

AREA PLANS SUB-COMMITTEE SOUTH

27 July 2016

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Epping Forest District Council

Agenda Item Number 1



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Application Number:	EPF/3019/15
Site Name:	Land to rear of 268-278 High Road Loughton Essex IG10 1RB
Scale of Plot:	1:500

Report Item No: 1

APPLICATION No:	EPF/3019/15
SITE ADDRESS:	Land to the rear of 268-278 High Road Loughton Essex IG10 4BG
PARISH:	Loughton
WARD:	Loughton St Marys
APPLICANT:	Mr Itzik Robin
DESCRIPTION OF PROPOSAL:	Renewal of previous approved scheme EPF/0181/05 and PL/EPF/1413/10. Extension of time limit on planning permission EPF/0181/05 granted on appeal. (Erection of three storey block of 12 flats with parking at ground level).
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=580894

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.:
953/SPB/IR/1
953/SPB/IR/2
953/SPB/IR/3
953/SPB/IR/4
953/SPB/IR/7 revision A
953/SPB/IR/8 revision A
953/SPB/IR/9 revision A
953/SPB/IR/10 revision A
953/SPB/IR/11
953/SPB/IR/12 revision A
Preliminary drainage and SuDS strategy and calculations
- 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 works shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented prior to occupation and should include but not be limited to:
 - infiltration tests in line with BRE365
 - calculation of the brownfield runoff rate and demonstration of 50% betterment
 - details of SuDS features to provide the required storage up to a 1 in 100 plus climate change in line with current best practice (new allowances 19th February 2016 unless demonstrated to be inappropriate)
 - demonstrate compliance with the treatment indices approach in The CIRIA SuDS Manual C753
 - Evidence of the right to connect into the sewer if necessary
- 5 No works shall take place until a scheme to minimise flood risk of offsite flooding caused by surface water runoff and groundwater during construction works has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented. The scheme shall be implemented as approved.
- 6 No works shall take place until a Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority.
- 7 The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.
- 8 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.
- 9 No development shall take place until details of foul water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 10 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11",

or any subsequent version or additional regulatory guidance.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]

- 11 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows]
- 12 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows]
- 13 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
- 14 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in

writing of the Local Planning Authority in accordance with the immediately above condition.

- 15 No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.
- 16 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.
- 17 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.
- 18 The parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of motor vehicles used by the occupiers of the development hereby permitted, Diggens Court and Vanryn House and/or their visitors.
- 19 The refuse storage facility shown on the approved plans shall be completed prior to the first occupation of the development and shall thereafter be retained free of obstruction and used for the storage of refuse and recycling only and for no other purpose, unless otherwise agreed in writing by the Local Planning Authority.
- 20 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.
-
- 21 The headroom in the internal parking area of the development hereby permitted shall not be less than 2.5 metres, which dimensions shall be clear of any encroachments such as pipes, trunking and vents.
 - 22 There shall be no obstruction to vehicular traffic crossing the site between the High Road and Wesley Hall, Loughton Methodist Church and Vanryne House at any time during the construction of the development hereby approved and thereafter.

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

This application is before this Committee since it is for a type of development that cannot be determined by Officers if more than two objections material to the planning merits of the proposal to be approved are received (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)

Description of Site:

Land to the rear of 268-278 High Road, Loughton. Concrete surfaced car park to the rear of commercial building with residential use above.

The subject site is located on the north western side of the High Road towards the northern end of the commercial centre of Loughton. It comprises of an irregular plot of approximately 0.13 of a hectare which is set to the rear of buildings that front the High Road. The site is largely surfaced with concrete and is in use as a car park that takes its access from the High Road.

Located to the east of the site are a row of 3-storey buildings that comprise commercial properties at ground floor level with residential accommodation on the upper floors. Behind these buildings is a battery of lock-up garages.

To the south of the site there is a church hall and a three storey apartment block known as Vanryne House. To the west of the site there are residential dwellings that front onto Habgood Road.

Description of Proposal:

Renewal of previous approved scheme EPF/0181/05 and PL/EPF/1413/10. Extension of time limit on planning permission EPF/0181/05 granted on appeal. (Erection of three storey block of 12 flats with parking at ground level).

The ground floor of the building would be taken up by parking provision. 18 parking spaces would be on the ground floor of the building. Another 9 parking spaces would be provided on the site elsewhere. Access to the upper two floors would be by a communal staircase.

The first floor would accommodate 2 one-bed flats and 4 two-bed flats.

The second floor would repeat the layout of the first floor.

Relevant History:

EPF/1622/02 - Erection of three storey office block (parking at ground floor level) with associated vehicular access and landscaping. – Dismissed at appeal 21/08/2003

EPF/0040/04 - Erection of three storey office block, with parking at ground level, and associated vehicular access and landscaping. (Revised application) – Granted 10/03/2004

EPF/0181/05 - Erection of three storey block of 12 flats with parking at ground level. – Allowed at appeal 18/05/2006

EPF/1781/05 - Erection of part three storey part four storey block of 13 flats and associated works. (Revised application) – Allowed appeal 18/05/2006

EPF/1413/10 - Extension of time limit on planning permission EPF/0181/05 granted on appeal. (Erection of three storey block of 12 flats with parking at ground level). – Granted 30/09/2010

EPF/0577/13 - Extension of time limit on planning permission EPF/1413/10 (Extension of time limit on Planning Permission EPF/0181/05 granted on appeal). (Erection of three storey block of 12 flats with parking at ground level). – Refused 01/11/2013

Policies Applied:

CP1 – Achieving Sustainable Development Objectives

CP2 – Protecting the Quality of the Rural and Built Environment

CP3 – New Development

DBE1 – Design of New Buildings

DBE2 – Impact of New Buildings

DBE6 – Car Parking

DBE8 – Private Amenity Space

DBE9 – Loss of Amenity

LL10 - Landscaping

H4A – Dwelling Mix

ST4 – Road Safety

ST6 – Vehicle Parking

NPPF

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 62

Site notice posted: 8/1/2016

Responses received: 42 HABGOOD ROAD – object – too close, would increase vehicular access problems.

45 HABGOOD ROAD – object – loss of view and outlook, bin store would be smelly and noisy; bin store would attract vermin, loss of property value.

49 HABGOOD ROAD – object - parking and access arrangements are not sufficient for a development of this size.

53 HABGOOD ROAD – object - too large, would add to existing problems of traffic and lack of parking.

278A HIGH ROAD – object – would make access more difficult, loss of outlook by a three-storey building, loss of property value, loss of privacy.

LOUGHTON METHODIST CHURCH – object – would obstruct access, construction work would be detrimental, over-development, would lead to residents being overlooked, out of keeping with vicinity.

22 VALLEY CLOSE – object –original 2005 rejection reason still holds, loss of privacy, loss of light.

Town Council: No objection

Main Issues and Considerations:

The main issues with this proposal are considered to be the principle of residential development on the site, the history of the site, appearance of the proposal, impact to neighbours and whether the development would offer a good degree of residential amenity to future occupiers. The proposal is below the relevant thresholds of site area and number of dwellings such that the Council would not seek the provision of any affordable housing within this development.

Principle of development

The site is in an excellent position in terms of being in a sustainable location. The site is set behind part of the commercial centre of Loughton, sports and other community facilities are nearby Traps Hill and a London Underground station is within walking distance.

At paragraph 23 the NPPF says that local planning authorities should recognise that residential development can play an important role in ensuring the vitality of centres. At paragraph 29 it is stated that the transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. Paragraph 34 emphasises this stating decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.

Planning permission has previously been granted at appeal for essentially the same development. The history of the site is a material consideration and is discussed in more detail below.

The Council is currently in the process of preparing a new Local Plan, where sites will be identified for residential development. In order to meet this requirement the Council has recently received figures from the revised Strategic Housing Market Assessment (SHMA) which covers the Housing Market Area of Epping Forest, East Herts, Harlow and Uttlesford and has been accepted into the Local Plan evidence base as of October 2015. The SHMA suggests a total figure of 11,300 new homes as the Objectively Assessed Housing Need (OAHN) for Epping Forest District Council over the Local Plan period 2011-2033.

The SHMA gives a figure for the OAHN of the District and for the rest of the SHMA area, but the Local Plan housing requirement will not necessarily be the same as the OAHN. This is because the Council has to do further work considering factors such as capacity in terms of strategic constraints, other Evidence Base information, the Council's policy aspirations and also how to apportion the need over the Housing Market Area, i.e. between Epping Forest, East Herts, Harlow and Uttlesford. It will be the decision of members of the four authorities to discuss this apportionment through the Duty to Co-operate.

Consequently whilst the Council does have a supply of housing sites (through extant permissions) it cannot be assessed whether this is sufficient to amount to a five year supply as required by the NPPF. This is due to the fact that the Council does not yet have an adopted housing requirement and as a result it cannot be calculated. Therefore whilst the Council concedes that it cannot demonstrate a five year supply of housing sites as required by the NPPF, it does not accept that it does not have one which amounts to a five year supply.

Given that the NPPF requires a demonstrable five year supply of housing, paragraph 49 of the NPPF is engaged whereby Local plan policies which address the supply of new housing are considered to be out of date. As a result these policies are to be afforded less weight in the decision making process in favour of a greater reliance on the NPPF.

The lack of a five year supply of housing weighs in favour of granting planning permission and is attributed substantial weight in this application.

History

Planning permission was last granted for this proposal in 2010. Circumstances have now changed since the publication of the NPPF in 2012. Nevertheless, the emphasis of the NPPF on sustainability supports the proposal.

The most recent planning application for the site (EPF/0577/13) was refused. However, this was on the ground of a financial obligation, of £13,000, to Essex County Council for a town centre enhancement scheme not having been received. The scheme is no longer in existence. The development was, however, then considered to be in accordance with adopted policies and the application was therefore recommended for approval subject to conditions and a deed of variation to effect payment to the enhancement scheme. Payment was not received and the application was refused by delegated authority. Nevertheless, it is on public record by means of the agenda report for the application that it was recommended that the application be approved, subject to the financial contribution having been received, and concluded that there were no changes to material circumstances that could have justified withholding planning permission.

Planning permission was granted (EPF/1413/10) for a three-storey block of 12 flats with parking at ground level in 2010.

Appearance

The building would have a fairly contemporary appearance though its pitched roof and use of external materials of brick and tiled roof would relate to more traditional buildings. The building would be seen from High Road as a visual stop between three-storey built form of Diggens Court to the left hand side and nos. 268-282 to the right hand side. The building would have a good appearance.

Impact to neighbours

The issue of whether a building of the size and siting as that now proposed would adversely affect neighbours was considered in some detail by an Inspector, in relation to planning application EPF/0181/05, since this was the reason for refusal given by the Council. The Inspector identified a single main issue in the appeal as whether or not the appeal proposal, for essentially the same design, would adversely affect the residential amenities of the occupiers of any neighbouring dwelling.

The northwest site boundary adjoins the curtilages of houses in Habgood Road. Windows in the north-western elevation above ground floor would consist of oriel windows, projecting from the face of the building and with glazing facing southwest. The detailed design of this arrangement is such that there would be no material overlooking of rear gardens of properties on Habgood Road.

The northeast boundary is with a car park. The southeast boundary is onto a line of garages. The southwestern boundary of the site is onto Vantryne House, a three-storey apartment building.

The application site lies to the south of the back gardens of some houses in Habgood Road. The southeast ends of these gardens would experience some overshadowing from the proposed building at various times of the day. Officers have examined a section through the site and extending to the rear of built form at 40 Habgood Road (this particular property having had a rear extension represents a "worse case" instance of overshadowing as the end of the rear extension is

the nearest wall to the proposed building). It has been calculated that this property would have 12.5m of its rear garden overshadowed but that the first 6.5m beyond the rear most wall of the property would experience no overshadowing. Furthermore, much of the shadow of the proposed building would lie within the shadow of fences on this boundary. An Inspector has commented in relation to this site that Loughton is a settlement on the north fringe of the London conurbation and that unlike a rural location some overshadowing is to be expected.

An Inspector took the view that a building of the same size and siting as that now proposed would not overshadow residential properties on Habgood Road to an unacceptable degree (APP/J1535/A/05/1196315 and APP/J1535/A/06/1197475, paragraph 13).

In conclusion with regard to impact to neighbours, having considered comments made by an Inspector and examined a section provided as part of the application, it is considered that no adverse impact sufficient to reasonably justify a refusal would result to occupiers of neighbouring dwellings.

Amenity to occupiers of the proposed flats

The internal design and layout of the proposed flats has only changed in that a small study in the previous design has been deleted to enlarge the kitchen and living room. The only other change from the previous design is that the entrance has been relocated, to the southern corner of the building. The entrance had previously been on the western side of the building, on the far side of the building from the direction of the High Road. Whilst light to bedrooms to some of the flats would be somewhat limited by the feature of the oriel windows on the western side of the building (designed to avoid overlooking), the proposed accommodation would be to an acceptable standard.

There would be some landscaping to the western boundary and some of the flats would have small balconies but the scheme has no amenity space as such. However, this is the case for many first and second floor flats in the locality which is within Loughton town centre.

17 car parking spaces (two of which appear to be designed for electric cars) would be provided on the ground floor of the building. 8 other parking spaces are shown within the site outside the building.

Considered in the round, the design is considered to offer a good level of residential amenity to future occupiers.

Conclusion:

There are no changes to material circumstances that could justify withholding planning permission. The development is considered to be in accordance with national policy for sustainable development and adopted policies. The application is therefore recommended for approval.

