

## AREA PLANS SUB-COMMITTEE SOUTH

29 March 2017

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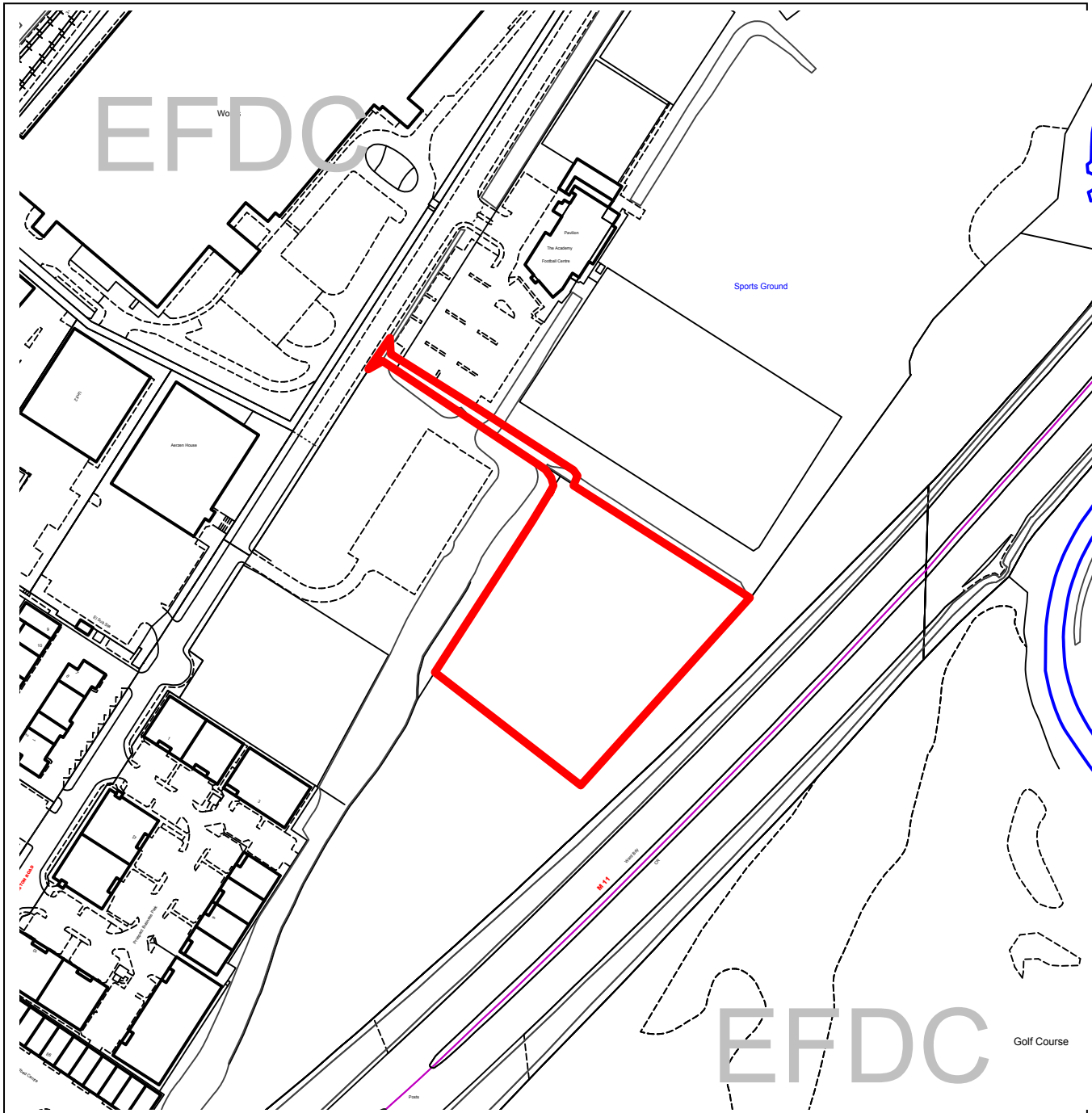
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# Epping Forest District Council

## Agenda Item Number 1



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Application Number:	EPF/1830/16
Site Name:	Rear of Alandale Scaffolding, Langston Road, Loughton, IG10 3TQ
Scale of Plot:	1/2500

**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/1830/16
<b>SITE ADDRESS:</b>	Rear of Alandale Scaffolding Langston Road Loughton Essex IG10 3TQ
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Broadway
<b>APPLICANT:</b>	Mr Maskell
<b>DESCRIPTION OF PROPOSAL:</b>	Construction of vehicular parking area and access road.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM\\_websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=585754](http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=585754)

**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: 6986-PL-100 Rev P5, 6986-PL-101 Rev P4 and 6986-PL-102 Rev P2.
- 3 Works to construct the car park hereby approved shall not be commenced until the approved access road to it from Langston Road is completed to road base with sufficient strength to support a vehicle weight of 32 tonnes, together with measures to control vehicle speed along the access road in the course of construction of the development.
- 4 Prior to the commencement of the development, details of the proposed access road in section, demonstrating its level in relation to adjacent land along its length, together with details of any retaining walls and grading of land between the access road and neighbouring land, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.
- 5 Prior to the commencement of the development, details of the means to limit the speed of vehicles using the car park and access road, including details of the layout of the car park and alignment of the access road, shall be submitted to and

approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details approved and the approved measures to limit vehicle speed shall be retained permanently unless otherwise agreed in writing by the Local Planning Authority.

- 6 No materials, including construction and waste materials, shall be deposited on land beyond the extent of the car park and access road shown on the approved plans.
- 7 Prior to the commencement of the development hereby approved, details of the layout of the car park, indicating a minimum parking bay size of 5.5m by 2.9m, together with details of pedestrian access between the car park and Langston Road, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details approved, with all parking spaces clearly marked out. Thereafter all parking spaces in the car park shall comply with the minimum parking bay size specified in this condition and the approved pedestrian access shall be retained permanently, unless otherwise agreed in writing by the Local Planning Authority.
- 8 Prior to the commencement of the development hereby approved, details of measures to ensure its security, including details of its lighting and means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter the approved security measures shall be retained permanently unless otherwise agreed in writing by the Local Planning Authority.
- 9 The development hereby approved shall be carried out and operated in accordance with the details of Flood Risk Assessment produced by EAS, dated January 2017 [JOB NUMBER: 866, DOCUMENT REF: Loughton M11 Land January 2017, REVISIONS: Final 2] unless otherwise agreed in writing by the Local Planning Authority.
- 10 Notwithstanding the details indicated in the Flood Risk Assessment produced by EAS, dated January 2017, no development shall take place until details of foul and surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 11 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 12 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been

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

- 13 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.
  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.
- 14 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]
- 15 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.

- 16 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.

*This application is before this Committee since it is an application that is considered by the Director of Governance as appropriate to be presented for a Committee decision (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)*

**Description of Site:**

Land between Alandale Scaffolding site and the M11 together with part of the former bank of England sports ground. The land is at lower level than Alandale Scaffolding and bounded by trees on the site boundaries with Alandale Scaffolding and the former sports ground. The site stops short of the boundary with the M11 and does not extend in a southerly direction any significant distance beyond the southern boundary of Alandale Scaffolding. The M11 is at higher level on an embankment.

The greater part of the site is outside of the Green Belt, the only part within it being a narrow strip on the previously developed part of the former sports ground. The Council's mapping system shows the greater part of the site is within Flood Zone 2, and adjacent land between the site and the M11 being within Flood Zone 3. The Flood Zone 3 land is shown to follow the length of a watercourse that feeds into the River Roding.

The site, together with land to the south is identified as Employment Land on the Local Plan Proposals map (Policy E7). Land levels have been raised across the E7 site without planning permission and those works are the subject of effective enforcement notices requiring the removal of the material. The notices have not been complied with and the Council has ceased action to secure compliance following legal advice in connection with an aborted prosecution of the land owner.

Presently the entire E7 site is landlocked and cannot be accessed directly off a highway.

**Description of Proposal:**

It is proposed to construct a car park on the greater part of the site and to erect an access road to it off Langston Road on that part of the site on the former Bank of England Sports Ground. The access road would primarily cross land that is presently used as a car park for the former sports ground, abutting its site boundary with land used as a scaffolding depot by Alandale Scaffolding.

A total of 200 parking spaces would be provided, including 12 disabled parking bays. The access road would be 6m wide and 100m in length, dropping in level to reflect changes in levels between the site and Langston Road. The application drawings show nearly all fill material previously



imported to the application site without permission would be removed and land at the southern boundary of the site would be contained by an 800mm high gabion retaining wall.

This application is reported to the Area Plans Sub-Committee because it has the potential to facilitate further development on neighbouring land and the merits of that together with those of the proposed development are finely balanced.

### **Relevant History:**

The planning history includes various applications, but none are relevant to this proposal. Only the previous enforcement action, referred to above is relevant, ref ENF/0085/08 in respect of the enforcement notices and ENF/0042/13 in respect of aborted action to secure compliance with the notices.

### **Policies Applied:**

#### *Adopted Local Plan:*

CP1	Achieving Sustainable Development Objectives
CP2	Protecting the Quality of the Rural and Built Environment
CP3	New Development
CP7	Urban Form and Quality
GB2A	Development in the Green Belt
E7	Sites for Business/Industry
RP3	Water Quality
RP4	Contaminated Land
U2A	Development in Flood Risk Areas
U2B	Flood Risk Assessment Zones
U3B	Sustainable Drainage Systems
DBE2	Effect on Neighbouring Properties
LL10	Adequacy of Provision for Landscape Retention
LL11	Landscaping Schemes
ST4	Road Safety
ST6	Vehicle Parking (together with 2009 Vehicle Parking Standards)

#### *NPPF:*

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

#### *Draft Local Plan:*

At the current time, only limited weight can be applied to the Draft Local Plan, however the Draft Plan and evidence base should be considered as a material consideration in planning decisions. The relevant policies in this case are as follows:

SP1	Presumption in Favour of Sustainable Development
SP5	Green Belt and District Open Land
SP6	Landscape Character, etc.
DM9	High Quality Design
DM15	Managing and reducing Flood Risk
DM16	Sustainable Drainage Systems
DM21	Land Contamination, etc.

The site is identified as part of an existing employment site, reference EMP-0004

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

Number of neighbours consulted: 20

Site notice posted: Yes

Responses received:

LOUGHTON TOWN COUNCIL: No objection to this application.

