOWN COUNCIL: Objection

The Committee OBJECTED to this application on the following grounds.

1. The proposed housing scheme was considered an overdevelopment of the site.
2. The heights of the properties, particularly the flats, were considered overbearing on the Torrington Drive houses. Members appreciated the slanting pitch of the roofs but it was felt this would still impact on those houses.
3. The limited parking provision of only 27 spaces would exacerbate existing parking congestion in the vicinity caused by commuters using Debden Underground Station, and from shoppers and residents of The Broadway.
4. Members commented on the disproportionate inconsistency between the parking provision allocation of 64 spaces for 64 flats approved for application EPF/2163/13 by the District Council for the Sir Winston Churchill site and for this development, and was deemed contrary to policy DBE 6 of Epping Forest District Council's adopted Local Plan & Alterations.
5. The Committee was concerned that the existing bus stand provision on Burton Road was insufficient as buses frequently parked up on the pavement. This highway safety concern should be addressed, as there would be an increase in pedestrians using Burton Road from the proposed development.
6. The Committee regretted that a play area for the development had not been accommodated in the scheme, as the nearest existing ones at Monksgrove (off Oakwood Hill) and Westall Road were some distance away.
7. The Committee would prefer the use of LED street lighting and the use of solar powered lighting in view of Essex County Council's part night street lighting policy.
8. Members asked if the development could include more environmentally sustainable elements, such as solar panels.

Main Issues and Considerations:

The application can be considered to amount to a proposal for Council housing. Should planning permission be granted the applicant, East Thames Housing Group, would carry out the development and the dwellings would be let to Council tenants. The District Council is the freeholder of the application site. The applicant's planning statement says "On 17 April the Council House Building Cabinet approved to progress the proposal to the planning stage". It is not intended to sell the land to the developer therefore the Council will retain control over the development as landowner. Consequently, no S106 agreement requiring the development to be affordable is submitted with the application and none is considered necessary to secure the affordable housing in perpetuity.

The proposal amounts to the development of previously developed land within a residential area. It is on the edge of a Town Centre but would not have any negative impact on the vitality and viability of the Broadway as a shopping area and, indeed, it is more likely to enhance it. As such there is no objection to the principle of the development. The proposal would have a consequence

for healthcare provision in the locality as described by NHS England, and it therefore addresses that consequence by way of a Unilateral Undertaking in respect of a financial contribution sought by NHS England. Although there is likely to be a consequence for Education provision, Essex County Council as Local Education Authority has made clear it wishes to support the development by bearing the additional costs itself.

In terms of design, the proposal is modern but finished using traditional materials. It is well proportioned and would significantly enhance the appearance of Burton Road. The proposal has been carefully designed to include features that improve its sustainability such as solar panels on roofs and the use of sedum roof areas for the two flat blocks. No details of street lighting are submitted and although the comments of the Town Council in respect of LED lighting are noted, the matter of street lighting is an adoption issue and therefore one for the County Council rather than the District.

In respect of amenity space provision, although rear gardens of the houses are of modest size, the available private amenity space is significantly enhanced by the provision of roof terraces above the single-storey elements of the three-bedroom houses. Adequate amenity space provision is made for the flats and pair of two-bedroom houses by careful siting nearer Burton Road in order to maximise space and take advantage of a southerly aspect. It is not considered appropriate to make provision for public children's play areas within a development of this scale.

The rear elevation of the buildings has been carefully designed to prevent any excessive overlooking of neighbouring gardens. That has somewhat compromised the appearance of the houses by relying on high level windows to some bedrooms. In all cases those windows would be secondary windows.

The proposals would have significant bulk that would be apparent when seen from the rear gardens of maisonettes on Torrington Drive. However, the distance separating the new buildings from the rear elevations of the maisonettes is some 25m, which is more than adequate to ensure they would not appear excessively overbearing. Since they are to the north east of the maisonettes and their gardens, no excessive loss of light or overshadowing would arise.