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

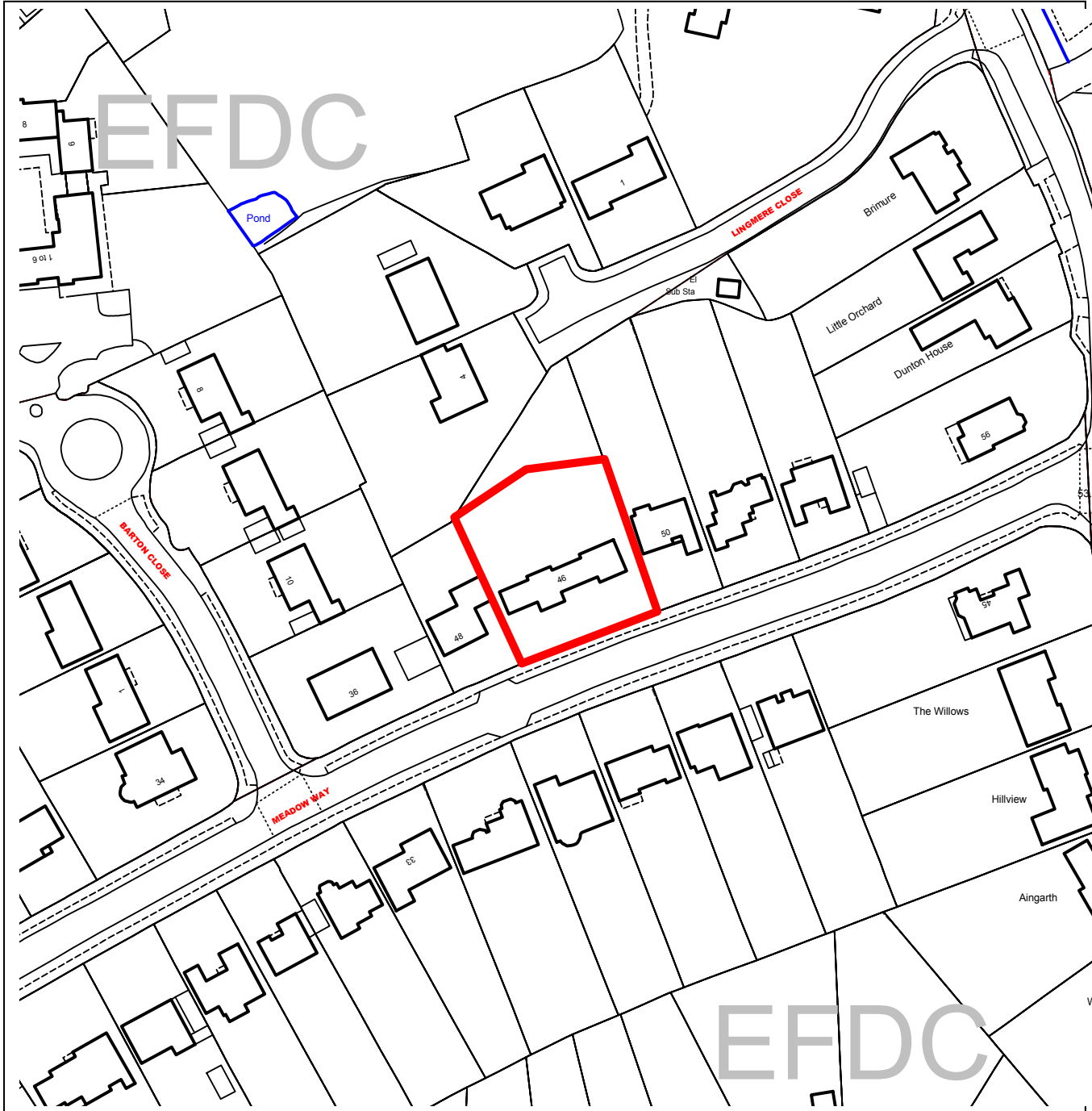
***Planning Application Case Officer: Jonathan Doe
Direct Line Telephone Number: 01992 564103***

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



Epping Forest District Council

Agenda Item Number 2



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Application Number:	EPF/0143/16
Site Name:	46 Meadow Way Chigwell Essex IG7 6LR
Scale of Plot:	1:1250

Report Item No: 2

APPLICATION No:	EPF/0143/16
SITE ADDRESS:	46 Meadow Way Chigwell Essex IG7 6LR
PARISH:	Chigwell
WARD:	Chigwell Village
APPLICANT:	Mr V. S. Sharma
DESCRIPTION OF PROPOSAL:	Conversion of house into two semi-detached houses. Sub-division/reduction of plot. Alterations to roof. Rear extension. AMENDED PLAN
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=582016

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:

JDD/MW-E1
JDD/MW-E2
JDD/MW-E3
JDD/MW-E4
JDD/MW-E5
P856/000/A
P856/001/A
P856/002/B
P856/003/B
P856/004/C
P856/005/C
P856/006/B
P856/007/B
P856/008/B
P856/009/C
P865/010

- 3 Materials to be used for the external finishes of the proposed development shall match those of the existing house, unless otherwise agreed in writing by the Local Planning Authority.
- 4 No development shall take place until details of surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Classes A, B or C of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 6 The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site.

Should any discoloured or odorous soils be encountered during development works or should any hazardous materials or significant quantities of non-soil forming materials be found, then all development works should be stopped, the Local Planning Authority contacted and a scheme to investigate the risks and / or the adoption of any required remedial measures be submitted to, agreed and approved in writing by the Local Planning Authority prior to the recommencement of development works.

Following the completion of development works and prior to the first occupation of the site, sufficient information must be submitted to demonstrate that any required remedial measures were satisfactorily implemented or confirmation provided that no unexpected contamination was encountered.

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

This application is before this Committee since the recommendation is for approval and more than two expressions of objection have been received (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A (f))

Description of Site:

The application site comprises a two-storey detached house and part of its curtilage. The house has an “in and out” driveway arrangement providing parking and two points of vehicular access onto Meadow Way. The application site does not include the whole of the plot; the rear of the plot is excluded from the application site. Part of the rear of the plot adjoins Lingmere Close.

The application property is not a Listed Building and the site is not in a Conservation Area. The site is part of a built up area of Chigwell between High Road to the west and Vicarage Lane to the east.

The site appears to be on a double plot with a site frontage to Meadow Way of some 30m. House numbering is such that no. 46 is set with no. 48 to the left hand side and no. 50 to the right hand side.

Ground levels fall to the west and rise to the east.

Description of Proposal:

Conversion of house into two semi-detached houses. Sub-division/reduction of plot. Alterations to roof. Rear extension.

The existing house has five bedrooms. The proposal would create a five-bedroomed house and a seven-bedroomed house. Alterations would be made to the roof such that one house would have two bedrooms and a study at loft storey and the other house would have four bedrooms at the loft storey.

Following receipt of amended plans deleting originally included front dormers, the changes to the front elevation would consist of replacing a vehicular door to an integral garage with a front door and windows; a window at loft storey to a gable end; and, changing a side hip to a side gable. A 610mm increase in roof height of the resulting houses and associated changes to its pitch would be apparent.

A single storey rear extension some 4m deep would be set next to no. 50. A single storey rear extension some 2m deep would be set next to no. 48.

To the rear a two-storey rear projection would be constructed adjacent to 48 Meadow Way with rooms in the roof. This would have a first floor bedroom window looking down the garden. Accommodation at attic level nearest no. 48 would be within a crown roof with a rear facing roof light on a roof slope.

Two flat roofed dormers would be set on the rear roof slope. One dormer would have two windows; the other dormer would have one window. These windows would look to the rear boundary.

A window would be added in both rear gable ends.

On both sides of the gable ended rear bay nearest no. 50 a dormer would be added to each side roof slope. The left hand dormer viewed from the rear, next to no. 50, would be a blind dormer providing headroom only. A roof light on a horizontal surface would provide light to a staircase next to the study. The right hand dormer would have a side window looking onto the side roof slope of another gable ended rear bay.

Relevant History:

CHI/0156/53 – Detached house and garage – Granted 23/07/1953

EPF/0909/85 - First floor side extension. – Granted 09/08/1985

EPF/1420/03 - First floor side extension and single storey rear extensions. – Granted 08/09/2003

EPF/2254/03 - Two storey side and rear extensions with first floor front extension (overhang), single storey rear extensions and front porch. – Granted 21/01/2004

EPF/2012/15 - Conversion into two six bedroomed semi-detached houses. Sub-division/reduction of plot. Raise roof ridge by 0.6m. Dormers to front, sides and rear roof slopes and windows in rear gables. Rear extension. – Refused 19/11/2015

Policies Applied:

CP2	Quality of Rural and Built Environment
H2A	Previously Developed Land
DBE6	Car Parking in New Development
DBE8	Private Amenity Space
DBE9	Loss of Amenity
DBE10	Residential Extensions
DBE11	Sub-Division of Properties

NPPF

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 6

Site notice posted: No, not required

Responses received: 37 MEADOW WAY – object –of character with the Courtlands estate and the exclusive nature of Meadow Way in particular; there are only detached houses on the estate and it is incongruous to split into two semi-detached houses; driveway is insufficient to cope with two families' cars ; would create unsightly street parking; extending this property even further will create an overly bulky unsightly carbuncle on the road; additional windows in the roof, for two families, will significantly increase the extent of neighbouring properties being overlooked.

39 MEADOW WAY – object - inappropriate for the area, the Courtland Estate consists of large detached properties and this specification should be upheld; there is no visible enhancement to the site by creating semi-detached properties.

48 MEADOW WAY – object - will become an eyesore in a beautiful road of detached properties; we would lose a lot of our privacy ; would create a parking problem and highway danger; would create a dominant overpowering building in Meadow Way; disruption this would cause would be unbearable.

50 MEADOW WAY – object - does not respect local context and street pattern; entirely out of character; scale and height of development would result in a serious case of overlooking, overshadowing and loss of privacy; they would be able to see inside our rooms; garden size would be significantly reduced which would disturb a key characteristic of Chigwell Village; would create car parking problem; will disturb the open and idyllic nature of our community.

Parish Council: NO OBJECTION

Main Issues and Considerations:

The main issues are considered to be the principle of sub-division, the appearance of the proposal, impact to neighbours, and whether the proposed dwellings would have adequate amenity for future occupiers.

Principle of sub-division

The proposal would create an additional residential unit and therefore would accord with policy H2A that seeks to encourage the use of previously developed land. Policy DBE11 is not strictly

applicable to this proposal since the policy relates to subdivision to smaller forms of housing such as flats.

Appearance

The width of the existing built form is such that the relatively small increase in the height of the roof would be lost against the rest of the scale of the building. Following receipt of amended plans, deleting front dormers, the proposal has relatively little affect to the front elevation and the appearance of the proposal in the streetscene is considered acceptable.

With regard to the rear elevation, the side gable would balance the appearance of the built form and the rear dormers, though sizeable, would not overpower the extent of sloping roof. They would also be set between two rear gable ended bays such that they would be very largely hidden in oblique views. The appearance of the proposed rear elevation is considered acceptable.

Impact to neighbours

The single storey rear extension would have no material impact on neighbours.

It is considered that any overlooking from the attic accommodation would not be materially different from that occurring from first floor windows. An isolation distance of some 15m would remain between the rear dormer windows and the side property of the property to the north, 4 Lingmere Close.

Two small windows on a side elevation would be set at attic level, windows to bedroom 4 of the house next to no. 48. The plans show that these windows would be obscure glazed, the principle illumination to this bedroom being by a roof light.

Amenity of future occupiers

The house as existing has an extensive driveway that would be retained and would provide parking for both houses.

Private amenity areas of 180 sq. m for the house to the left hand side and 128 sq. m for the house to the right hand side would be provided which are in line with the requirements of the local plan.

The scale of the existing house is such that the accommodation to be provided for the two dwellings would be more than sufficient in terms of room sizes and layout.

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:

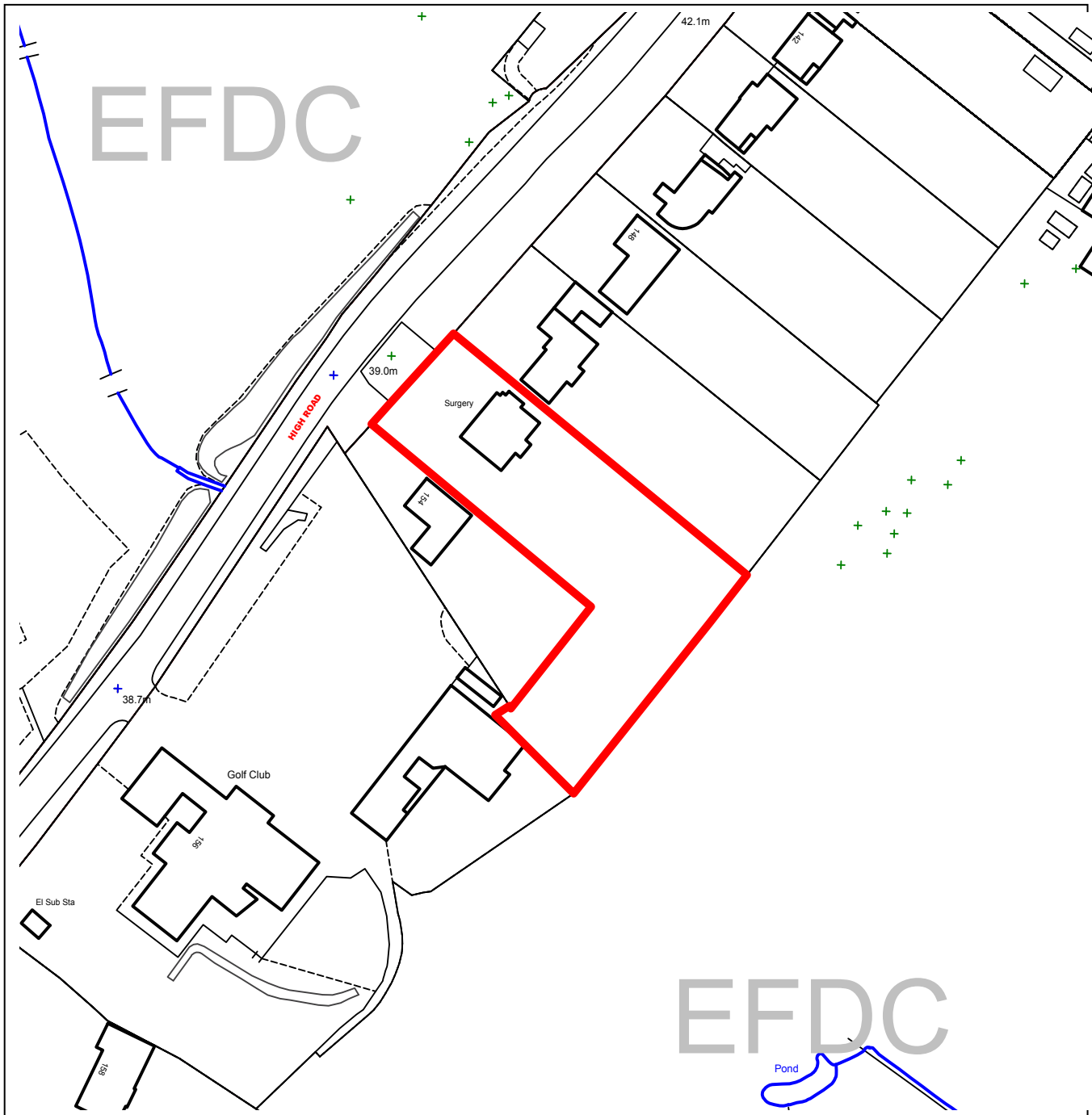
***Planning Application Case Officer: Jonathan Doe
Direct Line Telephone Number: 01992 564103***

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



Epping Forest District Council

Agenda Item Number 3



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Application Number:	EPF/0410/16
Site Name:	Woodlands 152 High Road, Chigwell, Essex IG7 5BQ
Scale of Plot:	1:1250

Report Item No: 3

APPLICATION No:	EPF/0410/16
SITE ADDRESS:	Woodlands 152 High Road Chigwell Essex IG7 5BQ
PARISH:	Chigwell
WARD:	Chigwell Village
APPLICANT:	Mr T Offord
DESCRIPTION OF PROPOSAL:	Demolition of existing dwelling and the erection of a replacement building of five apartments, consisting of four two-bedroom apartments and a three-bedroom apartment, with basement car parking accessed by car lift. New house, at position of tennis court, as approved by EPF/2446/15.
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=582616

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:
152 HR/E/01
152 HR/E/02
152 HR/E/04
152 HR/E/05
152 HR/E/06
152 HR/P/03
152 HR/P/04
152 HR/P/05
152 HR/P/06
152 HR/P/07
152 HR/P/08
152 HR/P/09

- 3 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been

submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.