THE BANK OF ENGLAND, LANGSTON ROAD:

Objection raised on the following grounds:

1. Harm to the security of an extremely high-security site with the status of critical national infrastructure. Additional traffic movements would give rise to security concerns, which could require hostile vehicle mitigation measures and additional monitoring at the Bank of England works situated opposite the site entrance. Speed controls should be provided on the proposed access road in the event of planning permission being granted.
2. Insufficient information has been provided to adequately assess the highway implications of the proposal.
3. The Bank of England has a legal interest that affects the proposed access road and it is unclear what access rights exist over this part of Langston Road therefore it appears the development may be undeliverable.
4. The proposal is contrary to council objectives to reduce the need to travel and reduce reliance on the private car.
5. The site is not conveniently located to provide a useful parking facility for nearby businesses and may encourage further on street parking, which could affect the security of the bank of England works.
6. The proposal would harm the potential for the wider site to be developed for employment purposes.
7. An appropriate land ownership certificate was not served on the Bank of England. (*This matter was subsequently resolved by the Applicant*)

#### Essex County Council:

The Highway Authority raises no objection and makes the following comments:

From a highway and transportation perspective the Highway Authority has no comments to make on this proposal as it is not contrary to the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, and policies ST4 & ST6 of the Local Plan.

The traffic movements associated with the car park have been assessed as part of the junction improvements associated with the new retail park. Consequently there will be no detriment to highway safety, capacity or efficiency as a result of this proposal.

#### Highways England:

No objection is raised to the proposal in principle. However, the proposed car park is immediately adjacent to the M11 on the Strategic Road Network and Highways England therefore need to ensure that the design and construction of the proposed car park will not have a detrimental

impact on the integrity and maintenance of their assets. Consequently, Highways England recommend the imposition of standard conditions if the Council is minded to grant permission.

Environment Agency:

Objection initially raised, but subsequently removed. Details set out as follows:

Objection initially raised as the ground levels on the site had been raised without an Environment Agency permit, which was required due to the fact a large quantity of material had been deposited within Flood Zone 3a, effectively raising the ground levels above the flood level. This land raising had the potential to displace floodwaters and as a result increase flood risk elsewhere. The applicant subsequently removed some amounts of material from the section of the proposed car park site within the flood zone.

Although the ground levels have not been fully restored to the original levels, the EA is satisfied its concerns have been mitigated and that the flood risk as a result of the unconsented works is no longer of concern. The EA adds it therefore will not take any enforcement action on this site going forward.

The applicant has also submitted a revised Flood Risk Assessment (FRA), now assessing to the correct climate change allowances. The EA is generally satisfied with the contents of the FRA. The FRA states signs will be displayed within the proposed car park to notify users of the flood risk. The EA suggests that bollards are also used to keep any unstable cars contained within the car park in the case of an extreme worst case scenario flood event.

Land Drainage:

The Council's Land Drainage Team objects to the planning application on the grounds of unquantified impacts of flood risk off the application site which is therefore in contravention of Paragraph 103 of the NPPF. The Team advises the Environment Agency comments relate specifically to the application boundary of the site however (unlike the EA) it is required to consider the full impacts of the development both on and off of the site.

In order to potentially overcome this objection the Applicant must either remove the full extent of the imported material that exists within Flood Zone 2 on the application site or provide compensatory storage to mitigate. Conversely, if it can be shown by updated modelling that Flood Zone 2 is not compromised then this will suffice.

**Main Issues and Considerations:**

The main issues raised by this proposal are:

- The consequence for security for the Bank of England printing works.
- The consequence of the development for the development of the designated E7 employment site, approximately corresponding to Draft Local Plan employment site reference EMP-0004.
- The consequence of the proposed development for flood risk.

*Security:*

The Bank of England printing works is an extremely high security site with a status of critical national infrastructure. The consequence of the development for its security is therefore a material consideration of significant weight.

The printing works are a large facility that is situated directly opposite the proposed access to the application site. Its site boundary with Langston Road is enclosed by high security fencing and access to the printing works is off the north east end of Langston Road, well beyond the proposed access point to the application site off Langston Road. The nearest buildings at the printing works site are approximately 65m from the proposed access.

Presently, there are parking restrictions on the south east side of Langston Road, indicated by double yellow lines, between the access to Allandale Scaffolding and the access to the former Bank of England Sports Ground. Those access points are approximately 100m and 65m, respectively, from the proposed access point to the application site.

The Bank of England states the proposed access road to the application site would allow a vehicle to gather speed on it in an attempt to breach the security fencing enclosing the printing works. This raises serious safety and security concerns for the Bank, who states that should planning permission be granted, there would need to be speed controls along the access road.

Furthermore, the Bank of England states that, should the development be implemented, the associated increase in vehicle movements along this part of Langston Road is also a security concern. The Bank states that could require hostile vehicle mitigation measures and additional monitoring at its premises at its own cost.

In relation to the access road, the requirement for speed controls in the interest of security is considered necessary and reasonable. It would also serve a safety function. That can be secured by way of a planning condition.

The security implications of additional vehicle movements along Langston Road for the Bank of England printing works are recognised. It is also noted the Bank of England states that could lead to it having to incur costs to mitigate the additional risk. It is therefore concluded that the risk can be mitigated by the Bank if it decides such mitigation is necessary, but that would have an unspecified cost.

Costs for neighbouring landowners arising from development are normally treated as a private interest, and it is a well established principle that the planning system should only regulate development in order to serve the public interest. In this case the planning issue to assess is security, not costs for a neighbouring landowner. There is no information provided by the Bank of England to demonstrate the security issue arising from additional vehicle movements on this part of Langston Road could not be addressed at the Bank's premises. Indeed, the Bank's representation on this point appears tentative, maintaining only that it could require mitigation at its premises.

In the circumstances, it is concluded the additional traffic using this part of Langston Road does present a security consideration for the Bank of England, but there is no reason to suppose it could not be addressed by the Bank. The potential cost to the Bank is recognised, but that is not considered a reasonable ground for withholding consent. Since the matter of potential cost for the Bank is a private matter, there are also no grounds for seeking to mitigate that through the planning application, other than by applying reasonable conditions addressing security on any consent given, as indicated above.

#### *Employment policy:*

Policy E7 of the adopted Local Plan states the E7 site, which the application site forms part of, is allocated for business and/or general industrial use. The policy is compliant with paragraph 20 of the NPPF. Retaining it for the purposes stated is justified by the employment land review.

The Stage 2 employment land review assessment for the Draft Local Plan included the E7 site with the Alandale Scaffolding site, giving it reference SR-0279, found the site as a whole suitable for employment, but the value of its findings is compromised by treating two areas of land as one. The sites are in different ownership and physically they are at different levels, Alandale Scaffolding being level with Langston Road, and the E7 site at significantly lower level. A critical distinction is that while the Alandale Scaffolding part of SR-0279 is directly accessible off Langston Road, the E7 part of it is not. Presently it is landlocked and has been so at least since before the current Local Plan was adopted in 1998. That makes any policy objective for the development of the E7 site for employment purposes impossible to achieve without securing access to Langston Road, and such access can only be via neighbouring land.

Neighbouring land, aside from the former Bank of England Sports Ground site, across which access could potentially be achieved is realistically confined to the Langston Road Retail Park, presently under construction as The Epping Forest Retail Park, and the Alandale Scaffolding site. There is no indication that any scheme for accessing the E7 site from those neighbouring sites is likely to be proposed. The current proposal was agreed between the Applicant and the owner of the former Bank of England Sports Ground, Lycatel. The Bank of England advises it does retain an interest in a strip of land adjacent to Langston Road and therefore may have some independent control over whether the proposed access road could be implemented. In its representation the Bank says it intends to take separate legal advice on that matter.

The value of this proposal in planning policy terms, therefore, is that it could unlock the development potential of the whole E7 site. It is not clear whether the Bank of England could use its ownership of a strip of land to prevent the access being formed should planning permission be granted. However, that is a legal matter between the Applicant, the Bank and Lycatel which cannot be resolved through this planning application. If access cannot be achieved, then the development could not go ahead. However, the grant of a planning permission would establish the principle of accessing the site directly off Langston Road, and that would contribute towards realising the Council's policy objectives for the E7 site.

Weighed against that is the fact that the proposal only relates to part of the E7 site and the proposed development, a 200 space car park that would potentially serve neighbouring employment premises, is a very inefficient use of employment land. Were the site easily accessible off Langston Road, it is likely Officers would wish to resist the proposal on the basis that it undermines policy objectives to secure the development of the site for employment purposes.

However, since the site cannot be accessed from Langston Road, there is no prospect of it contributing to the Council's employment policy objectives until access is achieved. Should planning permission be granted for this proposal, subject to the resolution of any potential legal impediment by the Applicant, access would be achieved. In these circumstances, and since there has not been any better proposal for accessing the site in some 20 years, very significant weight is given to the potential for the proposed development to unlock the development potential of the site for employment purposes.

#### *Flood risk:*

The application site is almost entirely within Flood Risk Zone 2, with some of the northern and eastern edges of the site within Flood Risk Zone 3. Having regard to National Planning Practice Guidance, the proposed development of a car park, together with employment uses in general, is considered to be less vulnerable to flooding. The matter of flood risk has been examined by both the Environment Agency and the Council's Land Drainage Team, both of whom have considered the Applicant's submitted revised Flood Risk Assessment (FRA).

The background to this proposal is the Applicant previously imported demolition waste and spread it across the entire E7 site and land south east of the Langston Road Retail Park, presently under construction. That had the effect of raising land within Flood Zones 2 and 3. Planning Enforcement Action was taken in April 2011, in part because of the consequence of the unauthorised development for flood risk. A subsequent appeal dismissed. The deposit of the material was also without any licence from the Environment Agency. The requirements of the Council's enforcement notices included the removal of all material imported to the land and restoration of the site to its former level.

The requirements of the enforcement notices were not complied with and the Council sought to prosecute the landowner, the Applicant, for his failure to comply. However, legal advice to the Council was that a prosecution could not succeed and, instead, a Certificate of Caution was issued by the Council's solicitor and accepted by the Applicant on 7th November 2016. Similarly, the EA has also not prosecuted the Applicant for depositing waste without a licence.

In relation to this application, the EA advises the proposal is acceptable in terms of flood risk since imported material within Flood Zone 3 on the application site was removed. The Council's Land Drainage Team disagrees with that assessment, maintaining it does not take into account the effect of other material on the site within Flood Zone 2. Clearly, there is disagreement between two experts on the correct approach to take when assessing flood risk. It is not possible for Planning Officers to resolve that disagreement.

Looking at the context of the site, however, it is surrounded on three sides by imported waste material. Critically, legal advice to the Council is that a prosecution of the Applicant to secure removal of all of the material imported into the E7 site would be unsuccessful, and the EA states it will also not prosecute. Consequently, whether or not this application is approved, there is no realistic prospect of the imported waste material ever being removed from that site, particularly those parts of it within Flood Zone 2 which, while at medium probability of flooding, do not have a high probability of flooding and do not form part of the functional flood plain.