In relation to the matter of parking, at one space for each house there would be an appropriate level of parking provision for the houses given the town centre location. The proposal would provide significantly fewer spaces for the flats than the Vehicle Parking Standards require were the site outside of a town centre location. However, there is no doubt that the site is within a very short walk of good public transport facilities and a wide range of convenience shopping as well as other goods and services. Consequently there is a very strong case for permitting the lower level of provision and, indeed, this is expressly allowed for in the Vehicle Parking Standards.

The Highway Authority has made clear that the District Council is responsible for deciding whether or not provision less than required by the Vehicle Parking Standards is justified. In this case the combination of the sustainability of the site's location together with the fact that a large public car park is opposite the site is given considerable weight. Moreover, weight is also given to the fact that the proposal is for affordable homes let to Council tenants who are less likely to be able to afford a car. Furthermore, as is recognised by the Local Education Authority, significant weight should be given to the degree of need for affordable housing and the limited opportunities for achieving it within this District when assessing the proposal. In all the circumstances, it is concluded that there is good justification on planning grounds for permitting the development with the level of off-street parking provision proposed.

The parking problems experienced within the locality are recognised and it may be that a Residents Parking Scheme would be an appropriate solution. That cannot be secured in connection with this application, particularly since such schemes are subject to a separate public consultation exercise and if insufficient support for a scheme was apparent, it would not be

implemented. Since the applicant has no control over the response to such a consultation exercise, it would be unreasonable to give permission subject to the implementation of a CPZ. Any proposal for a CPZ should therefore be pursued independently of this application through a proposal to the North Essex Parking Partnership.

Consideration has been given to whether it is possible to require tenancy agreements to prohibit the ownership of a car by tenants. The informal advice of the Communities Directorate (which incorporates the former Housing Department) is that would not be possible.

In relation to highway safety and the repositioning of a bus stop and bus waiting layby, the Highway Authority raises no objection but informally advises it is likely measures would be introduced to prohibit on-street parking along the length of Burton Road due to its narrow width and the need to ensure bus routes along it remain free of potential obstruction from large vehicles.

Conclusion:

The proposal would secure much needed affordable housing in a highly sustainable location without causing excessive harm. While the parking issue is recognised, it is not a matter on which this proposal should be resisted, particularly since an alternative more comprehensive solution may be possible. Accordingly, it is concluded the proposal complies with relevant planning policy and it is recommended that planning permission be granted

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

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

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



Epping Forest District Council

AGENDA ITEM NUMBER 2



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Application Number:	EPF/2297/14
Site Name:	32 Rous Road Buckhurst Hill IG9 6BW
Scale of Plot:	1/1250

Report Item No:

APPLICATION No:	EPF/2297/14
SITE ADDRESS:	32 Rous Road Buckhurst Hill Essex IG9 6BW
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill East
APPLICANT:	Mr Praveen Vadlamani
DESCRIPTION OF PROPOSAL:	Double storey side and part double storey rear extension with new porch to front entrance.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=568791

CONDITIONS

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

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

Description of Site:

The application site is a two-storey end of terrace house situated on the west side of Rous Road, between its junctions with Dene Road and River Road

The attached neighbour, no. 30 Rous Road, is situated to the south on slightly higher land. It has a rear conservatory across its width projecting approximately 3m. The detached neighbour, no. 34 Rous Road, is situated to the north on lower ground. It has a relatively recently constructed two-storey side extension that is set 1m from the common boundary with a single-storey rear projection

that extends 4m beyond the original rear wall of the house. The additions were approved in 2009 under planning permission ref EPF/1746/09.

The application site is not in a conservation area and there are no preserved trees on or adjacent to it.

Description of Proposal:

It is proposed to erect a part single, part two-storey side and rear extension. At ground floor the extension would project up to the site boundaries with 30 and 34 Rous Road and 4m beyond the original rear wall of the house. At first floor the extension would be set in 3.4m from the site boundary with no. 30 and 1.1m from the boundary with no. 34. It would have a reduced rearward projection of 3.4m.