- 4 The refuse storage facility shown on the approved plans shall be completed prior to the first occupation of the development and shall thereafter be retained free of obstruction and used for the storage of refuse and recycling only and for no other purpose, unless otherwise agreed in writing by the Local Planning Authority.
- 5 The parking area and its means of vehicular access thereto shown on the approved plan shall be provided prior to the first occupation of any of the five apartments hereby approved and shall be retained free of obstruction for the parking of residents and visitors vehicles.
- 6 Prior to first occupation of the new house in the position of the tennis court, the proposed window openings above the ground floor in the northeastern flank elevation shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no extension or roof enlargement to the new dwellinghouse, in the position of the tennis court, 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.
- 8 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 9 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 10 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 No development, including works of demolition or site clearance, shall take place until driveway details have been submitted to the Local Planning Authority and approved in writing. These shall consist of an above ground, no dig construction with a porous finish and include an Arboricultural supervision timetable. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 12 No trenches or pipe runs for services and drains required to service the development hereby approved shall be cut or laid otherwise than in accordance with BS5837:2012 (Trees in relation to design, demolition and construction – Recommendations), except with the approval of the local planning authority.
- 13 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.
- 14 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]
- 15 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]

- 16 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]
- 17 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.
- 18 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.
- 19 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.

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

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

Description of Site:

The site is that of a large detached house in a generous plot fronting High Road Chigwell and backing onto the golf course. The site has three trees the subject of a Tree Preservation Order to the roadside. To the south and to the east of the site is the golf course, Green Belt land. The main buildings of the golf club and parking are to the southwest.

154 High Road, Greenview, is a flatted block of three units with basement parking between the application site and the golf club to the southwest. 150 High Road is a detached house with the first floor rooms provided above the eaves.

The surrounding area has a generally residential character at low densities and of various house designs.

Generally neighbouring residential properties comprise of large houses in generous plots. Ground levels on the site rise from the High Road to the existing house and then drop away again to the rear. Ground levels rise towards 150 High Road, falling towards 154 High Road.

Description of Proposal:

It is proposed to demolish the existing dwelling and erect a replacement building of five apartments, consisting of four two-bedroom apartments and a three-bedroom apartment. The building would include a basement car park accessed by car lift. It is also proposed to erect a new house in the position of a tennis court. It is identical to a house approved in the same location under planning permission EPF/2446/15.

The existing house on the site has a width of 21m and a maximum depth of 12m. The new flatted building would have a width of 19m and a maximum depth of 18m. The reduction in the width of the replacement building would create room for a driveway to the proposed house.

Vehicular access would be unchanged; the site as existing has an "in and out" driveway arrangement with two accesses onto the High Road.

The proposed house would be to the same design as that approved by EPF/2446/15, of a modern design in its appearance and set to the rear of 154 High Road since the garden of the application property forms an "L" shape that wraps around to the rear of no. 154. The proposed house would have an irregular shaped footprint a maximum of 21m deep by a maximum of 16m wide. The layout of the proposed house could be described as an almost semi-circular two-storey element with a single storey bay projecting from the curved part of the semi-circle. The roof of the single storey bay would be a green roof.

The proposed building to accommodate the apartments would be set back from the front boundary by more than 30m. It would be two-storey plus accommodation within the roof space. The front elevation would feature two gable ends with extensive glazing within the face of the gable. An unusual feature of the front elevation would be a recessed glazed face set within a valley of the roof formed between the two front gables. The proposed building would have a height to the eaves of 5.7m at the front elevation and a height of 10.7m to the highest part of the roof on the front elevation.

Two 2-bedroom flats would be provided on the ground floor. Both of these flats would each have one of the bedrooms having dressing and shower-room en-suite. The same accommodation arrangements would be on the first floor. The two flats on the first floor would both have rear balconies. These balconies would effectively be inset within the form of the building as they would have solid walls to the sides. On the second floor would be a penthouse flat of three bedrooms with all bedrooms having en-suite bathrooms and one of the bedrooms having a dressing room and balcony. This flat within the roof space would also have a balcony off the sitting room and a balcony off the dining room.

The flats would have basement parking with vehicular access by a car lift. Ten parking bays and a bicycle store would be within the basement. A lift would serve the basement and the three floors of accommodation above.

Relevant History:

- EPF/0073/15 The demolition of a large existing dwelling and the erection of a replacement building of 5 luxury apartments with associated parking. – Refused 02/04/2015 on the basis of causing harm to living conditions of neighbours, harm to character, flats being an unsustainable form of development and that a decision to grant consent would create a harmful precedent. A subsequent appeal was dismissed, solely on the grounds that the proposal would cause harm to the living conditions of neighbours
- EPF/2446/15 Extension of the existing dwelling fronting the High Road and erection of a new dwelling to the rear of the property within the location of the existing tennis court. – Granted 03/12/2015

Policies Applied:

CP2	Quality of Rural and Built Environment
CP7	Urban Form and Quality
GB7A	Conspicuous Development
H2A	Previously Developed Land
DBE1	Design of New Buildings
DBE2	Effect on Neighbouring Properties
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
DBE11	Sub-division of Properties
LL10	Adequacy of Provision for Landscape Retention
LL11	Landscaping Schemes

NPPF

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted. 10
Site notice posted: 11/03/2016
2 properties have responded as follows:

3 GREENVIEW, 154 HIGH ROAD – object – would not have purchased our property if we had known that there would be disruption to view/lifestyle aspect as a result of built form on the former tennis court.

150 HIGH ROAD – support - proposals make good use of the property, proposed design far preferable to what already exists and when completed will enhance this section of High Road, proposed apartments will be very generous in size , quality of proposed build is approved of.

Chigwell Parish Council: The Council OBJECTS to this application because of concerns that an undesirable precedent of family houses being converted into separate apartments is being perpetuated. Such developments would cause major traffic congestion along the high road, and adversely affect the existing character of the area.

Main Issues and Considerations:

The main issues in this case are the impact to the character of the area, the appearance of the proposals, the impact on the amenity of neighbours and any impact to the Green Belt. Trees and landscaping matters are also considered below.

Impact to character of area

The introduction of flats within this site, which is within a locality characterised by larger, single family dwellings, raises a concern that the proposal would not accord with the character of the area. This forms one of the twin concerns of the Parish Council.

Policy CP2 (iv) of the Local Plan refers to safeguarding the character of the urban environment. At paragraph 58 of the NPPF it is stated that planning decisions should aim to ensure that developments respond to local character and history. However, the NPPF also refers, at paragraph 50, under the heading of delivering a wide choice of high quality homes, that to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should plan for a mix of housing based partly on the needs of different groups in the community.

Policy DBE11 is concerned with the sub-division of residential properties to flats. Although the policy is normally applied to proposals to convert a building rather than replace it with a new build structure, it is considered that the policy, in the least in principle, is relevant to this application since the planning application site as a whole would be sub-divided into a new house and flats, on the site of the previous house. Policy DBE11 states that planning permission will be granted provided the development would not infringe four criteria.

The first criterion is that the development should not be likely to result in such an intensification of use which would create an undesirable precedent or detract from the character of the surrounding area. Given that a building of three apartments exists on an adjoining site at 154 High Road (Greenview) it is considered that the proposal would not create an undesirable precedent. With regard to the character of the area, it is considered that, as the building for the flats would be set so far back from the highway and screened by trees along High Road, no material adverse detriment to the character of the area would result. Furthermore, the design approach of the proposed building would be to create the appearance of a single large dwelling; the front of the building would have a single entrance point.

The site was the subject of an appeal (APP/J1535/W/15/3127872) against refusal of planning permission (EPF/0073/15) for a proposal of five apartments. The appeal was dismissed but this was solely due to loss of amenity to the occupiers of no. 150 through overbearing impact and loss of sunlight. Within the decision letter the Inspector commented that, with regard to the capability of flats to be adapted to changing family sizes and compositions, there is some potential for adapting spacious flats to different household sizes. In relation to the character point he arrived at the same conclusion Officers have in relation to the current proposal: that no harm would be caused. The appeal decision is discussed further, below.

The second criterion of Policy DBE11 is that the development should not be likely to result in excessive noise and/or disturbance to residents of either the new dwellings or neighbouring ones.

The flats would have a layout on the first two floors that would align vertically with bedrooms above bedrooms and living rooms above living rooms. The kitchen of the second floor flat would be above a bedroom and the top floor flat would have a bedroom above a living room. However, the design is such that no obvious excessive noise or disturbance would result to the residents of the new dwellings. Windows to the flats would be front and back and there seems no reason to suppose that excessive noise or disturbance would result to residents of neighbouring dwellings.

The third criterion of Policy DBE11 is that the development should not be likely to result in adjacent properties being overlooked to an excessive degree. It is proposed to create balconies, recessed into the form of the proposed building, on the rear elevation. The balconies would have views of Chigwell Golf Course but view of neighbouring gardens or amenity area would be limited to the very rearward part. Overlooking of the ends of rear amenity areas would not be materially greater than from first floor windows of the existing house.

The fourth criterion of Policy DBE11 is that the development should not involve the loss of important garden space in order to create the requisite number of car parking spaces. This consideration is often crucial in relation to smaller properties where a former front garden is lost to car parking. However, in this instance short-term parking and manoeuvring would be well set back from the road. The basement parking that would be available would be capable of putting parking out of sight.

The issue of character is one of significant concern. Appeal decisions for other sites have been examined to assist in the evaluation of impact to character of area and are discussed below:

An appeal decision (APP/J1535/A/14/2229418) against refusal of two apartment buildings (EPF/1629/14) at Key West, 120 High Road suggests that that site is at a transitional point in the street. An Inspector commented that that site sits between the flats (with reference to flatted development to the north of that appeal site) and single detached dwellings (with reference to large detached dwellings to the south and west of that appeal site). This comment, at paragraph 5 of the Inspector's decision letter, suggests that this site, being to the south and west, would be unsuited to development as flats. However, that appeal site is some 400m away, a significant distance within an urban context, and is surrounded, to the sides and in front, by other residential properties. The site the subject of this application is within a wider context of golf club buildings to the southwest and a horticultural nursery to the northwest. The character of the setting of the application site is not as homogenous as the character of the setting of Key West.

The most relevant appeal decision is that relating to this application site (APP/J1535/W/15/3127872) against the refusal of redeveloping the house to provide 5 flats, application ref. EPF/0073/15. In that case the Inspector found *"the proposed building, which would be set back from the road behind a landscaped area and would incorporate many design features seen in nearby buildings, would not appear out of place."* On this matter the Inspector concluded *"the proposal would not have a detrimental impact on the street scene or the character of the area."* In the circumstances, it would be very difficult to argue that flats at the application site

would, of themselves, cause harm to the character of the locality. Furthermore, given the similarities in scale and siting between the current and appeal proposal, together with the very similar front elevation, it would be equally difficult to maintain a case that the proposal would harm the character of the locality on the basis of its detailed design.

Appearance

The design approach, for both the proposed building accommodating the apartments and especially the proposed house, would be contemporary in character.

The proposed building to accommodate the flats would represent a stepping up in built form, from the chalet style dwelling at no. 150, with two full storeys and sizeable roof. However, the scale of the proposed building would be in proportion with its site and relate in form with the building at no. 154. The form of the roof, that would essentially be a side hipped roof with two front gables would echo a traditional design though the central glazed recessed bay and, to a lesser extent, the glazing within the front gables, would have a contemporary style.

The ridge height of the proposed building would match that of the current property on the site. External materials would consist of brickwork to ground and first floors and timber cladding to the face of the gables. The roof would be tiled. The submitted plans refer to an intricate brick detailing to the front elevation. The roof would be tiled with dark grey roof tiles. It is considered such a roof treatment would tie in with the tiled roof of no. 150 and the roof that appears to be of slates at no. 154.

It is considered that the proposal would complement the appearance of the streetscene. As indicated above, its front elevation is very similar to a proposal previously found to be acceptable in design terms at appeal.

The proposed house would not be visible in the streetscene. This element of the proposal is the same as in a scheme that has previously been approved (EPF/2446/15) This house would be modernist in style, almost echoing a design by Le Corbusier, and have extensive glazing to make best use of view of the golf course. The appearance the proposed house is considered acceptable.

Impact to neighbours

The footprint of the proposed building would extend deeper into the plot than the rear wall of no. 150 but is stepped in from the side boundary at two parts such that the outlook from the rear elevation and from the garden area immediately behind the dwelling would not be materially adversely affected.

The proposed building would be isolated from the side boundary with Greenview by the width of a driveway to the proposed house. The rear of the proposed building would be approximately level with the rear of Greenview.

No material adverse impact to neighbours with regard to loss of outlook is envisaged.

150 High Road is orientated to the northeast. The rear bays of the proposed building would be set to the south by southwest of the area immediately behind no. 150. However, given the stepping in of the footprint to the rear of the proposed building it is considered that there would be no loss of light to the neighbouring property to the northeast that would warrant refusal. The rear wall nearest the boundary with no. 150 would be approximately level with the rear wall of no. 150. The next part of the proposed building extending back would be 4.5m deep and set some 5m of the boundary. The rearmost part of the proposed building would be another 5m deep and be set some 9.5m off the boundary.

Greenview is orientated to the southwest and no material loss of light is envisaged to those residential properties.

No material adverse impact to neighbours with regard to light of outlook is envisaged.