That context does not mean the issue of flood risk can be set aside. Rather, Officers accept they cannot resolve the difference of approach to the issue of flood risk taken by the EA and the Council's Land Drainage Team. Furthermore, should the Council decide to withhold consent for the proposal on the basis of this issue, it is likely to have some difficulty defending that position in circumstances where the EA advises the proposal is acceptable in relation to flood risk and there is no realistic prospect of the Council securing the removal of material on the E7 site in general.

*Other matters:*

Other matters include sustainability, the consequence of the safe and free flow of traffic in the locality, accessibility for disabled persons, consequence for landscape and the openness of that part of the site within the Green Belt and land contamination.

In relation to sustainability, the proposal replaces the numbers of car parking spaces lost from a car park off Langston Road to the development of the retail park. It is the case that the proposed car park is not in an ideal location to replace the lost car park, and to that extent there is uncertainty as to the extent to which it would be used. A key component of that is on site security and that can be resolved through reasonable planning conditions. Moreover, there are no other sites available to provide the proposed car park.

There is the question of whether such a car park should be provided at all. Since much of Langston Road is not conveniently accessed by public transport or by foot there is a case for providing a car park to not only replace a lost facility but also to serve planned future employment growth sought in both the adopted local Plan and Draft Local Plan.

The main point in relation to sustainability, however, is that the proposal would serve to facilitate the development of the wider E7 site for employment purposes, which would increase job opportunities within the locality, thereby reducing the need for commuting longer distances to access employment.

In relation to the safe and free flow of traffic, the Highway Authority has made clear in its comments, set out above, that the proposal would have no adverse consequences. Specifically, the traffic movements associated with the car park have been assessed as part of the junction improvements associated with the new retail park. Consequently there will be no detriment to highway safety, capacity or efficiency as a result of this proposal.

The length and gradient of the access road would not present any difficulty for an able bodied person, however, it is likely to be challenging for a disabled person and it is very unlikely a wheelchair user would find the car park adequately accessible. Consequently, although the proposed layout of the car park includes spaces for disabled parking, they are unlikely to be usable due to the likely pedestrian access arrangements dictated by the distance of the car park from Langston Road and the level difference between the car park and Langston Road. There is no scope to realistically overcome this. While that is regrettable, having regard to the balance of other material considerations, it is concluded that the proposals merits outweigh the matter of accessibility for disabled persons in this particular case.

The proposed access road would result in the loss of 4 trees. The Tree and Landscape Team of the Council has taken that into account and concludes that the landscape impact of that loss within the context of the site is not harmful. Consequently no objection was raised by the Team.

In relation to the Green Belt, that is only impacted by the proposed access road, most of which would be on land presently used as a car park, which amounts to previously developed land. As a consequence, it is concluded the proposal would not have a materially greater impact on openness than the existing development and, therefore, the proposal is not inappropriate development.

The application is accompanied by a Phase II land contamination report that indicates some remediation is required, particularly in order to achieve soft landscaping, without which the proposal would have a poor appearance. It is therefore necessary and reasonable to include standard conditions dealing with land contamination on any consent given.

### **Conclusion:**

The security implications of the proposal can reasonably be addressed through the imposition of suitable planning conditions on any consent given. While not an ideal use of employment land, since the site is landlocked and has remained so for the entire life of the current Local Plan, some 20 years, the value of the proposal is primarily in unlocking the potential for the wider E7 site to meet the Council employment policy objectives. Resisting the proposal on the basis it does not properly deal with material imported to land in Flood Risk Zone 2 would achieve nothing on the ground since the Applicant cannot be compelled to remove it. Moreover, doing so is likely to make it harder to secure the development of the E7 site for any employment purpose, as envisaged by the adopted and the draft Local plan. Moreover, there are difficulties associated with resisting the proposal on the basis of its consequence for flood risk where the Environment Agency advises it has an acceptable consequence.

The merits of this proposal are balanced. In weighing that balance Officers conclude that the objections raised to the proposal are outweighed by the benefits of achieving an access to the E7 site, opening it up to future employment development as envisaged by the adopted and draft local Plan. On that basis it is recommended that planning permission be granted.

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

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

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

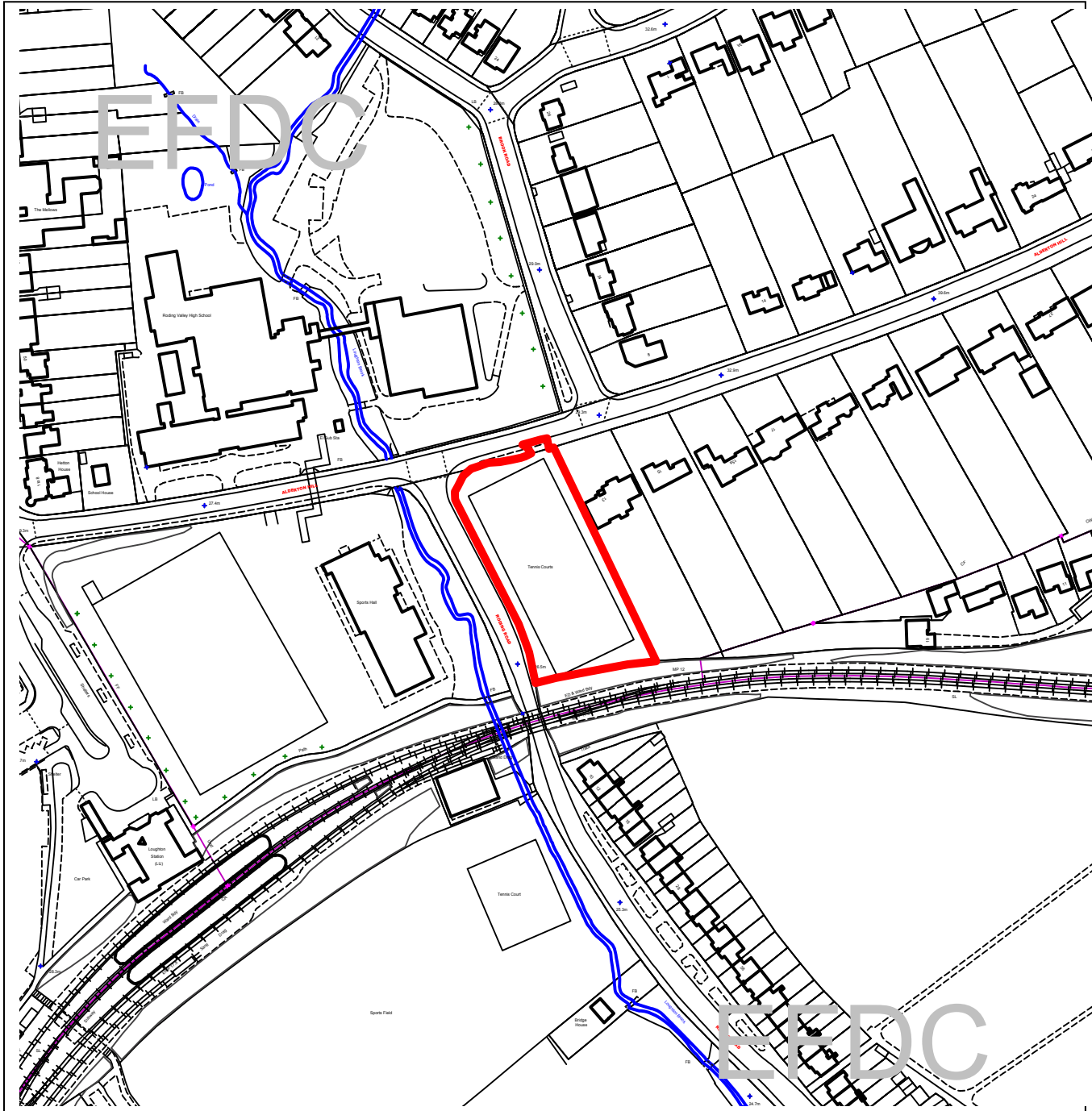


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# Epping Forest District Council

## Agenda Item Number 2



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Application Number:	EPF/0053/17
Site Name:	Tennis Courts Roding Valley High School, Alderton Hill, Loughton, IG10 3JD
Scale of Plot:	1/2500

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/0053/17
<b>SITE ADDRESS:</b>	Tennis Courts Roding Valley High School Alderton Hill Loughton Essex IG10 3JD
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Marys
<b>APPLICANT:</b>	McCarthy & Stone
<b>DESCRIPTION OF PROPOSAL:</b>	Amendment to planning permission EPF/1103/15 (for the erection of 38 'Retirement Living' apartments for the elderly) comprising the provision of two additional apartments in the roof/loft area at second floor facing the internal courtyard.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=590754](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=590754)

**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 approved, namely the provision of two additional retirement living apartments, shall be carried out in accordance with planning conditions imposed on the previous consent EPF/1103/15, and in accordance with the details approved in subsequent approval of detail applications EPF/ 0103/16, EPF/0106/16, and EPF/2001/16.
- 3 The development hereby permitted will be completed strictly in accordance with the approved drawings numbered A2-001, A1-102 Rev 2, A1-001 Rev 01, A1-401 Rev 02, NL-2061-02-AC-602, and NL-2061-04-AC-601 Rev 02.

**And ...subject to the completion of a Deed of Variation (to the existing S106 agreement) for an additional commuted sum of £37,736.93 to assist with the funding of off site affordable homes.**

*This application is before this Committee since it is an application for a revision to a major development of significant scale and/or wider concern and is recommended for approval, and also because objections to it have been received from more than 2 neighbours (pursuant to the 'constitution, part three: scheme of delegation appendix 3).*

### **Description of Site:**

Until recently this site consisted of 6 unused hard surfaced tennis courts belonging to Roding Valley High School. Currently, however, the site is being developed by McCarthy and Stone to provide 38 retirement living units in a part two and part three storey development. The site does not lie within a conservation area.

### **Description of Proposal:**

Amendment to planning permission EPF/1103/15 (for the erection of 38 retirement living apartments for the elderly) comprising the provision of two additional apartments in the roof/loft area at second floor facing the internal courtyard.

### **Relevant History:**

EPF/1103/15 gave approval to the above mentioned development which was also subject to a S106 agreement providing a commuted sum of £699,200 as a contribution for the provision of off site affordable homes.

### **Policies Applied:**

#### *Adopted Local Plan:*

DBE9 – Loss of amenity.  
DBE10 – Residential extensions.  
ST6 – Vehicle parking.  
H5A – Provision for affordable housing

#### *NPPF:*

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

#### *Draft Local Plan*

At the current time, only limited material weight can be applied to the Draft Local Plan, however the Draft Plan and evidence base should be considered as a material consideration in planning decisions. The relevant policies in this case are Draft Policies DM9 and T1.

### **Summary of Representations:**

LOUGHTON TOWN COUNCIL – No objections.