Relevant History:

None

Policies Applied:

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

NPPF

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted. 8
Site notice posted: No, not required
Responses received: No response received from neighbours.
BUCKHURST HILL PARISH COUNCIL: Objection
Overdevelopment of site
Concern regarding loss of amenity to neighbours.

Main Issues and Considerations:

The proposal was initially amended to pull the first floor off the site boundary in response to Officer advice when the application was checked for validity and subsequently further amended in response to the concerns of the Parish Council by reducing the rearward projection of the first floor to ensure it did not break an imaginary 45 degree line taken across the site from the boundary with the attached neighbour.

In terms of its scale and detailed design the amended proposal would complement the design of the existing house. In particular, the proposal complies with the supporting text of policy DBE10 by setting the first floor of the side extension a minimum of 1m from the site boundary with 34 Rous Road, reflecting the distance the extension to no. 34 is set from the site boundary. Consequently there would be a minimum distance of 2m between the flank walls of the two houses at first floor. At ground floor the flank wall would be set in from the boundary a sufficient distance to allow for the eaves of a hipped roof and attached gutter to be contained within the application site. The fenestration, external materials and roof form of the extension as a whole would match that of the existing house. It is therefore concluded that the proposal would safeguard the character and appearance of the locality.

The amended proposal would also safeguard the living conditions of neighbours. Since the site is to the north of the attached neighbour, no. 30 Rous Road, the proposal would not cause any loss of light. Furthermore, by ensuring the first floor of the rear addition is set further away from the nearest rear facing first floor window of the attached neighbour than the distance it would project from the rear elevation, no overbearing impact would arise. Indeed, that was the case for the original submission and the amendments in response to the objection of the Parish Council's objection serve to improve the relationship. Similarly, the relationship to the detached neighbour, no. 34, is also improved by the amendments. Although no. 34 is at lower level, it has a substantial ground floor rear projection with a gabled roof whose ridge is parallel to the site boundary. Due to its height, bulk and siting the rear addition to no. 34 mitigates the visual impact of the proposal on the rear elevation and garden of no. 34 to a very significant degree. That mitigation together with the degree of separation of the extended houses would ensure no loss of light or overbearing impact would arise.

Conclusion:

The proposal complies with relevant planning policy and it is recommended that planning permission be granted.