There would be no side window to the proposed building. Balconies at first and second floor would be enclosed with side walls; the balcony would only be open along the rearmost part. The balconies, though deeper into the plot than the area immediately behind properties on adjoining plots, would look to the rear and onto the golf course. Only limited view of the rear most part of the rear garden of no. 150 would be possible.

The proposal would safeguard the living conditions of neighbours.

A comment of a neighbour is noted. However, it would appear that this objection is to the loss of a view of the golf course. There would be an isolation distance of some 30m between Greenview and the proposed house. Accordingly it is considered that no adverse impact sufficient to reasonably justify a refusal would result.

Impact to Green Belt

The proposal involves a new house close to the Green Belt boundary in that the golf course to the southeast forms part of the Green Belt. This issue was considered previously with regard to planning permission EPF/2446/15 when it was considered that the house, being of two storeys and, being of a modernist design, having no bulk to its roof, would not have an excessive adverse impact on the openness of the Green Belt.

Other matters

The comment of the Parish Council regarding the increase of dwellings at the site causing traffic congestion is noted. However, Essex County Council, the highway authority, has commented that from a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to measures that can be enforced by means of conditions to any planning permission. Furthermore, that matter was not an issue when the appeal against the refusal of application EPF/0073/15 was considered and given the advice of the Highway Authority it is difficult to see how a decision resisting the proposal on that basis could stand up under detailed scrutiny.

The proposal would create a net increase of 5 dwellings and therefore would accord with policy H2A that seeks to encourage the use of previously developed land.

The Council is currently in the process of preparing a new Local Plan, where sites will be identified for residential development. In order to meet this requirement the Council has recently received figures from the revised Strategic Housing Market Assessment (SHMA) which covers the Housing Market Area of Epping Forest, East Herts, Harlow and Uttlesford and has been accepted into the Local Plan evidence base as of October 2015. The SHMA suggests a total figure of 11,300 new homes as the Objectively Assessed Housing Need (OAHN) for Epping Forest District Council over the Local Plan period 2011-2033.

The SHMA gives a figure for the OAHN of the District and for the rest of the SHMA area, but the Local Plan housing requirement will not necessarily be the same as the OAHN. This is because the Council has to do further work considering factors such as capacity in terms of strategic constraints, other Evidence Base information, the Council's policy aspirations and also how to apportion the need over the Housing Market Area, i.e. between Epping Forest, East Herts, Harlow and Uttlesford. It will be the decision of members of the four authorities to discuss this apportionment through the Duty to Co-operate.

Consequently whilst the Council does have a supply of housing sites (through extant permissions) it cannot be assessed whether this is sufficient to amount to a five year supply as required by the NPPF. This is due to the fact that the Council does not yet have an adopted housing requirement and as a result it cannot be calculated. Therefore whilst the Council cannot presently demonstrate a five year supply of housing sites as required by the NPPF, it does not accept that it does not have one which amounts to a five year supply. It is expected that the Council will, in the future, be able to demonstrate a suitable supply following decisions arising from the Local Plan process.

Given that the NPPF requires a demonstrable five year supply of housing, paragraph 49 of the NPPF is engaged whereby Local plan policies which address the supply of new housing are considered to be out of date. As a result these policies are to be afforded less weight in the decision making process in favour of a greater reliance on the NPPF.

The lack of a demonstrable five year supply of housing weighs in favour of granting planning permission and is attributed substantial weight in this application.

Conclusion:

It is considered that the site is of a nature, due to its scale and mature frontage landscaping, that these spacious flats would not alter the character of the wider area to an extent that would justify refusal. Accordingly the application is recommended for approval.

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

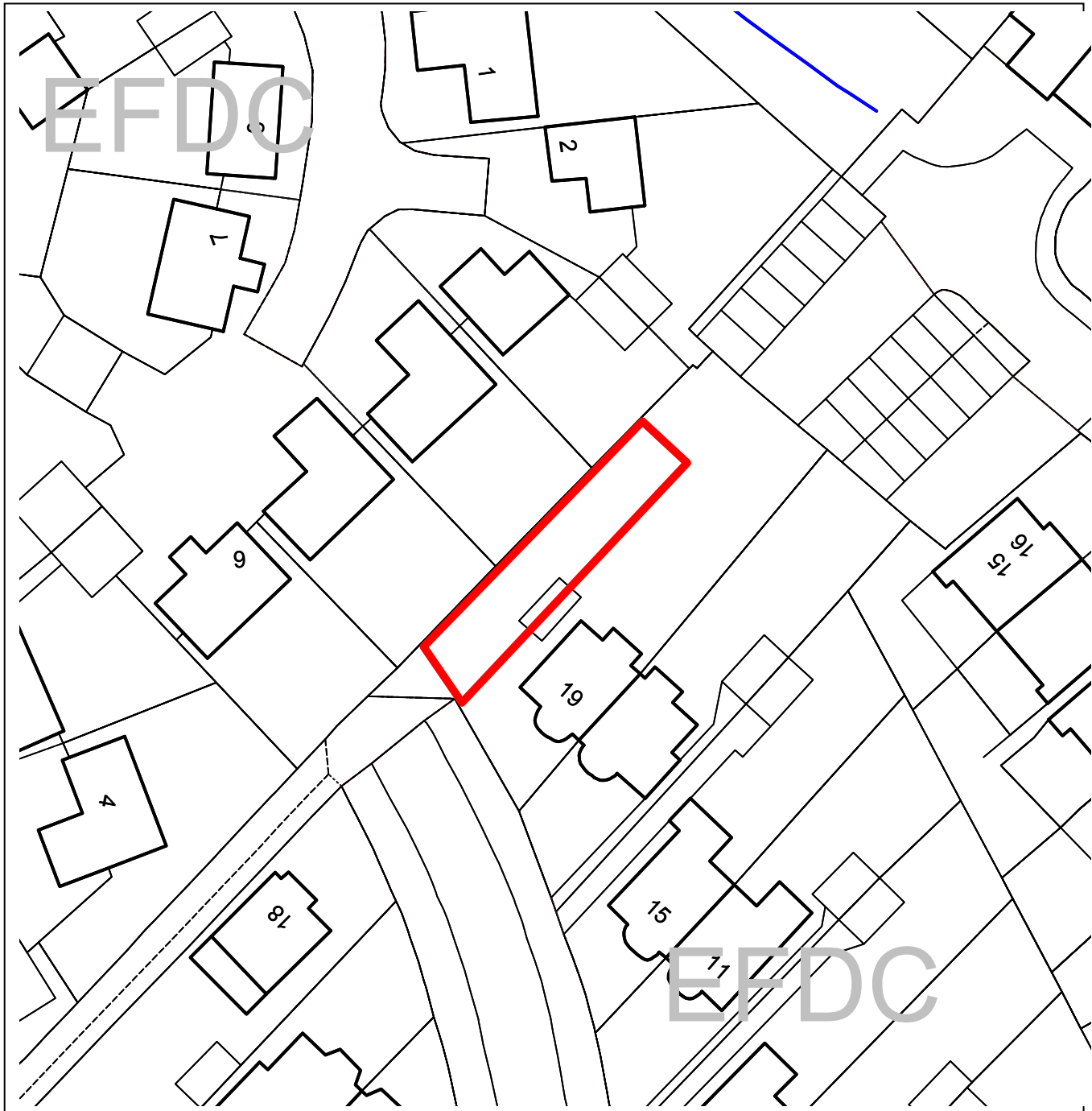
***Planning Application Case Officer: Jonathan Doe
Direct Line Telephone Number: 01992 564103***

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



Epping Forest District Council

Agenda Item Number 4



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Application Number:	EPF/0453/16
Site Name:	19 Kenilworth Gardens Loughton, Essex IG10 3AG
Scale of Plot:	1:500

Report Item No: 4

APPLICATION No:	EPF/0453/16
SITE ADDRESS:	19 Kenilworth Gardens Loughton Essex IG10 3AG
PARISH:	Loughton
WARD:	Loughton Roding
APPLICANT:	Mr Rob Ceconi
DESCRIPTION OF PROPOSAL:	Two storey dwelling on site of outbuildings.
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=582739

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: 16/06/01A and 16/06/03
- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no extensions to the house hereby approved, no enlargements to its roof and no outbuildings 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.
- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no window or door openings generally permitted by virtue of Class A of Part 1 of Schedule 2 to the Order shall be formed in any side elevation of the house hereby approved without the prior written permission of the Local Planning Authority.
- 5 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.
- 6 No development shall take place until details of surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.

- 7 No development, including works of demolition or site clearance, shall take place until foundation details have been submitted to the Local Planning Authority and approved in writing. The foundations shall consist of piles and an above ground beam design. Drawings submitted shall include cross sectional detail of pile and beam join and the location of piles in plan form. 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.
- 8 No trenches or pipe runs for services and drains required to service the development hereby approved shall be cut or laid within the calculated root protection area of oak (T1) unless the Local Planning Authority gives its prior written approval.
- 9 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been provided at the development site. The cleaning facilities shall be used to clean vehicles immediately before leaving the site.
- 10 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 11 The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site.

Should any discoloured or odorous soils be encountered during development works or should any hazardous materials or significant quantities of non-soil forming materials be found, then all development works should be stopped, the Local Planning Authority contacted and a scheme to investigate the risks and / or the adoption of any required remedial measures be submitted to, agreed and approved in writing by the Local Planning Authority prior to the recommencement of development works.

Following the completion of development works and prior to the first occupation of the site, sufficient information must be submitted to demonstrate that any required remedial measures were satisfactorily implemented or confirmation provided that no unexpected contamination was encountered.
- 12 Prior to the first occupation of the development the vehicle parking areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The parking areas shall be retained in perpetuity for their intended purpose.
- 13 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 14 There shall be no discharge of surface water onto the Highway.

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3). It is also before this Committee since it is for a type of development that cannot be determined by Officers if more than two objections material to the planning merits of the proposal to be approved are received (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)

Description of site

Kenilworth Gardens is a cul-de-sac located within the built up area of Loughton. The application site is at the end of the cul-de-sac on its north-east side and comprises the northern half of plot that presently accommodates a two-storey semi-detached house and outbuildings to the side. Land levels fall towards the rear of the site and towards the boundary with rear gardens of houses on Catherine Close, the northern site boundary.

The original rear walls of houses on Catherine Close are set 11m from the site boundary, although some have conservatories which reduce the distance of habitable rooms at those houses from the site boundary to approximately 7m.

An oak tree is situated at the end of the rear garden of the existing house. It is outside of the application site. A further two oak trees are situated within adjacent gardens of 3 and 4 Catherine Close. They were protected by a tree-preservation order in the course of considering this application. A sycamore is situated on the highway verge immediately in front of the site and adjacent to the boundary of the highway with 6 Catherine Close. It was not preserved.

The site is not located within the boundaries of the Metropolitan Green Belt and it is not in a conservation area. The rear of the site is in Flood Risk Zone 2.

Description of proposal

The proposed development is for the erection of a two storey detached house in the side garden of semi-detached house. The proposal includes the demolition of two outbuildings, a detached garage adjacent to the house and a much lower storage building adjacent to the boundary with 4 Catherine Close. The detail of the proposal was revised in the course of dealing with the application to remedy the potential for harm to be caused to adjacent trees.

The amended proposal is for a house set 1.1m from the site boundary with no. 5 Catherine Close at its front elevation and 0.5 from the site boundary with 4 Catherine Close at the rear elevation. It would be set 1.8m from the flank wall of the host house along its full depth. The house would have a traditional design with a hipped roof. The front wall would be in approximate alignment with that of the host house and the first floor rear elevation 1.5m beyond the rear wall of the host. A half width single-storey rear projection aligning with the flank nearest the host house would extend a further 2.5m. It would be set 3m from the site boundary with 4 Catherine Close.

Two parking spaces would be provided in the front gardens of the proposed house and the host house.

Relevant History

EPF/1272/00 Two storey and single storey side extension. – Approved, but not implemented
EPF/1542/15 Demolition of outbuilding and erection of two-storey detached dwelling. – Refused on the basis that the proposal would appear excessively overbearing when seen from the conservatory and adjacent rear garden of 4 Catherine Close.

Policies Applied

CP1	Achieving sustainable development objectives
CP2	Protecting the quality of the rural and built environment
CP3	New development
CP7	Urban Form and Quality
DBE1	Design of new buildings
DBE2	Effect on neighbouring properties
DBE3	Design in urban areas
DBE6	Car Parking in New Development
DBE8	Private amenity space
DBE9	Loss of amenity
LL10	Adequacy of provision for landscape retention
LL11	Landscaping Schemes
ST4	Road safety
ST6	Vehicle parking
H2A	Previously developed land
RP4	Contaminated land
U3B	Sustainable Drainage Systems

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

Consultation Carried Out and Summary of Representations received

Number of neighbours consulted: 16
Site notice posted: No, not required
Responses received: 3

3 CATHERINE CLOSE – Objection

- The proposal is likely to cause a loss of light, which is already restricted by a preserved tree in my garden.
- The proposal would be likely to make it more difficult to park in Kenilworth Gardens.

4 CATHERINE CLOSE – Objection

- This application appears to be the same as the previously refused proposal.
- The roots of a large oak tree in our back garden would be likely to be damaged by the proposal. That could result in it becoming unstable and posing a threat to the safety of people and property. It could also harm the value of our property.
- The proposal is likely to cause a degree of loss of light into our garden and home.
- Any windows in the side/rear of the dwelling would be likely to result in a loss of privacy. That could also reduce the value to our property.

LOUGHTON RESIDENTS ASSOCIATION (PLANS GROUP) – Objection

We object to this application because:

- it appears to be “garden-grabbing”, which is against Government policy
- there is insufficient amenity space for the new dwelling

- there is insufficient parking (County standard would be 5 spaces and only three are provided for the two houses)it will adversely affects the houses whose short rear gardens are next to it (it's at the end of the cul-de-sac)

If nevertheless the District Council is minded to approve the application, we ask for the usual conditions

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

LOUGHTON TOWN COUNCIL – Objection

Reiterating its previous comments made for application EPF/1542/15, the Committee “OBJECTED to this application as it was considered an overdevelopment of the plot that was not in keeping with the street scene. There were concerns regarding the loss of trees along the boundary as it appeared that there was no room for screening to protect the interests of those properties of Catherine Close.

Moreover, members considered this was a garden grabbing proposal contrary to National Planning Policies, and expressed concern for the allocated parking provision.