NEIGHBOURS – 22 properties notified consulted by letter and 5 replies have been received:-

LRA PLANS GROUP - OBJECT - only 32 parking spaces are to be provided on-site. We calculate the usual County standard to be 71 spaces. Even allowing for the good public transport available locally, and the nature of the accommodation to be provided, the parking provision already appears inadequate for residents, staff and visitors. The site is on a busy corner, by a school, and the nearest on-street parking area (Brook Road) is already heavily parked at key periods

15, TYCEHURST HILL – OBJECT – The existing scheme approved by EFDC already represents a significant overdevelopment on this site and any increase in the number of units should be resisted. The buildings are too large, will generate too much traffic in a sensitive location, will overlook the adjacent property, and will create a doubtful precedent which is detrimental to the amenity of the area. Increasing the number of units appears to be pure greed on the part of the developers.

28, BROOK ROAD – OBJECT – You will recall my objection on 24 June 2015 to the height of the original EPF/1103/15 application because 137 properties in Roding Road and 74 in Alderton Hill were no higher than two storeys. In 2015, the applicant publicised that 'the development was a mix of 2 & 3 storey heights' which may have suppressed residents from objecting. Application EPF/1103/15 was mostly 3 storeys then and approved on 12 November 2015. The applicant also publicised in 2015 that the 2 storey parts of the building ensured that the development would not overbear on or compromise privacy of any residents living on the adjacent plot, currently 13 Alderton Hill. 38 flats in this particular location is already a very dense development change so to add two more flats without any additional parking would cause harm to the amenity of near residents and all local road users.

26, BROOK ROAD – I have the following comments on this application. While I gather that the variation proposed is not likely to be visible outside the development (although that cannot be clearly seen from the plans submitted), I feel that the addition of two further living units, although it is only a small increase, suggests to me rather sharp practice and an attempt to nibble away at local restrictions and the environment. Why have they only just thought that they do not need the storage facilities which were earlier proposed? Will they come back later and ask to have additional storage facilities on the site? Furthermore, one of the chief concerns was the impact of 38 dwelling units on local traffic flows. Two more is obviously not a lot, but it nevertheless is two more than was already a significant number.

16, RODING ROAD – the additional two flats will exacerbate the already overcrowded parking provision as well as increase the amount of traffic moving to and from the flats (services, deliveries, visitors and residents). The traffic is at maximum capacity already at the junction where the flats are situated, the additional two flats will exacerbate the already overcrowded parking provision as well as increase the amount of traffic moving to and from the flats (services, deliveries, visitors and residents).

ESSEX COUNTY COUNCIL HIGHWAYS – No objections – the Highway Authority has nothing further to add to our previous comments for EPF/1103/15 – which were:

*From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority (provided 4 conditions are attached to any consent). The proposed development has appropriate visibility for the location, and provides sufficient parking as shown by comparisons to other similar sites within the submitted information. Furthermore, the vehicle movements to and from the development will be minimal and will have an almost imperceptible impact on the highway network. Consequently, the proposal will not be detrimental to highway safety, capacity or efficiency at this location or on the wider network.*

EFDC HOUSING SECTION – An additional commuted sum has been agreed with the applicants to reflect the increase in the number of apartments on the site from 38 to 40. We therefore do not now have any objections to this proposed revision to this scheme.

### **Issues and Considerations:**

The proposed two additional apartments will be located in a roof and loft area in the Roding Road section of the development. However, they would be at the rear facing the communal garden of

the development. This roof and loft area was originally earmarked for possible storage for residents, and in response to Officers queries the applicant made the following response:-

*regarding the loss of the storage facilities, this was an approach that we were testing on all our developments to offer occupiers additional storage space should they need it realising that many would be downsizing and that they might need some additional space. However as with this development, and other developments within the country, we have found that there has not been the demand we anticipated for these storage facilities and therefore they are now obsolete. As such, and as with this site in Loughton, we are now removing the storage facilities where we still can to make the best use of this space and in this case it seemed sensible to convert these into dwellings. Accordingly, I can confirm that we will not be applying for additional storage.*

The proposed two additional units do not extend the volume of the development and the rear facing changes to elevations are satisfactory and do not give rise to any significant loss of amenity issues.

A principal concern of objectors to this proposal for two additional units relates to car parking. On the previous 38 unit scheme approved in 2015 the number of car spaces considered appropriate for this development was 17 spaces. This 17 space provision was based on the Essex Parking Standards, the position of the site in a very sustainable location near an underground station, bus routes and Loughton town centre, and on the ratio of 0.436 car spaces needed per each retirement unit on other McCarthy and Stone developments. In fact the approved plans included provision for 31 off street spaces well above the appropriate requirement of 17. Consequently any further car parking demand generated by the two additional units proposed in this application is well catered for. The Highways Authority also raises no objections.

The two additional units require an additional commuted sum to be provided to the Council to fund the provision of off site affordable homes. Following negotiations between the applicants and the Director of Communities agreement has been reached on a sum of £37,736.93. This sum will be the subject of a deed of variation to the previous Section 106 agreement, and any planning permission shall not be issued until this deed of variation has been agreed.

### **Conclusions:**

For the reasons set out above it is recommended that conditional planning permission be granted, subject to the satisfactory completion of a deed of variation for an additional commuted sum to be provided to fund off site affordable homes.

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

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

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

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# Epping Forest District Council

## Agenda Item Number 3



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Application Number:	EPF/0055/17
Site Name:	Land to the rear of 28-278 High Road, Loughton, IG10 4BG
Scale of Plot:	1/1250



**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/0055/17
<b>SITE ADDRESS:</b>	Land to the rear of 268-278 High Road Loughton Essex IG10 4BG
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Marys
<b>APPLICANT:</b>	Mr Itzik Robin
<b>DESCRIPTION OF PROPOSAL:</b>	New 3 storey development of 12 flats with associated parking and amenity spaces.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM\\_websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=590756](http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=590756)

**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:  
1810/25  
1810/01C  
1810/02D  
1810/03D  
1810/04B  
1810/20A  
1810/21B  
1810/22B  
1810/23A  
1810/55  
Design & Access Statement
  
- 3 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.

- 4 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 residents (staff) and visitors vehicles.

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

*This application is before this Committee since it is an application for 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)*

*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:**

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:**

New 3 storey development of 12 flats with associated parking and amenity spaces.

The ground floor of the building would be taken up by parking provision. 16 parking spaces would be on the ground floor of the building. Another 7 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, 3 two-bed flats and 1 three-bed flat.

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

EPF/3019/15 - 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). – Granted 29/07/2016

**Policies Applied:**

*Adopted Local Plan:*

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:*

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

*Draft Local Plan:*

At the current time, only limited weight can be applied to the Draft Local Plan, however the Draft Plan and evidence base should be considered as a material consideration in planning decisions. The relevant policies in this case are as follows:

SP1	Presumption in Favour of Sustainable Development
SP2 v)	Spatial Development Strategy 2011-2033
DM9	High Quality Design
DM10	Housing Design and Quality
DM11	Waste Recycling Facilities on New Development
DM15	Managing and Reducing Flood Risk
DM16	Sustainable Drainage Systems
DM18	On-site Management of Waste Water and Water Supply
DM19	Sustainable Water Use
DM20	Low Carbon and Renewable Energy

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

Number of neighbours consulted: 65  
Site notice posted: Yes  
Responses received:

40 HABGOOD ROAD – object - should not be changed to high rise flats so close to existing and long established properties in Habgood Road, proposed building too large, loss of privacy, noise, visually overbearing impact, serious concerns relating to ground stability and water drainage, disturbance from the parking area, air conditioning units and other plant would cause disturbance.

41 HABGOOD ROAD – object – loss of privacy, loss of sun light and severe loss of light, 12 flats solely for profit is not the way forward, detriment to property values, retention as car park would benefit local shops.

42 HABGOOD ROAD – comment – revised design is much better than the original, concern regarding access, tree shown in wrong place on plans, hope that flooding will be alleviated.

44 HABGOOD ROAD – object - over-development of an already dense area, loss of privacy, loss of natural light and sunlight, reduction to value of properties, loss of view of Epping Forest by residents of High Road, would increase traffic.

52 HABGOOD ROAD – object – loss of privacy, loss of light, would lower house prices, noise from use of garden and terrace areas, would increase traffic congestion and parking problems, more residents would add to problems accessing health care, infrastructure inadequate for this.

53 HABGOOD ROAD – object – would add to traffic congestion, would restrict access to Loughton Methodist Church, loss of privacy, need for more amenities to be put in place before we continue to build residential properties, underground system cannot cope with the increase in passengers.

2 VAN RYNE HOUSE, 264 HIGH ROAD – object - increased noise, loss of privacy, with increase of traffic and congestion getting to our flat will be horrendous, loss of car parking space which I heavily rely on, loss of living place for relaxation and sanctuary, concern at building work.

5 VAN RYNE HOUSE, 264 HIGH ROAD – object - noise would be unacceptable during construction, would add to congestion, would make noise at night worse, would make parking more difficult, views of forest would be blocked, less natural light, loss of privacy, lower the value of the property.

LOUGHTON METHODIST CHURCH – object –plans appear to encroach significantly across our right of way, construction work would cause severe disruption, proposed vehicular access inadequate and unworkable, refuse collection would block our right of way, turning circle inadequate for large vehicles, adequate parking should be included for Diggens Court and Vanryne House, no provision made for relieving the obstructing vehicles that currently park between the applicant's site and High Road, narrow access road across the site is unworkable, over-development, loss of privacy, out of keeping.

278 HIGH ROAD – object - blatant overdevelopment, would restrict access for members and visitors to the Loughton Methodist Church, would restrict access to the garages, loss of parking to the residents of Diggins Court and Vanryne House, loss of parking for visitors to Loughton Methodist Church during busy periods, would increase traffic to the immediate area, loss of privacy to the residents of Habgood Road, reduction of natural light, decrease to the value of the properties, loss of privacy, only appropriate use for this area of land is as a car park.

278A HIGH ROAD – object - overdevelopment, would restrict access for members and visitors to the Loughton Methodist Church, would restrict access to the garages, loss of parking to the residents of Diggins Court and Vanryne House, loss of parking for visitors to Loughton Methodist Church during busy periods, would increase traffic to the immediate area, loss of privacy to the residents of Habgood Road, reduction of natural light, decrease to the value of the properties, loss of privacy, only appropriate use for this area of land is as a car park.

LOUGHTON TOWN COUNCIL: The Committee OBJECTED to this application, which was considered an overdevelopment of the site. Members expressed concern at the increase in density of this housing scheme and limited number of parking spaces allocated.



Members were also concerned that the proposal could restrict the access/right of way to the Loughton Methodist Church complex for its members and visitors, and cause a potential loss of parking to the residents of Diggins Court and Vanryne House.