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

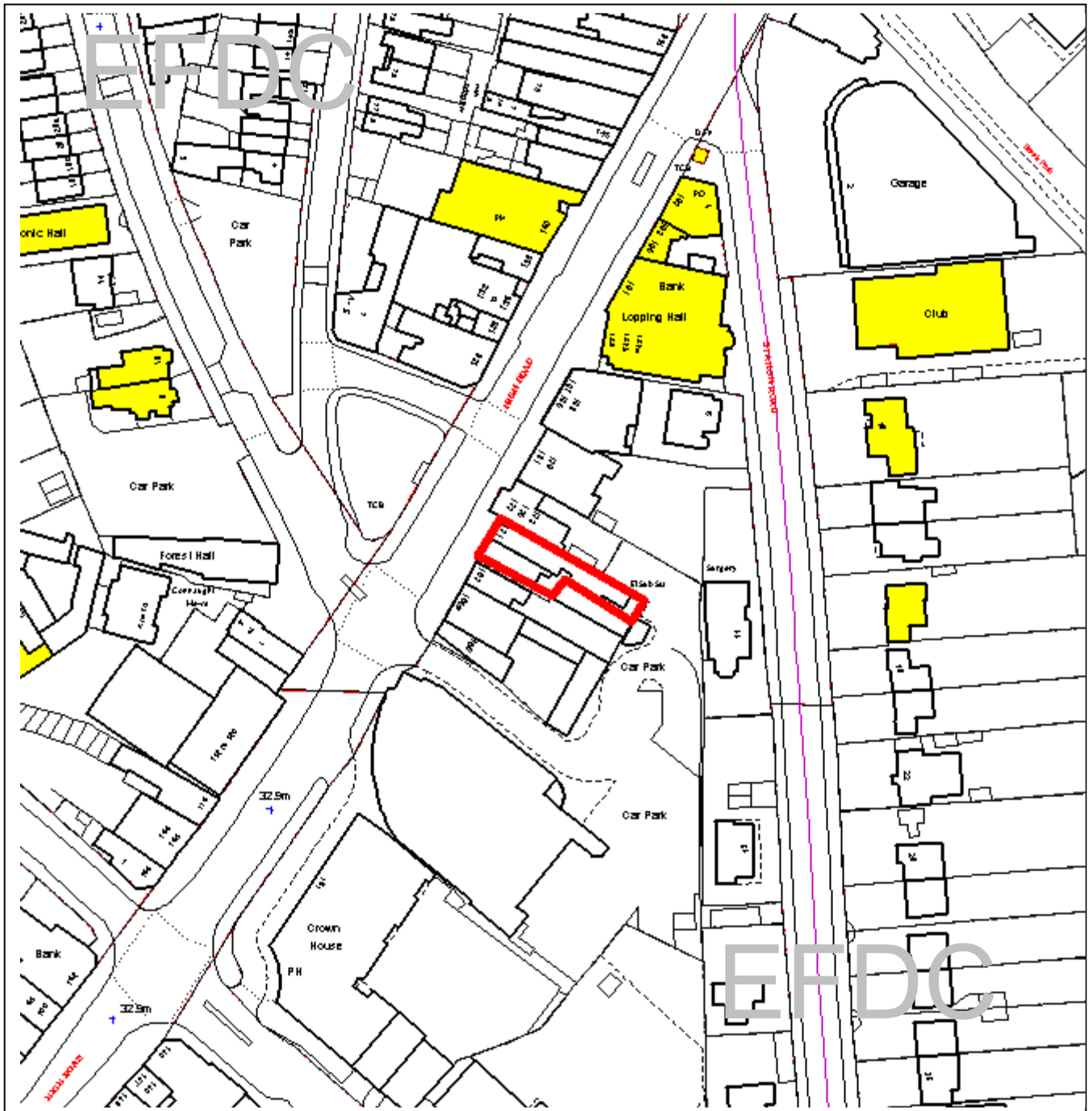
***Planning Application Case Officer: Stephan Solon
Direct Line Telephone Number: 01992 564018***

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



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AGENDA ITEM NUMBER 3



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Application Number:	EPF/2300/14
Site Name:	Loughton B B Q 169 - 171 High Road Loughton, IG10 4LF
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/2300/14
SITE ADDRESS:	Loughton B B Q 169 - 171 High Road Loughton Essex IG10 4LF
PARISH:	Loughton
WARD:	Loughton Forest
APPLICANT:	Mr Hasan Dagdelen
DESCRIPTION OF PROPOSAL:	Change of existing temporary use of ground level of 169 High Road as a restaurant to permanent restaurant use.
RECOMMENDED DECISION:	Grant Permission

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=568830

CONDITIONS

NONE

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 premises comprise a combined A5 Hot food take away and A3 restaurant use, with a conservatory style extension at the front extending across both frontages. The premises lie in the High Road shopping area some 30m north of the Marks and Spencer food outlet. The properties are not listed nor do they lie within a conservation area.

Description of Proposal:

To change the existing temporary restaurant use of no.169 to a permanent restaurant use.

Relevant History:

EPF/2106/09 - refusal of application to change the use of the A1 shop at no.169 to an A5 use - as an extension to the hot food take away at no.171 - on grounds of increasing the non retail frontage in a key shopping parade, and hence undermining the vitality of the shopping parade.

EPF/2060/13 – approval granted for a single storey front glazed extension to restaurant and hot food take away – on private forecourt of the premises.