Issues and Considerations

The proposed dwelling will provide a good standard of accommodation with a rear garden some 12 in depth, providing an area of approximately 100 square metres. It also provides off-street parking spaces for the proposed and existing house that complies with the minimum requirements of the adopted vehicle parking standards. Having regard to that, the recent decision to preserve 3 trees in the vicinity of the development and the reason for refusing a previous proposal for a house at the application site, the main issues raised by this amended proposal are the consequences for the living conditions of neighbours and adjacent trees. It is also necessary to consider the matter of design and the consequence for the character and appearance of the locality.

An objector has raised the matter of impact on property values. Since that is not a material planning consideration no weight can be given to it when assessing the planning merits of the proposal therefore it will not be discussed in this report.

Living conditions of neighbours:

The new dwelling will be located adjacent to no.19, which does not have any windows serving habitable rooms in its side elevation. It will be set approximately 500mm lower and its rear elevation at first floor would be set outside of a 45 degree line taken from the nearest rear corner of the host house. That relationship is such that the proposal would not appear overbearing impact when seen from the host house and its garden. Furthermore, it would not cause any loss of light or any excessive reduction in privacy.

The applicant does not propose windows in the elevation adjacent to the boundary with properties on Catherine Close and a planning condition could be used to ensure that this remains the case. The proposed house would be sited on land that is approximately 600mm higher than that of the rear gardens of the nearest houses on Catherine Close, nos. 4 and 5. Having regard to the difference in levels between those gardens and the application site, the eaves height of the proposal would be 5.8m above that of the gardens. A gap of approximately 12m is proposed between the original rear elevations of nos. 4 and 5 Catherine Close and the flank elevation of the new dwelling. That distance is sufficient to ensure the proposed house would not intercept a line rising at 25 degrees from a height of 1.5m at the original rear walls of 4 and 5 Catherine Close. It is therefore concluded that separation distance is sufficient to prevent any excessive loss of light

or overbearing impact to 4 and 5 Catherine Close when seen from within the original forms of those houses.

However, both those houses have single-storey rear projections; a conservatory at 4 Catherine Close and an extension at no. 5. The previously refused house was resisted on the basis of its impact on the conservatory and garden of 4 Catherine Close. It is therefore necessary to consider the impact of the proposal on the living conditions of those additions and adjacent garden.

The extension to no. 5 would not be in direct alignment with the proposed house since it is part width while the proposed house would be sited such that just over half of the flank would be adjacent to the rear garden boundary. That relationship is such that the proposal would not cause harm when seen from within the extension or adjacent garden.

The conservatory to no 4 Catherine Close would be in direct alignment with the flank of the proposed house, which would be set approximately 9m from the rear of the conservatory. A line rising at 25 degrees from a height of 1.5m at the rear wall of the conservatory would be intercepted by the roof of the proposed house at a point some 0.5m above eaves level.

When compared to the previously refused proposal, the same 25 degree line was intercepted by the flank wall of the house at approximately 1m below eaves level. Furthermore, the length of flank elevation of the proposed house adjacent to the site boundary with the gardens of 4 and 5 Catherine Close has been significantly reduced from 10m to 7.5m, with not more than 3.5m adjacent to the rear of 4 Catherine Close. The combined impact of a reduction in depth of the house adjacent to the boundary together with a significant reduction in eaves level has resulted in a relationship that demonstrably would not be harmful when seen from within the conservatory. The adjacent garden area would be affected, but no more than the remainder of the garden is presently affected by the preserved oak within the garden. On balance, therefore, it is concluded the degree of impact the house would be likely to have on the garden of 4 Catherine Close is not so harmful that it would amount to an excessive loss of amenity.

Trees and landscaping:

The Sycamore tree adjacent to the front of the site is not protected, but nonetheless, the proposal is not likely to impact on it. The oak tree at the rear of the garden that would continue to serve the host house is remote from the proposed house and therefore very unlikely to be affected by it. The oak trees in the gardens of 3 and 4 Catherine Close may be impacted by the proposals and the Tree and Landscape team were very concerned about the potential for the development to cause harm to the roots of that in the rear garden of 4 Catherine Close. As a consequence, the Applicant redesigned his proposal to ensure the development would not encroach into the root protection area of the tree other than where it is already affected by existing outbuildings. An arboricultural impact assessment demonstrating the feasibility of the amended proposal was submitted and assessed by the Tree and Landscape Team, who concluded the proposal was feasible and that it is therefore appropriate to deal with details of tree protection during construction by way of a planning condition. On that basis it is concluded the revised proposal makes proper provision for safeguarding adjacent preserved trees, particularly that at 4 Catherine Close.

Design:

The dwelling will introduce a 6m wide detached house into an area which is mainly characterised by semi-detached houses. However, the site has sufficient width to accommodate the house, which would be conventionally designed. The proposed house would be separated from the flank wall of the host house by 1.8m and, at the front elevation, would be set 1.1m from the site boundary. Furthermore, the house would have a hipped roof with a ridge 700mm lower than that of the host house and an eaves height 1.2m lower. The siting and design described above would

ensure a good visual gap would be maintained between the proposed and neighbouring houses, while its lower height compared to the host house would give it a noticeably subordinate appearance that is appropriate to its siting at the end of a cul-de-sac. A mix of facing materials, brick at ground floor and painted render at first floor, together with simple domestic proportions, would serve to somewhat break up its visual bulk, while ensuring a harmonious, unfussy appearance.

On the matter of design, it is concluded the proposal would complement the existing pattern of development and therefore respect the character and appearance of the locality.

Other matters:

Objectors raise a number of matters, most of which are addressed above. However, the following areas of concern merit further clarification, as does the matter of flood risk.

Parking:

Parking standards require the provision of 2 parking spaces for each house. No additional spaces are required. The proposal achieves compliance with the standards. An extended vehicle crossover to serve the host house would not result in a meaningful reduction in the availability of on-street parking spaces. The increased demand for parking will therefore be met on site without any excessively harmful consequence.

Private amenity space:

The proposal would result in a reduction in the garden area for the new house, but the remaining garden area available to it would substantially exceed Council standards. The private garden for the proposed house is also compliant with Council standards.

Development in gardens:

National planning policy makes clear that residential gardens are not previously developed land. However, it does not go so far as to say that such land should not be developed. It does seek to deliver a wide choice of high quality homes and places emphasis on achieving good design. This proposal would achieve an additional dwelling in an urban area that is well designed in terms of its siting and relationship to neighbouring houses and land. It would therefore be very difficult to make a reasonable argument that the principle of developing a house on the application site is not policy compliant. Indeed, the proposal is considered to be a sustainable form of development that achieves an appropriate balance between making good use of urban land while respecting the character of the locality and safeguarding the living conditions of neighbours.

Flood Risk:

The rear garden area of the proposed house is within Flood Risk Zone 2, however, the proposed house is set outside of it. Moreover, existing outbuildings in that Zone would be demolished as part of this proposal. The proposal is considered to be neutral in terms of consequence for flood risk but on the advice of the Council's Land Drainage Team, it is considered necessary to include a condition dealing with drainage in any consent granted.

Conclusion

The development, as amended, overcomes the reason for refusing application EPF/1542/15 and would achieve an additional house in an urban area without causing excessive harm. Accordingly, the proposal is considered acceptable 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**

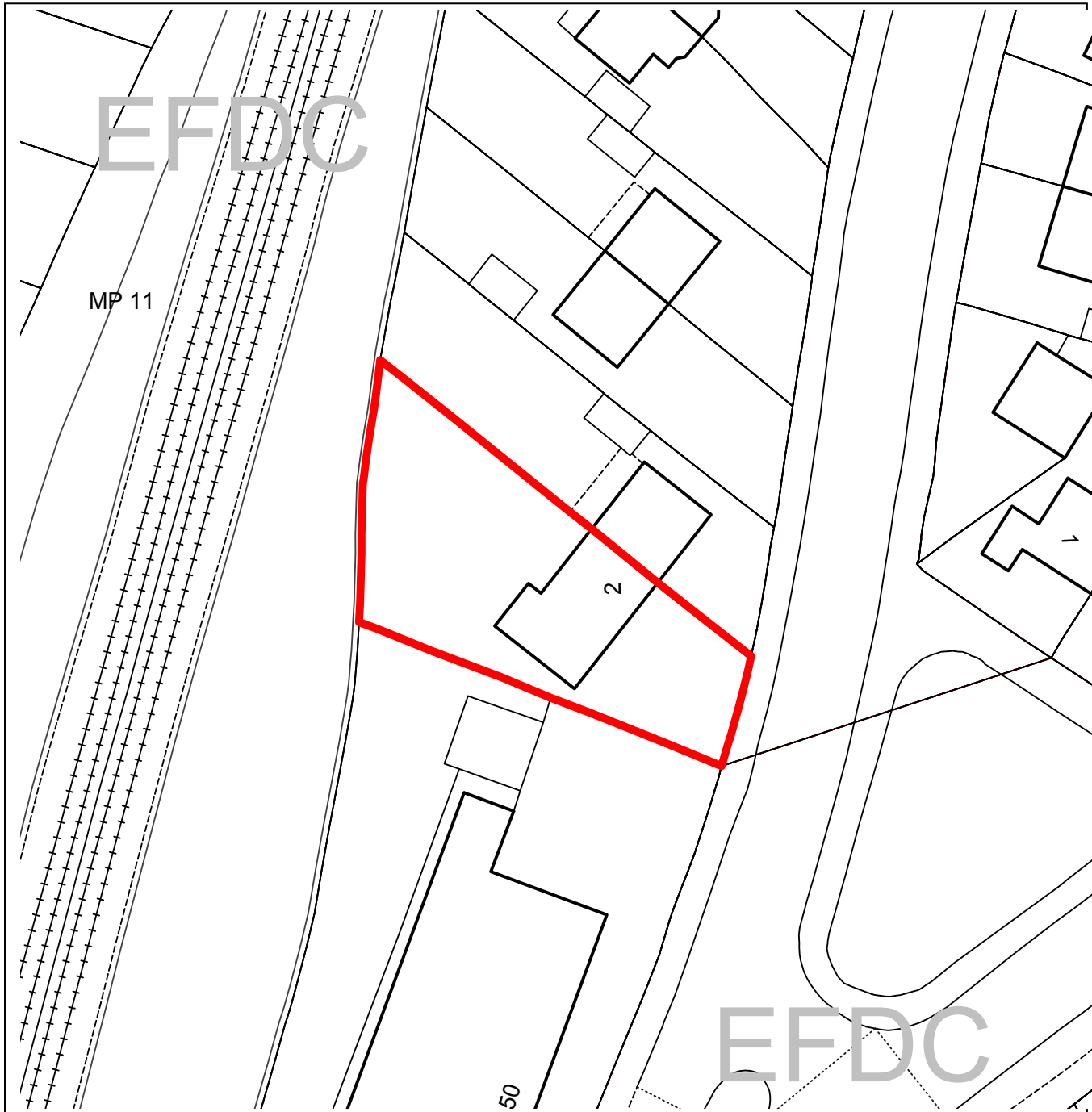
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Epping Forest District Council

Agenda Item Number 5



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Application Number:	EPF/1128/16
Site Name:	2 Roding View Buckhurst Hill Essex IG9 6AQ
Scale of Plot:	1:500

Report Item No: 5

APPLICATION No:	EPF/1128/16
SITE ADDRESS:	2 Roding View Buckhurst Hill Essex IG9 6AQ
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill East
APPLICANT:	Mr Mandeep Shukla
DESCRIPTION OF PROPOSAL:	Two storey side and rear extension. Single storey rear extension. Internal modifications to existing ground floor dental and residential flat above. New Part M compliant accessible ramp and lobby 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=584259

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 single storey rear 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 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.
- 4 No development shall take place until details of surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 5 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:

Two storey semi-detached house; located on the eastern side of Roding View in Buckhurst Hill. The ground floor of the property is in use as a Dental Surgery and the first floor as self-contained flats. Adjoining the site to the south is Buckhurst Hill Parish property, called "Woollard Centre" together with parking area abutting the application site. The attached property is on a much higher ground level than the application property. The application site is boarded by a railway line at rear. The properties to the north of the application site are retracted back from the front wall of the application building and do not have a well-established front building line. The site is not within a conservation area nor listed.

Description of Proposal:

Two storey side and rear extension. Single storey rear extension. Internal modifications to existing ground floor dental and residential flat above. New Part M compliant accessible ramp and lobby to front entrance.

Details:

It should be noted from the outset that, the whole development has been designed to wraparound each element in that, the two storey side element would wraparound the two storey rear element and links with the single storey rear element.

The two storey side is set in by 0.9m from the plot boundary. It projects from the side wall of the original house by 1.75m towards the front elevation but widens the further back it gets. The depth would be 12.65m (from front to rear along southern common boundary). The height would be 7.5m with a large pitched roof that slopes on all sides, and disjointed from the ridge of the main house. The two storey rear element would wraparound the two storey side element and this would be 6m in width, and 8.55m in depth from the rear wall of the main house, of which 3.6m of this, would be projecting beyond the proposed single storey rear element.

The single storey rear element would be linked to the two storey rear element and this would be sited along the northern common boundary with the attached property, which also has a single storey rear extension of about 5m deep. The proposed single storey rear element would be 5.2m in depth, and 2.7m in height with a flat roof and a roof lantern.

Two ponds are also proposed immediately beyond the single storey rear element and these would be on the either side of the proposed access or broad-working area/path that would be leading to the rear garden area.

The new accessible ramp is also proposed and this situated to the front of the property in close proximity to the southern plot boundary. It would have a metal rail/balustrade on the side. It would be set back from the main road by more than 5m.

Further alterations to the front elevation are also proposed and these would include: demolition of existing front porch and construction of a new flat roofed canopy across the full width of the front part of the main house with new writing on it, which reads "MI dental care". New steps leading to main entrance are also proposed and these would be fitted with new balustrades/metal railings either side, or then across the front with some glazed elements as seen from submitted drawing no. Te0297.SL05.

Site History:

EPF/0995/77: Two-storey side extension –refused17/10/1977.

EPF/1363/77: Erection of a two storey flank extension –approved28/12/1977.

EPF/0658/83: Use of ground floor as dental surgery and first floor as self-contained flat – approved/conditions25/07/1983.

EPF/0556/80: Single storey side extension and new roof to garage – approved/conditons02/05/1980.

Policies Applied

CP2 – Protecting the quality of the built and rural environment.

DBE1 – Design of new buildings.

DBE2 – Effects upon adjoining amenities.

DBE8 – Private Amenity Space.

DBE9 – Loss of amenity.

National Planning Policy Framework (NPPF) 2012.

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

Consultation Carried Out and Summary of Representations Received

Date of site visit: 26/05/2016

Number of neighbours consulted: 5

Site notice posted: Yes.