**Main Issues and Considerations:**

This current application is very similar to one previously approved in July 2016, ref. EPF3019/15. That consent remains capable of implementation.

The current application primarily seeks to amend the mix of flats and refine the detailed design of the proposal.

The presently proposed mix of flats is 4 one-bed flats, 6 two-bed flats and 2 three-bed flats. The approved mix of flats was 4 one-bed flats and 8 two-bed flats.

The appearance of the current design is considered to be a marked improvement. As now proposed the building would have a crown roof whereas previously a gable roof was proposed. This change results in a significant reduction to the visual bulk to the roof. The current design has larger balconies to the south-eastern elevation and two of the flats would now have balconies, looking to the north-east.

The current design has 23 car parking spaces, whereas the previous design had 25. The current proposal also introduces bicycle storage facilities.

The principle of a development of the scale proposed was agreed in previous permissions, most recently in planning permission EPF3019/15. Accordingly, the main issues raised by this revised proposal are the new appearance of the proposal, its impact to neighbours, whether the development would offer a good degree of residential amenity to future occupiers and parking. As with the recently approved development, 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.

*Appearance:*

The building design now proposed would have a fairly contemporary appearance though its crown roof and use of brick to the ground floor would relate it to more traditional buildings. The building would be seen from High Road as a visual stop between three-storey built form of Diggins Court to the left hand side and nos. 268-282 to the right hand side. The current design is considered to be an improvement, making the appearance of the building even better.

*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. Two balconies would now overlook this. 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 previously examined a section through the site and extending to the rear of built form at 40 Habgood Road (that particular property having had a rear extension represented a "worse case" instance of overshadowing as the end of the rear extension is the nearest wall to the proposed building). It was 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 previously 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.

The roof of the proposed building is now to be 0.6m lower than that used in the calculation above.

An Inspector took the view that a building of the same size and siting as that previously 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, an examination of a section drawing provided as part of the previous application and given that the current design would have a lower height to its roof, 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 been improved. 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 a good standard.

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

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

#### *Parking:*

16 car parking spaces (two of which would be designed for electric cars) would be provided on the ground floor of the building. 7 other parking spaces would be provided within the site outside the building. The total of 23 spaces exceeds the requirement for off street parking spaces for the flats as set out in the adopted Vehicle Parking Standards (20 spaces). The additional 3 spaces would go towards meeting a requirement for visitors parking spaces. A visitors component of 5 spaces is specified in the standards, so the proposal would result in a shortfall of 2 spaces. However, given the site is in a highly sustainable town centre location, the proposal easily meets criteria for relaxing the standard of off-street parking provision and the order of reduction proposed is acceptable.

**Conclusion:**

This latest amendment to the design is considered to have advantages to the appearance and level of amenity for future occupiers of the flats. 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:***

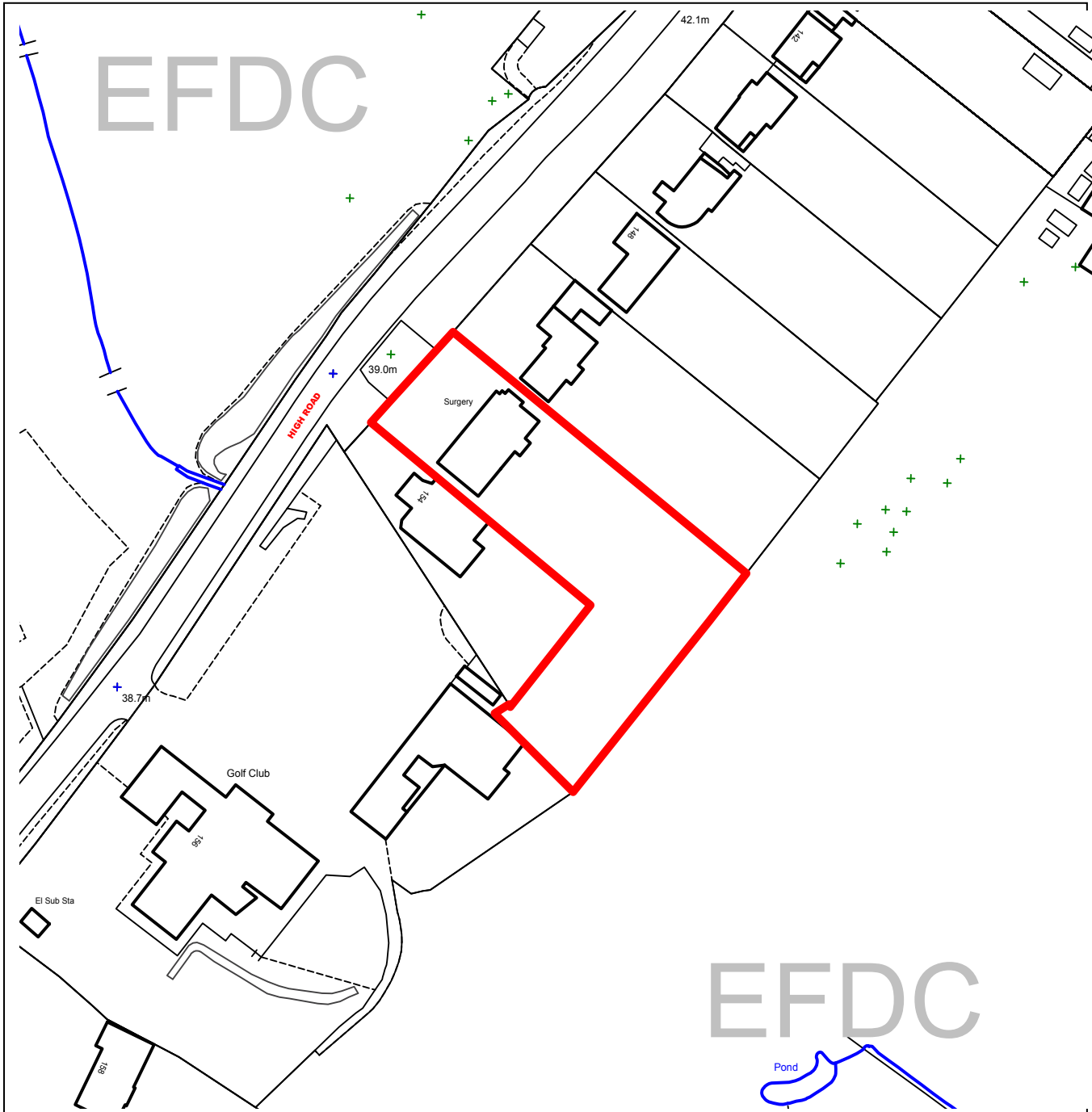
***Planning Application Case Officer: Jonathan Doe  
Direct Line Telephone Number: 01992 564103***

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



# Epping Forest District Council

## Agenda Item Number 4



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Application Number:	EPF/3398/16
Site Name:	Woodlands, 152 High Road, Chigwell, IG7 5BQ
Scale of Plot:	1/1250

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/3398/16
<b>SITE ADDRESS:</b>	Woodlands 152 High Road CHIGWELL IG7 5BQ
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Chigwell Village
<b>APPLICANT:</b>	Mr A Breedon
<b>DESCRIPTION OF PROPOSAL:</b>	Revised Application to Application Numbers EPF/0410/16 and EPF/2446/15 for Amended Vehicle Access and Erection of 9 Apartments. Five apartments in building to replace existing house, four apartments in building at position of former tennis courts.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=590503](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=590503)

**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/P/19  
152 HR/E/10  
152 HR/E/11  
152 HR/E/12  
152 HR/E/14  
152 HR/E/15  
152 HR/E/16  
152 HR/E/17  
152 HR/E/18  
152 HR/P/20  
152 HR/P/21  
152 HR/P/22  
152 HR/P/23  
152 HR/P/24  
152 HR/P/25  
152 HR/P/26  
152 HR/P/27  
152 HR/P/28  
152 HR/P/29  
152 HR/P/30  
152 HR/P/31

152 HR/P/32  
Design & Access Statement

- 3 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 4 All material excavated from the below ground works hereby approved shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.
- 5 The parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents (staff) and visitors vehicles.
- 6 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 7 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 8 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.

- 9 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.
- 10 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.
- 11 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.
- 12 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]
- 13 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]

- 14 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]
- 15 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.
- 16 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.
- 17 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.
- 18 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.
- 
- 19 Prior to first occupation of the proposed development, the existing private drive shall be increased to a width of 5.5 metres for at least the first 6 metres from the back of the carriageway and provided with an appropriate dropped kerb crossing of the footway.
  - 20 Prior to first occupation of the proposed development the existing vehicular access to the north shall be permanently closed incorporating the reinstatement to full height of the footway and kerbing.
  - 21 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.
  - 22 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
  - 23 Prior to the first occupation of the development the car lift, vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The car lift, parking and turning areas shall be retained in perpetuity for their intended purpose.
  - 24 There shall be no discharge of surface water onto the Highway.
  - 25 Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the carriageway.

*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 property 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 property 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 are 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:**

Revised Application to Application Numbers EPF/0410/16 and EPF/2446/15 for Amended Vehicle Access and Erection of 9 Apartments. Five apartments in building to replace existing house, four apartments in building at position of former tennis courts.

The current application involves a building to the rear of the site, previously to have been a new house, accommodating four flats. On the ground floor would be two flats, both with two bedrooms. On the first floor would be a two bedroomed flat. On the second floor would be another two-bedroom flat.

The flats to the rear of the site would have eight car parking spaces, six of which would be provided in an underground car park beneath a communal garden.

The existing house on the site has a width of 21m and a maximum depth of 12m. It is proposed to demolish the house and erect a building with a footprint with 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 four flats to the rear of the site.

The proposed building to the rear of the site to accommodate the four flats would be to essentially same design as that for the house 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 building for four flats would have an irregular shaped footprint a maximum of 21m deep by a maximum of 16m wide. The layout of the building to the rear of the site 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 building to accommodate the five apartments at the front of the site would be set back from the front boundary by more than 30m. This building 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.

The proposed building to the front of the site would have two 2-bedroom flats 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 five flats accommodated by the building to the front of the site would have basement parking with vehicular access by a ramp (in a previous design vehicular access to the basement was to have been by 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.