Policies Applied:

DBE9 - Loss of amenity.
TC3 - Town centre function.
TC4 – Non retail frontage.

Policy DBE9 is compliant with the NPPF. Policies TC3 and TC4 are partially compliant and generally compliant - - the NPPF introduces more flexibility for non retail uses in shopping areas.

Summary of Representations:

LOUGHTON TOWN COUNCIL – The Committee objected to a permanent change of use of this premises, as it would not wish to lose another retail unit in the key frontage of the High Road.

NEIGHBOURS – 7 properties consulted and no replies received.

Issues and Considerations:

Planning policy in relation to change of use of shops to alternative business uses has changed significantly in recent years. For example, the Government have introduced new legislation making it easier for shops to change to other 'flexible' uses such as A2 banks and estate agents, and B1 offices - in order to promote business activity in town centres and to reduce shop vacancies. On the 30/4/13 an amendment to legislation allowed new uses, such as restaurants, to start up without the need for planning permission for a temporary period of 2 years. The current applicants took advantage of this change and no.169 has now been used as a restaurant for some 12 months - in connection with the hot food take away at no.171. This planning application therefore seeks to convert this temporary 'approval' to a permanent one.

Up till 2 years ago the Council, using policy TC4 of the Local Plan, often refused permission from change of use of shops if 30% of a key frontage was already in non retail use. However, the Government felt that such a numerical approach was too proscriptive and the NPPF allows for more flexibility. Furthermore, many appeals against refusal of change of use of shops were often upheld by planning inspectors who would often conclude that a cafe or restaurant use did encourage pedestrian footfall in a shopping area and that these uses helped to promote vitality and viability rather than harming it.

In the case of this application the use of 169 as a restaurant has allowed an existing business to expand and it now provides 6 full time equivalent jobs. A restaurant is an appropriate use in a shopping area and from 12 noon the restaurant is open till 11pm in the evening – hence for most of the shopping day it does not present a 'dead frontage'. For these reasons the proposed use as a restaurant on a permanent basis is seen as acceptable.

Comments on representations received:

There is some sympathy with the Town Council's concern that another potential shop premises would be lost. However, for many years small shops have struggled to compete with larger retail units and supermarkets, and more recently with newer competition from internet retail sales. In this context it may well be that if this restaurant use was refused permission and closed down there would not be a retail use waiting to move in. Moreover the existing restaurant use is an appropriate one in a shopping area and it provides a useful service and 6 job opportunities. In this context it would be unreasonable to refuse planning permission to convert this temporary restaurant use to a permanent one.

Conclusion:

For the reasons outlined in the above report it is recommended that a permanent planning permission be granted.

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

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

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



Epping Forest District Council

AGENDA ITEM NUMBER 4



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Application Number:	EPF/2869/14
Site Name:	Shrubs and Tubs Garden Centre High Road Chigwell, IG7 6NT
Scale of Plot:	1/1250

Report Item No: 4

APPLICATION No:	EPF/2869/14
SITE ADDRESS:	Triangular green area to the front of Shrubs and Tubs Garden Centre High Road Chigwell, Essex, IG7 6NT
PARISH:	Chigwell
WARD:	Chigwell Village
APPLICANT:	Telephonica UK Ltd
DESCRIPTION OF PROPOSAL:	Telecommunications installation comprising of the erection of a 15m high Elara street pole, coloured green, together with 3 ground based cabinets and ancillary development.
RECOMMENDED DECISION:	Prior Approval Required and Granted

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=571951

CONDITIONS

NONE

This application is before this Committee since it needs to be decided in 55 days and the proposal may attract either an objection from the parish council or more than 2 objections from third parties, which are material to the planning merits of the of the proposal (pursuant to the constitution part three: planning directorate – delegation of council function, schedule 1 appendix A (f) and (g)).

Description of Proposal:

Determination as to whether prior approval is required for a telecommunications installation comprising of the erection of a 15m high Elara street pole, coloured green, together with 3 ground based cabinets and ancillary development.