Responses received: No objection was received from neighbours.

Buckhurst Hill Parish Council: Objected to this application on the grounds of overdevelopment of site and loss of amenities of neighbouring properties.

London Underground: No objection to this application.

Land Drainage: No objection to planning application in principle, subject to a condition requiring approval of surface water drainage details by the Local Planning Authority prior to development commencing.

Main Issues and Considerations:

The main issues for consideration in this case are:

- Design.
- Living Conditions of neighbouring properties.
- Amenities of Occupants of First Floor Flat within the Property.
- Parking/Public Highway and Pedestrian Safety.
- Drainage:

Design:

- This application follows on from the paid pre-planning advice and the development now proposed is similar to the one which was agreed under that service.

- The proposals would adopt a modern design approach which is considered acceptable having to the existing use of the premises at ground floor as a dental surgery.
- The proposals, particularly the two storey side/rear elements would appear as large additions, but they have been design to be sympathetically subservient and not to dominate the existing house or the application site. Their position, siting, setting and setback from the main road, from side boundary and from the front elevation wall of the main house would make this scheme subordinate and a complementary to existing property.
- In addition, it should be noted that the application property is situated at a much lower ground level, which would ensure the scale and massing of the resultant extensions would not substantially be greater than the scale and massing of the other buildings in the street, particularly to the south of the site where Buckhurst Hill Parish large property is situated.
- It is therefore considered that the proposals as whole, would improve the visual appearance of the site and that of the locality in which they form part of. They would have limited consequence to the character and appearance of the host property and the street scene, particularly in visual terms.

Impact on the Living Conditions of Neighbouring Occupiers:

- The attached property has a single storey rear extension of about 5m in depth and the proposed single storey rear element would not project beyond that existing extension to an extent that would significantly harm the living conditions of the occupiers of the attached neighbouring property.
- The two storey rear projection would have some glazed first floor flank windows, but these have been designed with due consideration to minimise excessive loss of privacy from overlooking into the rear garden area of the attached property 4 Roding View. In addition, there is some fencing along the dividing boundary of the attached property and the application site which conceals the rear garden area of the attached property so, views from those proposed first floor flank window of rear projection would be mainly onto the flat roof of existing single storey rear extension at the attached property.
- There are also first floor rear windows and rear dormer windows at this attached property which face directly onto the rear garden area. There may be some overbearing impact or loss of some outlook from those windows caused by the two storey rear projection, but this is not considered to be excessive to an extent that would warrant the refusal of the application on these grounds -having regard to position and substantial distance of these windows from the development. Also no significant loss of privacy from overlooking into these rear windows is expected from the proposed development.
- Furthermore, neighbouring property no.6 Roding View -to the northern end of the application site, has a first floor flank window facing directly into the proposed development. However, this is located approximately 22m away from the development. This distance is considered substantial enough not to cause significant overbearing impact of the two storey rear projection or excessive loss of outlook from that first floor flank elevation window.
- Adjoining the site to the south, is Buckhurst Hill Parish property, called "Woollard Centre and used for hire services" together with parking area and other scattered lower flat roofed buildings abutting the application site. The Woollard Centre provides halls and meeting rooms for hire. The proposed development as whole would not have any consequence to the living conditions of anybody there.

-

Amenities of Occupants of First Floor Flat within the Property:

- There is one self-contained flat on first floor of the application building, which has two windows on first floor rear elevation. The window next to the two storey projection is serving a non-habitable room and the other second window is serving a habitable room but it is situated towards the common boundary with attached property, about 2m away from the two storey rear projection. There may be some overbearing impact and loss of outlook to these windows, particularly the window serving a habitable, but the impact is mitigated by the position and distance of that window from the two storey rear projection. In addition, this habitable window, would still be receiving adequate amount of daylight from the northern part of site, which also affords it significant level of outlook. The impact of the two storey rear projection in terms of overbearing, loss of light and outlook or privacy is there considered acceptable to the occupiers of first floor flat within the application building.

Parking/Public Highway and Pedestrian Safety:

- Two parking places would be provided within the front driveway of the application site and the alterations to the front part of the building would not disrupt the current and proposed parking arrangement within this site. The proposals are also not expected to result in on street parking to the detriment of public highway and pedestrian safety. The proposals are acceptable on these grounds.

Drainage:

The Council's Drainage team was consulted on this application and have commented as follows; that the applicant is proposing to dispose of surface water by main sewer. The opportunity of new development should be taken to further reduce the runoff entering the main sewer by incorporating sustainable drainage systems in to the drainage design which include techniques such as green roofs, rainwater harvesting and permeable paving and these should have been given strong consideration in design process. The applicant has not submitted surfaces drainage details with this application as such, further details are required to that effect. The drainage system has asked that a condition be attached to the application requiring approval of surface water details by the Local Planning Authority prior to development commencing.

Discussion of Objections From the Parish Council:

Buckhurst Hill Parish Council has objected to this application on the grounds of overdevelopment of site and loss of amenities of neighbouring properties.

In response to the issues relating to the loss of amenities of neighbouring properties, this has been address extensively in the body of this report.

In response to the issue relating to overdevelopment of the site, as calculated from the submitted block plan, the existing undeveloped area within the curtilage of the site is approximately 395m², and the footprint of the proposed development as a whole would be approximately 99.46m². As such, 295.54m² of undeveloped area of land would still be left on the site, of which the rear garden area would be 67.85m² area, to be used by the occupiers of one unit of self contained flat at first floor -as a private amenity.

Policy DBE8 states that, communal areas for flats should allow at least 25m² and that this should be at the rear, be easily accessible, receive reasonable sunlight/light, be of a shape and size that enables a reasonable use, not have an excessive slope, and should achieve privacy on a continued basis. The remaining part of the rear garden area for use as private amenity space meets all the requirements of Policy DBE8. In addition, the proposed development, particularly the

two storey side/rear elements would be set back from the front wall of the main house, and from all site boundaries, as such, they would all not result in a cramped form of development of this site. The proposals as a whole are therefore not considered to result in overdevelopment of the site.

Conclusion

The concerns of the Parish Council been generally addressed in the body of this report. The design of the proposed development as whole is considered complementary. The location of the site, the positioning of different elements of the scheme and the use of external materials, would ensure no significant impact would be caused to the character and appearance of the host property, street scene and the locality, including to the living conditions/amenities of neighbouring occupiers or occupants of first floor flat within the application building, public highway and pedestrian safety. The proposals are considered to be compliant with the provisions set-out within the aforementioned policies of the adopted Local Plan (1998) and Alterations (2006) and National Guidance in the NPPF. Accordingly, approval is recommended for this application with conditions.

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

Planning Application Case Officer: Moses Ekole

Direct Line Telephone Number: 01992 56 4109

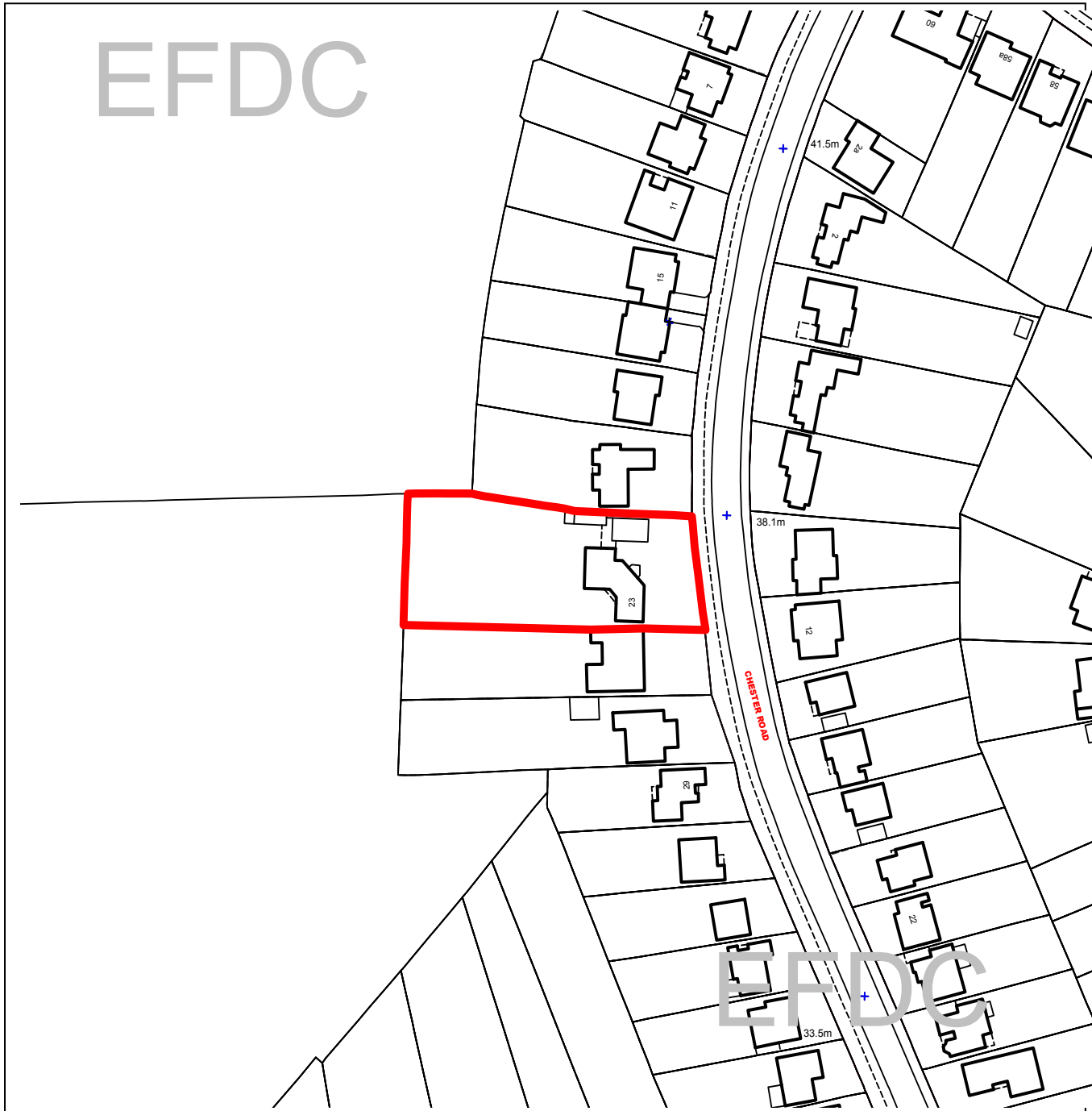
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Epping Forest District Council

Agenda Item Number 6



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Application Number:	EPF/1184/16
Site Name:	23 Chester Road Chigwell Essex IG7 6AH
Scale of Plot:	1:1250

Report Item No: 6

APPLICATION No:	EPF/1184/16
SITE ADDRESS:	23 Chester Road Chigwell Essex IG7 6AH
PARISH:	Chigwell
WARD:	Chigwell Village
APPLICANT:	Mr Sadi Zeki
DESCRIPTION OF PROPOSAL:	First floor side extension, conversion of garage roof to habitable space with a dormer, a gable end feature to main roof over the entrance, dormers to the main roof, a covered patio area along with new window positions, and removal of the front chimney.
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=584364

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 Privacy screens shall be fitted to the sides of the proposed rear second floor balcony in accordance with details to be submitted and approved before works commence on construction of this balcony. Once approved these details shall be implemented in full on site.
- 4 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

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

Description of Site:

A detached two storey house on a wide plot on the west side of Chester Road. The property is not listed nor does it lie within a conservation area.

Description of Proposal:

First floor side extension, conversion of garage roof to habitable space with a dormer, provision of gable end feature over the entrance, dormers to the rear roof, a covered patio at the rear, along with new window positions, and removal of front chimney.

Relevant History:

EPF/1420/12 gave approval to a two storey infill extension with first floor extension, single storey rear extensions, and modification to existing roof with front and rear dormers. This consent has been implemented.

Policies Applied:

DBE9 – Loss of amenity.
DBE10 – Residential extensions.

National Planning Policy Framework

Summary of Representations:

CHIGWELL PARISH COUNCIL – object because the gable end side extension would be too close to the existing site boundary. Additionally, the absence of a detailed block plan and street scenes, which is required to determine distances between neighbouring properties, is intolerable.

NEIGHBOURS - 5 consulted and no replies received.

Issues and Considerations:

This large house, which in part has an angled or splayed front elevation, and contains accommodation at second floor level, sits mostly in the middle of the plot and towards the neighbouring house to the south i.e. no.25 Chester Road. However it does have a recessed mainly single storey side wing which extends to a point 1m away from the boundary with the property to the north i.e. no 21. The main element of this application is to erect a first floor and part second floor extension over a 6m depth section of this side wing. The 1m distance to the side boundary would be retained and this first and second floor extension lies in a recessed position relative to much of the house. The raised section of this wing would have a height of 4.8m to eaves and 8.2m to the ridge. Given its relatively shallow depth, its recessed position, retention of the 1m gap, and its position on land lower than no.21, the proposed extension will not have an overbearing relationship with no.21, and it would also have an acceptable appearance in the street scene.

In view of the Parish Councils concerns amended plans have been received showing a revised block plan and a street scene. This street scene shows the new house which is currently being erected at 21, Chester Road, and this new house would have a 2 storey flank of some 13m in depth positioned between 1 and 2m from the side boundary, In this context the proposed 6m depth of the first floor and part second floor extension to no.23 is modest in scale, and will have a limited impact.

Other alterations proposed are a side inward facing dormer to facilitate conversion of the roof space above the garage, a covered patio area at the rear, a gabled roof feature at second floor level above the front entrance, provision of two additional second floor rear dormers, replacement of existing rear dormers with a one larger inverted or recessed dormer, and provision of a small second floor rear balcony. These alterations have an acceptable design and appearance, and would have a limited effect on the amenity of neighbours. The proposed balcony will be positioned

well behind the rear section of the neighbouring 25, and will not give rise to sideways overlooking - and loss of privacy will also be reduced by the width of these plots and mature landscaping. However a planning condition will require that the sides of this balcony be fitted with privacy screens.

Conclusions:

For the reasons set out above it is recommended that planning permission be granted subject to conditions.