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

### **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

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

EPF/0410/16 - 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. – Granted 29/07/2016

### **Policies Applied:**

#### *Adopted Local Plan:*

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:*

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

#### *Draft Local Plan:*

At the current time, only limited weight can be applied to the Draft Local Plan, however the Draft Plan and evidence base should be considered as a material consideration in planning decisions. The relevant policies in this case are as follows:

SP1	Presumption in Favour of Sustainable Development
SP2 v)	Spatial Development Strategy 2011-2033
SP6	The Natural Environment, Landscape Character and Green Infrastructure
H1	Housing Mix and Accommodation Types
DM9	High Quality Design
DM10	Housing Design and Quality
DM11	Waste Recycling Facilities on New Development
DM12	Subterranean, Basement Development and Lightwells
DM16	Sustainable Drainage Systems
DM18	On Site Management of Waste Water and Water Supply
DM19	Sustainable Water Use
DM20	Low Carbon and Renewable Energy
DM21	Local Environmental Impacts, Pollution and Land Contamination

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

Number of neighbours consulted. 10

Site notice posted: Yes

Responses received:

2 GREENVIEW, 154 HIGH ROAD – object – loss of view of the golf course, negative impact on value of property.

3 GREENVIEW, 154 HIGH ROAD – object – negative impact to value of property, visually intrusive, obstructing views across the golf course, noise pollution, smell from waste, unsafe due to proximity of errant shots from golf course, not in keeping with aesthetics, eradication of tranquillity of the setting.

CHIGWELL GOLF CLUB, 156 HIGH ROAD – object - location of the block on the tennis court being immediately adjacent to the boundary with the golf club is a serious Health and Safety risk, the building will undoubtedly be within range of errant tee shots from the 1st tee, balconies will be particularly susceptible, potential damage to the building and parked cars.

CHIGWELL PARISH COUNCIL: The Council OBJECTS to this application because the proposal is an over-development of the site, which is in contradiction to the previously agreed understanding between the developers and the respective Planning Authority.

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

Planning permission has already been granted for the demolition of the existing house and erection building consisting of 5 apartments under reference EPF/0410/16. This element of the proposal is identical to application EPF/0410/16 apart from an amendment to improve access to the basement car park and remove the car lift.

Likewise a building has been approved on the location of the tennis court under reference EPF/2246/15. The proposal is near identical to application EPF/2246/15 using the same footprint, design and scale. The only change is some minor infilling of voids within the buildings form to enable the building to contain 4 apartments.

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.

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 new build structures, 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 indeed change from a single residential property to nine flats. 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 additional 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 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.

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 five flats at the front of the site 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 four flats at the rear of the site would have an arrangement whereby there would be three flats in the three-storey element of the building and these three flats would align vertically. The fourth flat would occupy a single storey element of the building, projecting to the north-east.

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 of the building at the front of the site. 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.

With regards to the flats in the building to the rear of the site, the first floor flat and the second floor flat would both have two balconies looking to the golf course.

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 parking and manoeuvring space 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 often somewhat nebulous. Appeal decisions for other sites have been examined to assist in the evaluation of impact to character of area. 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.

#### *Appearance:*

The design approach for both the proposed buildings would be contemporary in character.

The building at the front of the site 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 this 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 to the front of the site 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.

The building to the rear of the site, previously to have been a single 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 ) The building 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 building to the rear of the site is considered acceptable.

#### *Impact to neighbours:*

The footprint of the proposed building to the front of the site to accommodate five flats 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 at the front of the site 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 at the front 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 at the front of the site. 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.

There would be an isolation distance of some 30m between Greenview and the proposed building to the rear of the site to accommodate four flats. 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 building 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 a 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 proposal would create a net increase of 8 dwellings and therefore would accord with policy H2A that seeks to encourage the use of previously developed land.

The site is situated within a sustainable location close to local services, facilities and public transport and would make more efficient use of this site. Given that 92.4% of the District is designated Green Belt the principle of further development within existing sustainable settlements outside of the Green Belt is generally considered to be appropriate, provided all other policies are complied with. In addition, paragraph 49 of the NPPF states that "housing applications should be

considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites”.

The Council is currently in the process of preparing a new Local Plan where sites will be identified for residential development however the latest figures reveal that the Council can currently only demonstrate a 1.35 year supply of land for housing purposes. Due to this it has been shown in several recent appeal decisions, both within and outside of the District that such a lack of a demonstrable five year supply of housing weighs in favour of granting planning permission. However, this still has to be weighed against other material planning considerations.

**Conclusion:**

It is considered that the site is of a nature, due to its scale and mature frontage landscaping, that flats would not alter the character of the wider area to an extent that would justify refusal. Given the history of the site, with applications EPF/2246/15 and EPF/0410/16, refusal of the proposal would be inappropriate. 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](mailto:contactplanning@eppingforestdc.gov.uk)***

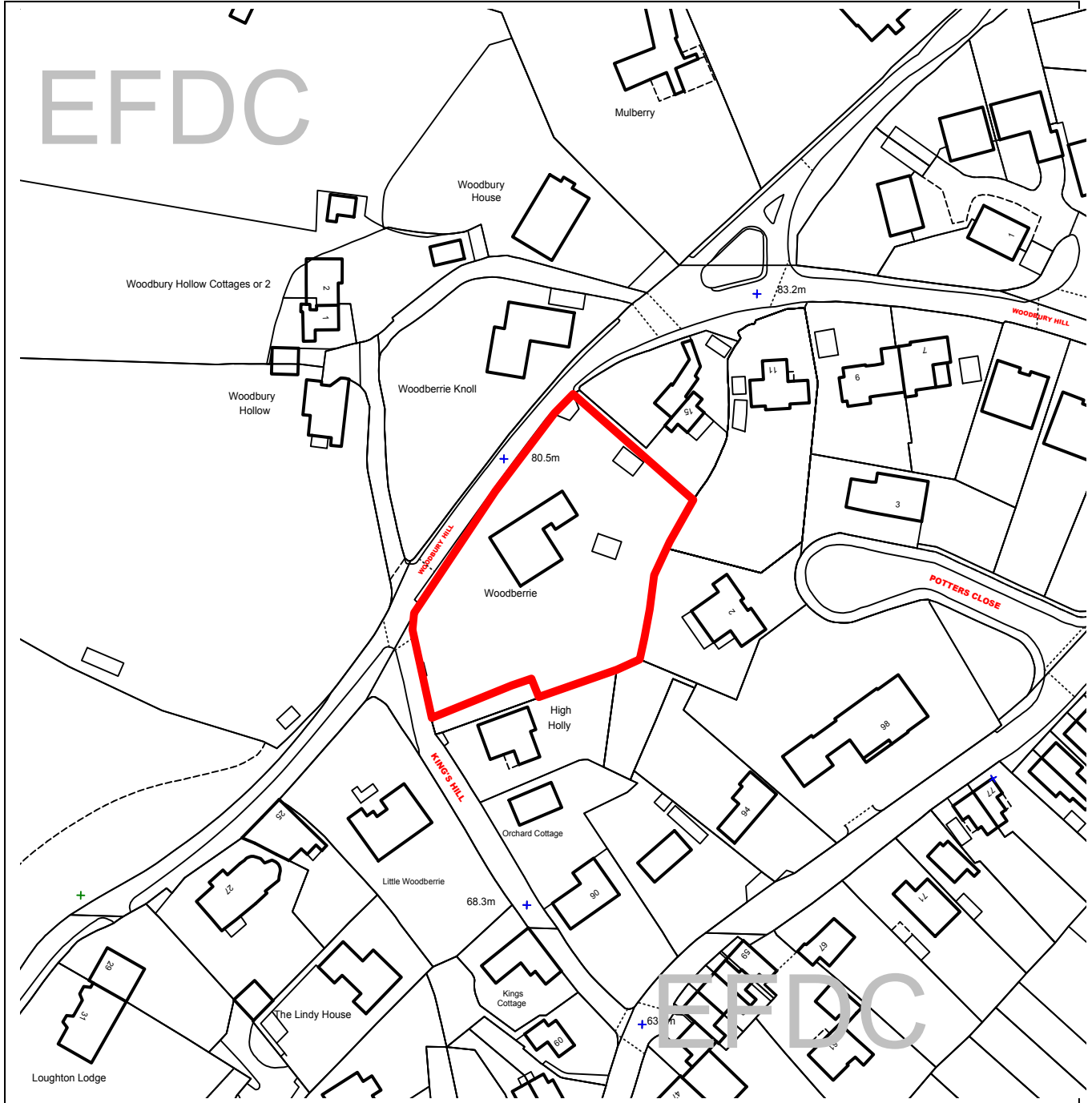


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# Epping Forest District Council

## Agenda Item Number 5



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Application Number:	EPF/3407/16
Site Name:	Woodberrie, Woodbury Hill, Loughton, IG10 1JB
Scale of Plot:	1/1250

**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/3407/16
<b>SITE ADDRESS:</b>	Woodberrie Woodbury Hill Loughton Essex IG10 1JB
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Johns
<b>APPLICANT:</b>	Mr & Mrs Goldstein
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of existing garage and erection of two storey extension with two storey link, single storey rear conservatory extension and linked garage together with minor external changes.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=590538](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=590538)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 No development shall have taken place until samples of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority in writing prior to the commencement of the development. The development shall be implemented in accordance with such approved details. For the purposes of this condition, the samples shall only be made available for inspection by the Local Planning Authority at the planning application site itself.
- 3 No development shall take place until details of surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 4 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for

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

- 5 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
  
- 6 If any tree, shrub or hedge shown to be retained within Hallwood Associates Ltd Arboricultural Impact Assessment dated 5th December 2016 (Ref 1660-01-AP111) is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased during development activities or within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.
  
- 7 Additional drawings that show details of proposed new windows, doors, eaves, verges and junctions with the existing building, by section and elevation at scales between 1:20 and 1:1 as appropriate, shall be submitted to and approved by the LPA in writing prior to the commencement of any works.
  
- 8 A sample panel of brickwork minimum size 600 x 600mm shall be built on site and approved by the Local Planning Authority in writing prior to the commencement of the development. The development shall be implemented in accordance with such approved details.
  
- 9 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
  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. Measures to control the emission of dust and dirt during construction, including wheel washing.
  5. A scheme for recycling/disposing of waste resulting from demolition and

construction works.

6. Details of delivery schedules or restrictions in place to ensure no construction deliveries take place during school term time between the hours of 8.30-9.30 and 14.45-15.45 on Mondays to Fridays..

- 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.

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

#### **Description of Site:**

The application site is within the York Hill Conservation Area and Woodberrie is a locally listed building dating from the turn of the 20<sup>th</sup> century. It was built for the widow of Robin Allen; the Allen family occupied and largely rebuilt the nearby Dryads Hall in the late 19th century. The architect was Herbert Tooley, a local architect based in Buckhurst Hill, and the house is built in his characteristic Arts and Crafts style. It is prominent on Woodbury Hill given its distinctive catslide roof (although a later addition) and typical Arts and Crafts detailing, and it contributes both to the historic interest and appearance of the area, which contains a number of other buildings of a similar style.

The York Hill Conservation Area's special interest is derived from various examples of Arts and Crafts architecture and varied architectural interest and the spacing and landscaping around the buildings.

The main property Woodberrie is a three storey pitched roof house with first floor accommodation provided above the eaves within a steeply pitched roof, and the second floor in the upper roof area. The house is set within a generous plot, benefits from a link attached garage to the north and trees around the boundaries of the site are subject to a Preservation Order.