Description of Site:

A triangular green in front of an office and shop building at Shrubs and Tubs garden centre. This green is part of highways land next to the road. To the immediate north of the site lies the Chigwell Tube Station and the site lies next to the bridge over the underground railway line.

Relevant History:

None.

Policies Applied:

U5 - masts and aerials under 15m.
NPPF – paras 42 to 46

Policy U5 is compliant with the NPPF - although the latter is more supportive of telecommunications development and its role in achieving sustainable economic growth.

Summary of Representations:

CHIGWELL PARISH COUNCIL – to be reported at Committee.

Neighbours – 28 properties consulted, and any replies will be reported at Committee.

ESSEX CC HIGHWAYS – to be reported at Committee.

EFDC TREES AND LANDSCAPE SECTION. – No objections - a protected tree lies some 12m away on the other side of the hard surfaced access road into Shrubs and Tubs. Given this distance and the fact that much of the intervening land is already hard surfaced the proposed development is most unlikely to have any adverse effect on this protected tree.

Issues and Considerations:

Planning permission is not required for telecommunication masts, columns or poles that do not exceed 15m in height. However, a prior approval application needs to be submitted and a council has 55 days to decide whether the siting and appearance of the proposal is acceptable. If no decision is made within 55 days then the installation can be erected on the basis that deemed consent has been granted. This application was received on 8/12/14. To report the application to the 4/2/15 Area Plans South Committee would have meant going beyond the 55 day deadline, and hence it is expedient to report this application to the 7/1/15 Committee – and any objections received in the consultation period will be reported verbally.

This telecommunications pole and equipment system is to be used by two mobile phone providers i.e. Telefonica (O2) and Vodafone. The pole will provide better mobile phone reception in an area of Chigwell that is not well served at present, including the tube station, and it will also provide 4G services. The application provides details of alternative sites considered for this installation, for example roof top locations in and around Brook Parade – but these have not been made available by the owners - and it has been a trend in recent years for property owners to refuse to accommodate these telecommunications base stations on their buildings. Another site considered was also a roadside one opposite Brook Parade. However the applicants rejected this option because of the narrow width of the pavement - (and it also may not have been acceptable from a planning viewpoint since it would have been likely to have detracted from visual amenity in the adjoining park and children's play area).

The proposed pole will be 15m high and painted green so as to blend in more with nearby trees. It will be 31 cm in width for some two thirds of its height, but at the top the shroud, containing O2 and Vodafone antennae, will be 51cm in width. The nearest dwelling, 187 High Road, lies on the opposite side of the High Road but to the south of the site so it does not directly overlook the proposed installation. Additionally, this property has large trees in its front garden providing screening from angled views. The other nearest dwellings lie on the same side of the road as the application site but to the south – and these are the 12 new flats in the recently erected Charlesworth Court at 118 High Road. These flats also do not overlook the site and many protected trees also would block any low angled views of the proposed pole. The building at Shrubs and Tubs garden centre will experience some amenity loss but given its commercial use this loss of amenity does not warrant a rejection of the proposal.

The application is accompanied by an ICNIRP declaration that certifies that this installation complies with radio frequency standards , and the Government makes it quite clear that if such a certificate is provided then only planning issues of siting and appearance can be considered in assessing the proposal, with health issues being excluded.

Conclusions:

At the time of writing this report only 2 days of the 21 day consultation period have elapsed. It is sincerely regretted that the above report therefore has had to be drafted without the views of third parties being known. Officer's views are that this partly commercial site next to a station is a relatively good one that is located away from dwellings and away from the view of residents. It is acknowledged that it will be a conspicuous and noticeable addition to the street scene - but any loss of amenity has to be balanced by the fact that sites for these base stations have to be found - not least because they provide an important communications service. For these reasons, and those outlined in the above report, it is recommended that the applicants be informed that prior approval for this installation is both required and that it is granted.

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