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

***Planning Application Case Officer: 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 7



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Application Number:	EPF/1245/16
Site Name:	188-194 High Road Loughton Essex IG10 1DN
Scale of Plot:	1:500

Report Item No:7

APPLICATION No:	EPF/1245/16
SITE ADDRESS:	188-194 High Road Loughton Essex IG10 1DN
PARISH:	Loughton
WARD:	Loughton St Marys
APPLICANT:	Mountcharm Group
DESCRIPTION OF PROPOSAL:	Change of use of the upper floors of 188-194 High Road, Loughton from office (Use Class B1(a)) to residential (Use Class C3), including an extension of the building at the rear and a setback storey on the roof to provide a total of 14 no. 2 bed residential units with an extended commercial floorspace at ground level
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=584493

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 Prior to the commencement of development, a full noise survey shall be carried out to establish which noise category the proposed flats fall into. A scheme for protecting the dwellings from noise shall be submitted to and agreed in writing by the Local Planning Authority for any dwelling that falls into NEC B and C, or bedrooms likely to be exposed to noise levels that do not meet the reasonable resting/sleeping conditions specified in British Standard BS8233: 1999 - Sound insulation and noise reduction for buildings - code of practice. The approved works shall be implemented before occupation of the building.
- 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 Notwithstanding the details shown on the approved plans, prior to the commencement of development details of the refuse and recycling storage area incorporating separate refuse and recycling for residential and commercial uses shall be submitted to and approved by the local planning authority. The works as agreed shall be fully implemented and available for use prior to first occupation of any residential unit within the development.

- 5 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed at the site. The installed cleaning facilities shall be used to clean vehicles wheels immediately before leaving the site.
- 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 Prior to the first occupation of the development the vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The parking and turning areas shall be retained in perpetuity for their intended purpose.
- 8 Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator.
- 9 The cycle stores shown on the approved plan shall be fully installed prior to first occupation of the residential units hereby permitted and shall thereafter be made permanently available for use by occupants of the residential units.
- 10 There shall be no increase in the roof terraces at fourth floor level without prior consent from the local planning authority.

This application is before this Committee since it is an application for residential development consisting of 5 dwellings or more and is recommended for approval. In addition, the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)

Description of Site:

The application site comprises of a four storey building on west side of High Road with three ground floor shop units, all of which are currently vacant, and three floors of offices above. The upper floors, which are currently in use as offices, have self-contained access from the front with access to a rear parking area served off the same stair and lift core. This parking area comprises 19 -20 spaces at present with access from Clifton Road at the rear.

The site lies in the centre of the High Road shopping area. The adjoining building at 184 – 186 is a similar four storey building where upper floors have already been converted to residential accommodation; to the north properties comprise single storey commercial units. Clifton Road comprises residential units along the north side with various rear access to commercial units on High Road on the southern side.

Description of Proposal:

The application proposes extensions to the rear and at roof level and conversion of the upper floors into 14 x 2 bedroom flats. The main extension at the rear would project beyond the existing rear wall by around 7.5 metres at the upper floors with a further projection at ground floor only

An additional floor is proposed located centrally over the whole building, set back from the front and rear walls by 4.5 metres on each side and extending across almost the full width.

The residential conversion will provide 4 units on each of the first, second and third floors (2 on each facing High Road, 2 facing the rear) and two units within the roof extension) All units on floors 1 – 3 are provided with recessed terraces of around 4 sq.m, centrally placed at the rear and on the outer edges at first floor with the roof level having terraces extending across the full width on both frontages. A new lift is provided within the extension accessed from a communal lobby that includes lockers for 14 vertical cycle stands. A refuse enclosure is indicated at the rear and 17 parking spaces are indicated to be retained, including one to be adapted with transfer zones for wheelchair users.

The plan also indicates that the ground floor will be adapted to form a single shop unit, works that can be undertaken without planning permission

Relevant History:

EPF/0020/07 – conversion of upper floors into 14 flats refused, allowed on appeal

EPF/2409/10 – extension of time on above, approved

EPF/2398/15 – prior approval for conversion of upper floors into 12 flats, approved

EPF/1140/16 – change of use of ground floor from retail to restaurant, refused.

Policies Applied:

CP1	Achieving Sustainable Development Objectives
CP2	Quality of Rural and Built Environment
CP6	Achieving Sustainable Urban Development Patterns
CP9	Sustainable Transport
RP5a	Adverse Environmental Impacts
DBE1	Design of new buildings
DBE2	Effect on neighbouring properties
DBE9	Loss of Amenity
ST4	Road safety
ST6	Vehicle parking

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

Consultation Carried Out and Summary of Representations Received

Date of site visit: 10 June 2016

Number of neighbours consulted: Forty

Site notice posted: 27 May 2016

Responses received: Two responses have been received, from 15 Clifton Avenue and from Loughton Residents Association Plans Group. The resident is concerned that on-street parking for existing residents in Clifton Road is not affected. The resident states that this was protected when

the adjoining site was converted, but officers have not found any specific conditions relating to this on the relevant permission document.

The LRA consider the additional floor to be out of keeping and a dangerous precedent which is significantly higher than existing, emphasised by the neighbouring property being single storey. They note a fifth storey allowed on appeal at 165 High Road but argue this was materially different as the adjoining building was of similar height.

Parish Council: Loughton Town Council objected to this application as the addition of a fifth storey was considered too high and overbearing on the street scene and would set a precedent in this section of the High Road.

Main Issues and Considerations:

In considering this application, Members should have regard to the previous approval for the conversion of the upper floors into 14 units and the recent prior approval for conversion into 12 units. Both clearly establish the principle of residential use and point to the level of development which is appropriate.

Consideration should also be given to the additional height of the building in the context of the town centre location. National and local policy is clear that in such locations higher density development should be encouraged in order to relieve pressure on more sensitive locations. Development of this type can only be delivered either by increased built footprint or by increased building height.

Viewing the additional floor in this context, it is noted that building heights in the town centre vary considerably. The upper storey lies in the centre of the building, set well back from the front and rear and set off both flank walls by a lesser amount. From the front, users of the High Street are unlikely to see the extension at all, while views of the side elevation from the north where the immediate adjoining buildings are single storey will be of a structure set comfortably within the parameters of the whole building. Officers consider this to be neither intrusive nor inappropriate in the overall local context.

The rear extensions appear generally appropriate in scale and have limited amenity implications. The adjoining four storey building has a projecting stair core abutting the boundary such that the extensions only around 3 metres beyond the rear wall of this. Residential properties to the rear in Clifton Road will lie at least 30 metres from the building and will not be affected in terms of overshadowing or overlooking, even taking account of the provision of balconies on the rear elevation.

The scheme incorporates refuse storage facilities for residential and commercial waste which is of acceptable size although a condition is required to ensure the required provision for recycling and residual storage. Parking for 17 vehicles is acceptable to the Highway authority and represents a high provision in a location with good public transport accessibility, and rear servicing for the ground floor can also be maintained.

Conclusion:

The proposal represents an appropriate level of development at a site within the town centre. The additional floor has been carefully designed to minimise potential visual impact on surrounding properties and the general street scene and in the specific context of the site is considered acceptable.

Despite the mass of the rear extension, the siting is such that there is no significant impact on surrounding residents. Suitable provision has also been made within the site for vehicle parking, servicing and refuse storage.

Overall therefore, the development is considered to adhere to national and local planning policy to promote development in sustainable locations. Conditions are recommended, consistent with previous approvals for residential conversions of this and the adjoining site and to reflect comments from statutory consultees.

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

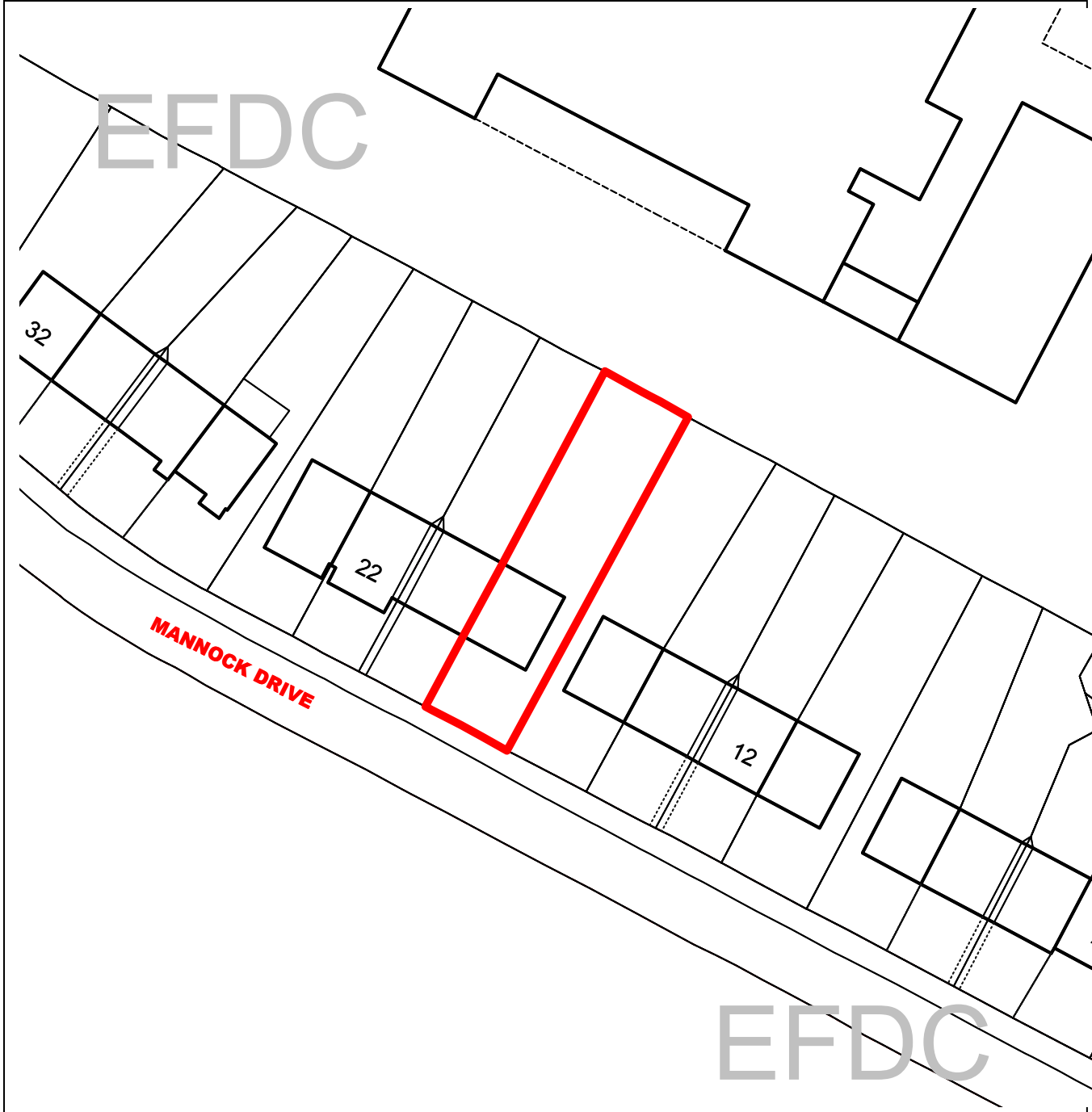
***Planning Application Case Officer: Ian Ansell
Direct Line Telephone Number: 01992 564481***

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



Epping Forest District Council

Agenda Item Number 8



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Application Number:	EPF/1355/16
Site Name:	18 Mannock Drive Loughton Essex IG10 2JA
Scale of Plot:	1:500

Report Item No: 8

APPLICATION No:	EPF/1355/16
SITE ADDRESS:	18 Mannock Drive Loughton Essex IG10 2JA
PARISH:	Loughton
WARD:	Loughton Broadway
APPLICANT:	Mr Dimitar Grablev
DESCRIPTION OF PROPOSAL:	Erection of part single, part two-storey rear extension and erection of dormer window to rear roof slope.
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=584778

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 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: DIM/1; DIM/2; DIM/3A; DIM/5A; DIM/7A; DIM/10B; DIM/11B; Location Plan 1:1250 and Proposed Block Plan 1:500.

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:

Two-storey end of terrace house. Located on the northern side of Mannock Drive, in Loughton. There is a separation gap of more than 3.8m between the site and adjoining neighbour no.20 Mannock Drive, and the application property is on a higher ground level than this neighbouring property. There is about 1.8m height timber fence at the dividing boundary between the site and no.16 Mannock Drive. The surrounding area consists of similar housing types some of which have rear extensions. The site is not in a conservation area and the property is not listed.

Description of Proposal:

Erection of part single, part two-storey rear extension and erection of dormer window to rear roof slope.

Details and Dimensions:

- Part Single Rear Element:
 - Depth: 5m.
 - Width: 5.9m (Covering full width of the original house).
 - Height: 3.2m from ground level to the top of the side parapet wall.
 - Flat roof.

- Part Two Storey Rear Element:
 - It would be on top of part single rear element.
 - Depth: 3m.
 - Height: 6.2m from ground floor level to very top of the rear gable feature.
 - Width: 3.98m.
 - It would be set in by 2m at first floor level from the rear elevation.
 - It would also be set in by 1.9m at first floor level from the side boundary with 16 Mannock Drive.
 - It would have a pitched roof with a gable end feature facing the rear garden area.

- Rear Dormer Window:
 - Depth: 2.95m.
 - Height: 2.2m.
 - Width: 5.4m.
 - Flat roof.

Relevant Site History:

EPF/0407/03: Single storey front extension –Approved/Conditions 30/04/2003.

EPF/0854/16: Certificate of lawful development for roof extension including 1 no. rear dormer window and 2 no. front facing roof lights to facilitate a loft conversion –Lawful 23/05/2016.

EPF/0855/16: Prior approval application for a proposed 5m deep single storey rear extension, height to eaves 2.9m and maximum height of 2.9m -Prior Approval Not Required 06/05/2016.

Policies Applied:

CP2	Protecting the quality of the built environment
DBE 9	Loss of amenity
DBE10	Residential Extensions

The National Planning Policy Framework (NPPF) 2012.

The (NPPF) was published on 27 March 2012. Paragraph 214 states that due weight should be given to the relevant policies in existing plans according to the degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

Consultation Carried Out and Summary of Representations Received

Date of site visit: 11/07/2016

Number of neighbours consulted: 3

Site notice posted: No, not required

Responses received: No response received from neighbours.

Loughton Town Council: The Committee OBJECTED to this application, which was considered overbearing on neighbours and overdevelopment of the site. The Parish Council also commented that there appeared to be a small side window fitted with obscured glass that extended along from bedroom 3 on flank wall shown in drawing number DIM11A, which was not included on an elevation plan.

Main Issues and Considerations:

The main issues in this case are:

- Design.
- Living Conditions.