The application site comprises the open area to the north of the site which is currently occupied by the link attached double garage.

#### **Description of Proposal:**

This application seeks planning permission for the demolition of the existing garage and erection of a two storey extension with two storey link, single storey rear conservatory extension and linked garage.

The extension and garage will be linked to the main house by a flat roof element set at the height of the top of the cat slide. The extension has a prominent chimney feature with the proposed pitched roof garage set at a lower level attached to the extension with a smaller flat roof link. The proposed garage/extension element will have a maximum width of 20m, with the main extension having a depth of 17m, the garage a depth of 7.4m and the link element a depth of 6.6m.

To the rear of the main house is a proposed conservatory with a depth of 2m and width of 7.7m with a height of 3m to a flat roof. In addition two dormer windows are proposed in the rear roof slope.

**Relevant History:**

Various applications the most relevant of which:

EPF/1840/14 - Demolition of an existing garage and the erection of a two storey extension to an existing dwelling house – Refused

EPF/0498/15 - Proposed dwelling adjacent to Woodberrie – Refused – Allowed at appeal

**Policies Applied:**

*Adopted Local Plan and Alterations:*

CP1	Achieving Sustainable Development Objectives
CP2	Protecting the Quality of the Rural and Built Environment
CP3	New Development
CP6	Achieving Sustainable Urban Development Patterns
CP7	Urban Form and Quality
DBE1	Design of new buildings
DBE2	Effect on neighbouring properties
DBE9	Private Amenity Space
HC6	Character, Appearance and Setting of Conservation Areas
HC7	Development within Conservation Areas
HC9	Demolition in Conservation Areas
HC13A	Local List of Buildings
LL10	Adequacy of provision for landscape retention
LL11	Landscaping Schemes

Also relevant are the policies and planning principles contained within the National Planning Policy Framework ('The Framework').

*Draft Local Plan Consultation document (2016):*

DM5	Green Infrastructure: Design of Development
DM7	Heritage Assets
DM9	High Quality Design
DM10	Housing Design and Quality
SP6	The Natural Environment, Landscape Character and Green Infrastructure

At the current time only limited material weight can be applied to the Draft Local Plan, however the Draft Plan and evidence base should be considered as a material consideration in planning decisions.

**Summary of Representations:**

Notification of this application was sent to Loughton Town Council, to 21 neighbouring properties and a site notice was erected.

LOUGHTON TOWN COUNCIL: The Committee expressed concern that the proposed works were incongruous to the streetscene, as the site was located in the York Hill Conservation Area.

Objections have been received from the following addresses:

LOUGHT RESIDENT'S ASSOCIATION (PLANS GROUP) - We OBJECT to this application.

It appears out-of-place in the York Hill Conservation Area.

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

- to provide suitable landscaping such that the new construction is screened from view from the roadway
- to restrict demolition and building work hours to the Council's usual standard hours
- to require wheel-washing equipment on-site.

HILLS AMENITY SOCIETY – Position of the above proposal has improved in comparison to the previous agreed planning proposal, however we do feel that this proposal is very large and equivalent in size to the original house – 'Woodberrie', making the entire property excessively obtrusive and too dominant. Neighbours have expressed their concerns about this proposal especially those living in Potters Close and adjacent properties.

The property is in a very important situation in the York Hill Conservation Area.

We also feel that the proposed windows and conservatory do not fit in with Edwardian windows of the original house.

If a smaller modification of this proposal is allowed we would request that 'lorry route' should be agreed and that hedges and grass verges should be protected.

We feel it very important that the high holly hedge bordering this property, along Woodberry Hill and bordering No. 2 Potters Close should not be removed or damage in any way. There are also many trees which should not be removed or damaged including two holly trees one of which is in the holly hedge alongside 2, Potter's Close.

WOODBURY KNOLL, WOODBURY HILL – Objection

1. The proposed development is within the York Hill Conservation Area. As such, I consider it to be inconsistent with the established principles of this conservation area as the site is in one of the most sensitive areas of Loughton.
2. The plans submitted do not, in my view, accurately reflect the true scale or impact of the construction of the new property and are therefore possibly misleading. The visual impact of the proposed construction would be out of character with established properties and be counter to the nature of the surrounding environment.
3. I believe that the proposed two story extension would overlook the house and garden of Woodberrie Knoll, compromising existing privacy and block existing views which remain an important amenity.
4. The proposed development would be in a narrow road that has no pedestrian pavement and at much of its length is of single track width. Such is the restricted access that special small-scale refuse collection vehicles must be used to service this area. Due to the absence of pavement, all pedestrian traffic must walk in the road. There is a considerable amount of pedestrian traffic, cyclists, dog walkers and horse riders using this road including a number of schoolchildren accessing Staples Road School. The route is popular with local people using the amenities provided by Epping Forest because of its unusual and rustic charm. Construction traffic generated by a development of this nature, would render this proposed development inappropriate, dangerous and potentially damaging to the environment. Hedges, which have been created over long periods of time are particularly sensitive to the construction vehicles required for a project of this size. Recently erected road signs allude to the sensitive nature of the area, and advise that the roads of the York Hill Conservation Area are unsuitable for Heavy Vehicles. No more so than in Woodbury Hill, which I am sure a site visit will confirm.

## 2 POTTERS CLOSE – Objection -

- The proposal is for an out of scale development both for its environs and particularly in relation to neighbouring properties
- The insertion of very large windows into the south-east facing roof of the existing building will severely overlook our property
- Two new very high chimneys which we feel will be overbearing
- The scale of the development which brings the new building almost to the hedge between our two properties
- The protection of the holly hedge which divides our property from Woodberrie, which we have curated for the last 27 years. This appears to be overlooked in the narrative and the plans do not show two to us very important holly trees, both of which sit on the dividing line between the two properties. Both these would appear to be “disappeared” in the plans.

## 15 WOODBURY HILL AND 13 WOODBURY HILL

Will have a considerable impact on the aspects of the rather much smaller cottages situated very close by. On a positive note: In general, I do not object to the proposed. It is much more preferable to have an extension to Woodberrie than to have another separate dwelling. (Although it is rather a large extension!) And also, it is appreciated that the building will be positioned further away from the boundary.

However, my concerns are: HEIGHT: The extension is considerably narrower than the existing house, yet it shows ridge heights similar to that of Woodberrie itself. Is this really necessary? (May I point out that that Cottages No 13 and 15 are traditional white weatherboarded cottages with low rooflines). FLOORPRINT: The floorprint of the proposed is a much greater footprint than that of the separate dwelling which was approved last year but it is difficult to decipher by how much. VIEWS: The proposed PROJECTS much further back from the existing house. I appreciate that you can't protect views as such however the stunning substantial views of The City and the Forest gained by Woodberrie by extending in this way - will have been stolen from the small cottages behind. These cottages have been here for some 200 years and were positioned as such to make the most of these views. CHIMNEYS: They are enormous!! Do they really have to be so prominent, so tall and in such large scale!?? They will again block out view points for the cottages.

I must also raise concern at this point regarding vehicles entering and exiting the site and the safety of pedestrians, school children & other users of Woodbury Hill. It is a very old single lane with no pavements & high holly hedgerows.

LITTLE WOODBERRIE, KINGS HILL - This is a conservation area single track Lanes, Hedges and Buildings known to many as "Little Cornwall" we need to make sure we preserve what we have. Access to this site by large lorries is only possible via Pump Hill/York Hill onto Woodbury Hill and then a sharp turn into the site which will be very tight and we feel sure the hedges will suffer damage. Should the development take place we feel some form of method statement should be insisted on with regards to access to site i.e "Small lorries / Mini skips".

Should any "Trees or Hedges" be damaged or removed they should be replaced not by new but like for like in size. Approximately 18 months ago the lanes were resurfaced at the councils expense. Should this development proceed we would hope you would insist that the lanes are repaired or resurfaced due to any damage.



We have lived here in the area now for 40 years and would like to feel many others in the future can enjoy this unique area.

### **Issues and Considerations:**

The main issues to be considered with this application relate to design in the Conservation Area, impact on amenity and impact on trees.

### **Design and the Conservation Area**

The York Hill Conservation Area Character Appraisal identifies the various examples of Arts and Crafts architecture as an element of its special architectural interest, so the sympathetic treatment of an extension to Woodberrie is important in helping to preserve part of the special interest of the area. The Character Appraisal also acknowledges that the area contains a number of unique, 'one-off' designs dating from the 19th and 20th centuries. The Lindy House (Steeds Way) and 37 Woodberry Hill are notable examples of striking 20th century contemporary design which add to the variety and interest of architectural forms in the area. The proposed extension would add further interest to the Conservation Area by introducing a well-designed 21st century element to the area.

The proposed extension consists of a flat-roofed 'link' connecting the existing property to a two storey addition with a double garage beyond a second, single-storey, flat-roofed 'link' section. The two-storey addition and the garage both utilise traditional building forms and materials, echoing both the host building and the prevailing building types within the wider conservation area. Contemporary elements have been introduced to denote the extension as a modern addition and to avoid creating a pastiche of the existing building. The flat-roofed links, large areas of glazing, and the very simple eave and verge details are modern interventions which give a simple, minimalist appearance allowing the architectural character of the original building to dominate and, in a very honest way, denote the old from the new. In addition, the flat-roofed 'links' provide visual breaks between the existing house and the proposed extension, and again between the two-storey element and the garage, as well as reducing the bulk of the extension.

It is also proposed to introduce a single-storey extension to the rear of the existing building along with two dormer windows. A contemporary design approach has been taken which provides both a visual connection between the additions and the proposed extension and denotes them as modern additions to the house without obscuring the original form of the building.

The extension is a large addition to the existing house, however, its scale and bulk is similar to other buildings in the area and the 'link' provides some degree of separation between the two elements allowing the form of the existing house to be read. The extension will also take the place of the previously approved separate dwelling (allowed at appeal) and is considered to lessen the impact on neighbours and on long views between the buildings as the extension is located much closer to the existing house. The Inspector's judgement in the previous permission for a detached property is considered to be relevant:

*'I consider that the proposal would have a neutral impact on the character and appearance of the CA. The proposal would maintain the defining characteristics of the CA, namely that of dwellings in spacious plots positioned well back from narrow lanes; and given the overall design and use of materials, it would not jar with the existing pattern of development surrounding the site...The proposed development would not have an adverse effect upon the character and appearance of the York Hill Conservation Area'.*

As per the approved dwelling, the material palette proposed is in keeping with the existing house and with the traditional, vernacular materials seen throughout the conservation area. Red brick walls will match the existing, and the roof will be clad in plain clay tiles. In addition, the gable end

chimney stacks add interest to the roofline and draw reference from the two existing stacks which are a prominent feature within the Conservation Area. Given the high hedges and narrow road, the chimneys and the clay tile roof will be the most prominent features and it is considered that both features are in keeping with the character and appearance of this part of the conservation area.