Design:

- The proposed development would be restricted at the rear of the application building and would not be visible from any main street.
- The design of particularly part two storey rear element refers to the style of the existing house and the scheme as a whole respects the site and the surrounding area in terms of size, scale, massing, layout and siting. In addition, their subordinate nature as a whole would mitigate any concerns for dominance appearance in this rear part of the application site.
- The proposals would therefore be appropriate additions that would not harm the character and appearance of the existing building, street scene and general locality.

Living Conditions:

- The scheme has been revised to address the concerns of the local planning authority. The part two storey rear element would be set in by 1.95m at first floor level, from the common boundary with adjoining neighbouring property 16 Mannock Drive. No.16 Mannock Drive has a patio door abutting the dividing boundary with the application site. There is also a window on ground and first floor at the rear elevation of this neighbouring property. However, the proposal, particularly the two storey rear element comfortably passed a 45⁰ test, when measured from the middle of any of those fenestrations at 90⁰ angles. The proposed scheme would therefore have an acceptable impact on the living conditions of the occupiers of no.16 Mannock Drive in terms of overbearing, loss of light and loss of outlook.
- On the other hand, the proposed development as a whole is set in by more than 1.85m from the plot boundary with adjoining neighbour 20 Mannock Drive. This neighbouring property is set away from the common boundary with the application site by more than 2m. In total, the separation gap between the application site and 20 Mannock Drive is in the region of 3.8m. That separation distance is considered to be substantial enough to mitigate any concerns for any overbearing impact from the proposed development to the detriment of the living conditions no. 20 Mannock Drive.
- In terms of potential loss of privacy, the part single rear element would have a window

serving a kitchen at ground floor, and the part two storey rear element would also have a bath room window at first floor –all of which would be on flank elevation facing no. 20 Mannock Drive. However, the scheme as a whole would be sited away from the common boundary with no. 20 Mannock Drive, and the flank kitchen window would be concealed by existing 1.8m high timber fencing along the dividing boundary with 20 Mannock Drive. In addition, the bathroom (non-habitable) window would be fitted with obscured glass, which together with the separation gap of more than 3.8m would ensure no significant harm would be caused to the living conditions of no. 20 Mannock Drive in terms of loss of privacy from overlooking into their patio or rear garden area.

- The proposals would not have any impact on the residential amenities upon the occupiers of those properties beyond the rear boundaries of the application site. It is concluded that, the proposed scheme as a whole would have an acceptable impact on the living conditions of any neighbouring occupiers in terms of potential loss of privacy from overlooking, overbearing, loss of outlook, loss of light and increased sense of enclosure.

Other Considerations and Comments from the Parish Council:

a. Fall Back Position:

The rear dormer window was found to be lawful under application reference EPF/0854/16 and a deep rear extension of 5m also found not to require the prior approval of the Local Planning Authority under prior approval notification scheme (reference: EPF/0855/16). It should therefore be noted that, these two elements of the proposal could be implement without a need for further planning permission and they are therefore a strong fall back position for the applicant should this current application be refused planning permission.

b. Parish Comments:

The Parish Council objected on the application on two main accounts, one of which was that the proposals would be overbearing on neighbours, and the other was that the proposals would result in overdevelopment of the site. The Parish Council also made some comment in regards to the window on first floor flank elevation shown on drawing no.DIM11A (superseded by DIM11B), which they said it was not included on an elevation plan

Regarding an overbearing impact of the proposed development on neighbouring occupiers, this concern has been addressed in detail in the body of this report.

Regarding over development of the site, the foot print of the original house is 46.91m². The depth of the rear garden when measured from the rear wall of the original house to the rear boundary is 19m and the plot width is 8m, giving a total rear garden area of 152m². The proposed development would occupy 39.3m² of the total rear garden area, which is less than the footprint of the original house. The proposals would also not occupy half the total area of the rear garden. It should also be noted, should this current application be refused planning permission and the applicant goes a head to implement the other 5m deep single storey rear extension which was gained via prior approval notification scheme, the footprint it would occupy would be exactly the same as the footprint that would be occupied by the scheme proposed under this current application. Based on these facts, it is concluded that the proposed development as a whole would not result in overdevelopment of the application site and the Local Planning Authority could not justify refusing the application on these grounds.

Regarding the comment about the window on first floor flank elevation, the submitted drawings, which were subsequently revised, are considered to be consistent and legible, in that the window question is clearly shown on both first floor plan and flank elevation plans, and this window would be serving a bathroom, and would be fitted with obscured glass.

Conclusions:

The revised proposal is now considered acceptable in design terms as it complies with the provisions set-out within the aforementioned policies of the adopted local plan and alterations and national guidance. Accordingly, it is recommended that planning permission be granted to this application with conditions.

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

Planning Application Case Officer: Moses Ekole

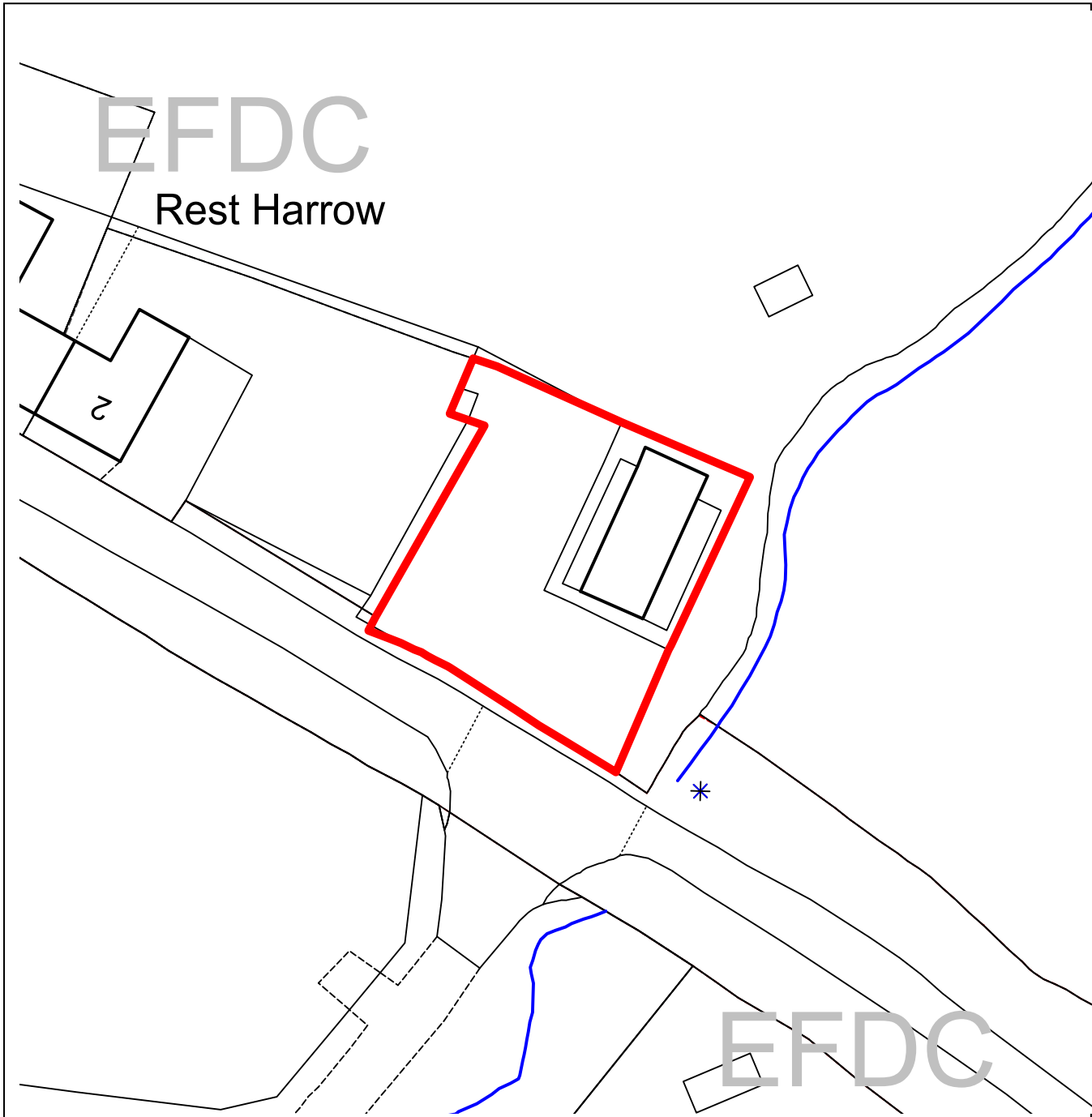
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Agenda Item Number 9



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Application Number:	EPF/1380/16
Site Name:	Millers Lodge Millers Lane Chigwell, Essex IG7 6DG
Scale of Plot:	1:500

Report Item No: 9

APPLICATION No:	EPF/1380/16
SITE ADDRESS:	Millers Lodge Millers Lane Chigwell Essex IG7 6DG
PARISH:	Chigwell
WARD:	Chigwell Row
APPLICANT:	Mr Mark Yallop
DESCRIPTION OF PROPOSAL:	Removal of metal railings and retention of front boundary wall as built.
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=584816

CONDITIONS

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

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

Description of Site:

The proposal site comprises a large recently built detached house and curtilage on the north eastern side of Millers Lane. Apart from large residential properties within a generous curtilage to the south and western side of Millers Lane the proposal is predominately surrounded by green fields.

The property opposite the site has a low level set back 3 bar wooden fence close to the front boundary of the site and further set back and angled perpendicular to the front boundary is a low level brick wall with railings and brick piers. The entrance gate is constructed of black painted metal railings.

The site is located within land designated as Green Belt.

Description of Proposal:

Alterations to the existing boundary front boundary treatment including the removal of the existing piers and reducing the height of the wall to 0.85m and the piers to 1.1m

Relevant History:

Planning permission granted under reference EPF/0272/14 for the demolition of existing kennels and construction of a new two bedroom house and change of use of land to residential.

Planning permission was refused under reference EPF/0632/15 for a new front boundary wall and gates. It was subsequently also dismissed at appeal under reference APP/J1535/W/15/3067566.

A decision is currently pending under EPF/1473/16 for the erection of two rear dormers to the main house on the site and the demolition and erection of an outbuilding (retrospective application).

Policies Applied:

National Planning Policy Framework
National Planning Policy Guidance

Combined Policies of Epping Forest District Local Plan (1998) and alterations (2006). Published in February 2008 (Local Plan)

CP2 – Protecting the quality of the rural and built environment

GB2A – Development in the Green Belt

DBE1- Design of new buildings

DBE9 – Loss of amenity

DBE10 – Residential extensions

Consultation Carried out and Representations Received

Chigwell Parish Council: Objects to the excessive height of the boundary wall.
2 Neighbours were consulted, however no responses were received.

Main Issues and Considerations:

Permission is sought for the replacement of the existing wall, piers and railings with reduced height wall and pier.

The key considerations for the determination of this application are:

Is the development appropriate for the Green Belt?

Impact on the rural character and openness of the Green Belt

Impact on neighbouring residential amenity.

Background

Planning permission was granted under EPF/272/14 for a new house, the approved plans included the gates as installed on the site. The gates therefore do not form part of this application.

Condition 3 of planning permission EPF/0272/14 required further details to be submitted in relation to the boundary treatment for the new dwelling. No details were ever submitted. Instead a boundary wall with railings and piers was constructed which had a maximum height of 1.8m. This construction resulted in an enforcement complaint under reference ENF/0447/14 and a

subsequent planning application being submitted under reference EPF/0632/15 for the retention of a newly built front boundary wall, piers railings and gate which was refused on the grounds that:-

By reason of its excessive height, bulk and scale in relation to the existing house on site and within the context of the locality, the wall and railings appear to have an unsympathetic and prominent appearance within the street scene. Consequently the development is contrary to policies DBE1 and DBE4 of the Adopted Local Plan and Alterations and with the objectives of the National Planning Policy Framework.

This application was then dismissed at appeal due to the Inspector finding that:-

“The bulk and height of the pillars result in the development appearing visually prominent. The gates add additional development within the Green Belt and introduce further urban form to the area which detracts from its openness.

...Furthermore due to the height, light colour form and materials of the development its visual appearance is starkly at odds with the boundary treatment more typical of the nearby area. The development appears as an alien feature which is very prominent, clearly visible from the road and which is unsympathetic to the rural area and street scene.”

The applicant has taken on board the Inspectors comments and as a result of Officer negotiations has made the following revisions to the originally refused scheme under EPF/0632/15:-

The railings are proposed to be removed;

The height of the wall is proposed to be reduced to 0.85m; and

The heights of the piers are proposed to be reduced to 1.1m.

Is the development appropriate for the Green Belt?

The National Planning Policy Framework states that the fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. There is a presumption against inappropriate development in the Green Belt and development should not be allowed except in very special circumstances.

Paragraph 89 of the Framework states that new buildings are inappropriate development subject to a number of exceptions. Paragraph 90 lists certain other forms of development that are not inappropriate provided they preserve the openness of the Green Belt. The proposed development does not fall within the forms of development listed in paragraph 90. It is therefore considered that whilst the proposal is inappropriate development within the Green Belt.

Character and openness

However the height of wall and piers is similar to national standards for front boundary means of enclosure as laid out by the General Permitted Development Order 2015. Permitted Development rights would generally apply to properties within the Green Belt.

The reduced height reflects the height of other boundary treatments in the area and allows views into the site.

The yellow brick is similar to the brick on the application building and whilst the boundary treatment retains the spherical stone caps and piers which do not reflect the character of boundary treatment in the surrounding area, It is considered that the reduced height of the boundary treatment; its appearance being softened by existing hedging behind it along with the age of the

application building, will result in the proposal having an overall neutral impact on the character and openness of the area.

Green Belt Balance

In summary the proposal would not fall within the list of the exceptions detailed in paragraphs 89 and 90 of the NPPF, however the principle of this proposal would be permitted by other legislation. It would also not have a significant detrimental impact on the character and openness of the proposal site and would be an improvement to the existing unauthorised and harmful 1.8m high piers and 1.6m brick wall and railings which currently exist in this location. It is for these reasons considered that the proposal will have a less than substantial impact on the character and openness of the Green Belt and therefore accords with the aims of chapter 9 of the NPPF and policy GB2A of the Local Plan.

Impact on neighbouring residential amenity

Neighbouring properties are sufficiently distant from the application site as to not be materially affected. The proposal therefore accords with policy DBE9 of the Local Plan.

Conclusion

The proposal will result in the removal of unauthorised wall and piers. The proposed replacement wall and piers will have a neutral impact on the character and openness of the Green Belt and will not unduly harm neighbouring residential amenity. It is therefore considered to be sustainable development which accords with national and local policy.

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

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

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