The Conservation Officer has no objection to the proposed extensions or alterations as they will preserve the character of the Conservation Area and will not harm its significance. The Conservation Officer has suggested conditions including submission of external materials, additional drawings of new windows, doors etc and a sample of brickwork to be built prior to commencement of work and these conditions are considered reasonable and necessary particularly given the Conservation Area location and local listing of the main house.

### Amenity

The site is surrounded by a number of residential properties. To the north are 13 and 15 Woodbury Hill a pair of semi-detached cottages which back onto the side boundary of Woodberrie. This pair of dwellings are located on higher ground and the closest element of the proposal is the double garage so the gable of this element will be within 16m of the rear of these properties. However, given the change in levels and this level of separation it is not considered that this element at single storey, will result in any significant harm to the outlook or light currently received by these properties. The proposal will in part be screened at the lower level by the existing hedge at the boundary which is to be retained.

The two storey element will be set further away from the shared boundary with No. 13 and 15 than the previously approved detached dwelling (12m at the closest point rather than 5m). Although this element is deeper than that of the detached dwelling previously approved which is likely to block the view from these cottages, loss of a view is not a planning consideration. Although the two storey element will be visible, it is not considered excessively detrimental to the amenity of the occupiers of these properties to justify a refusal given the distance, particularly as this separation distance increases to 16m to the boundary towards the rear of the extension.

To the rear of the site is 2 Potter's Close, which is in the main, obscured by the high holly hedge along the rear boundary and there is some 10m at the closest point to this shared boundary. The two storey element (unlike the previous approval for the detached dwelling) is not directly to the rear of No. 2 Potters Close and no significant amenity issues are raised.

High Holly is to the south of the existing property. Due to the spacious grounds of Woodberrie the proposal is some 27m from this shared boundary and again no amenity issues arise.

The proposed dormer windows to the rear are not considered to result in any additional overlooking above that of the existing first floor windows. In any event, the windows in the main overlook the private garden area of Woodberrie and therefore any possible views would be far reaching.

Concern has been raised regarding overlooking towards Woodberrie Knoll (on the opposite side of the road). Given that any potential overlooking will only be to the front more public facing areas this is not considered an significant issue. Clearly the addition of a two storey element may result in views over the extensive boundary hedges, however there is some 15m (at the nearest point) to the front boundary line of Woodberrie Knoll with the dwelling set at an angle so that the nearest corner is some 4.5m into the site.

### Protected Trees/Landscaping

The Tree and Landscape Officer has no objection to the proposal. The site is within a Conservation Area, as such all trees are afforded legal protection. Additionally, several trees on

and adjacent to the site are also protected by Tree Preservation Orders. The Tree and Landscape Officer has requested conditions requiring submission of a hard and soft landscaping scheme, tree protection and retention of trees and shrubs. The front boundary hedge is to be retained and protected during the construction process.

Concern has been raised regarding a holly hedge along the boundary with 2 Potter's Close. These are shown to be retained on the submitted Tree Protection Plan with only a small group of trees/low hedges due to be removed which are located within the garden area and not at boundaries.

#### Other Matters

##### *Vehicle movements/construction process*

It is acknowledged that the road ways within the Conservation Area are narrow and there are no footpaths. As part of the approval for the detached house a condition was attached requesting a Construction Method Statement and it is considered reasonable that this condition is imposed for this proposal given the unusual surrounding road conditions to limit any disruption to other highway users.

#### **Conclusion:**

In light of the above appraisal, it is considered that the proposed two storey extension, rear conservatory and alterations to Woodberrie are acceptable with limited harm to neighbouring amenity or the character and appearance of the Conservation Area and on this basis approval with conditions is recommended.

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

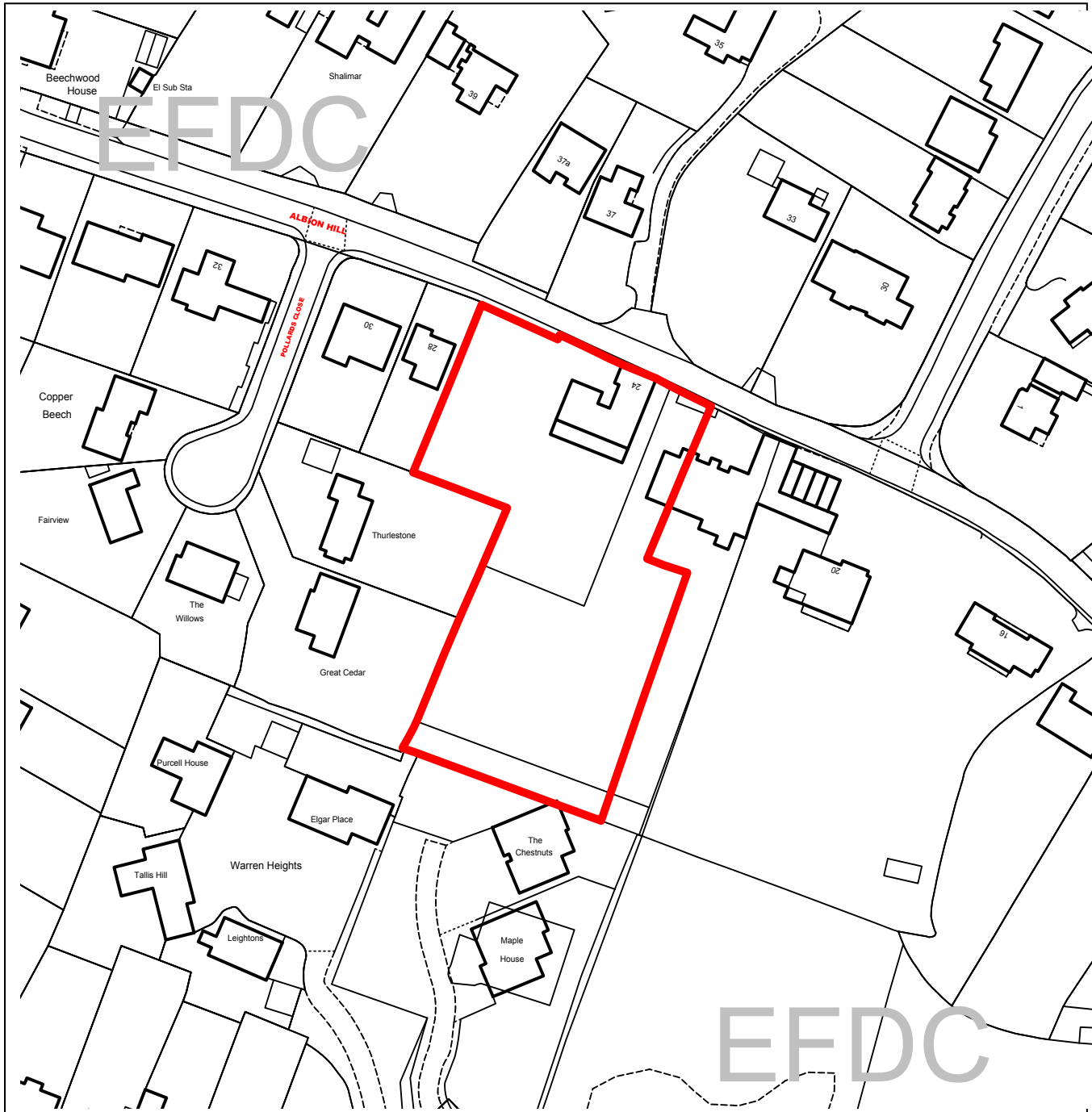
***Planning Application Case Officer: Marie-Claire Tovey  
Direct Line Telephone Number: (01992) 564414***

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



# Epping Forest District Council

## Agenda Item Number 6



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Application Number:	EPF/3363/16
Site Name:	Greengates, 24 Albion Hill, Loughton, IG10 4RD
Scale of Plot:	1/1250

**Report Item No: 6**

<b>APPLICATION No:</b>	EPF/3363/16
<b>SITE ADDRESS:</b>	Greengates 24 Albion Hill Loughton Essex IG10 4RD
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Forest
<b>APPLICANT:</b>	Mr Daniel Simpson
<b>DESCRIPTION OF PROPOSAL:</b>	Variation of condition 3 'Plan nos' of planning permission EPF/1084/13 (Demolition of existing dwelling and erection of new two storey (three to the rear) single family dwelling) to retain as built alterations including alterations to windows, alterations to rear roof design, replacement of glass to metal railings on terrace, awning above garage and shed within rear garden.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=590417](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=590417)

**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 shall be implemented in accordance with the approved materials details submitted under reference EPF/0279/15.
- 3 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 208-DWG-300-PL, 208-DWG-301-PL, 208-DWG-302-PL, 208-DWG-320, 208-DWG-320-PL, 208-DWG-321-PL, 208-DWG-251-BB, 208-DWG-000-PL, 208-DWG-001-PL, 208-DWG-002-PL, 208-DWG-003-PL, 208-DWG-004-PL, 208-DWG-010-PL, 208-DWG-011-PL, 208-DWG-110-PL, 208-DWG-111-PL, 208-DWG-100 -xx Rev C, 208-DWG-100-01 Rev F, 208-DWG-100-01C Rev F, 208-DWG-102-00 Rev F, 208-DWG-104-Rf Rev F, 208-DWG-105-At Rev F, 208-DWG-120 Rev F, 208-DWG-123 Rev F, 208-DWG-124 Rev F, 208-DWG-126 Rev F
- 4 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting the Order) no windows other than any shown on the approved plan shall be formed at any time in the flank walls of the development hereby permitted without the prior written approval of the Local Planning Authority.

- 5 The development shall be implemented in accordance with the details submitted within the Construction Method Statement submitted and approved under reference EPF/0480/14. The approved Statement shall be adhered to throughout the construction period.
- 6 The development shall be carried out in accordance with the approved Tree Protection documents, approved under reference EPF/1674/13 unless the Local Planning Authority gives its written consent to any variation.
- 7 If any tree, shrub or hedge shown to be retained in accordance with the approved plans and particulars is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.
- 8 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.
- 9 The development shall be implemented in accordance with the details submitted within the Flood Risk Assessment approved under reference EPF/1674/13. 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.
- 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 08.00 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 development shall be implemented in accordance with the hard and soft landscaping proposals submitted and approved under reference EPF/1674/13. 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.
- 12 The development shall be carried out in accordance with the submitted and approved site level details submitted under reference EPF/1674/13.

- 13 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 1, Classes A, B, C, D, E and installation of microgeneration equipment generally permitted by Part 40 Classes A, B and H shall be undertaken without the prior written permission of the Local Planning Authority.
- 14 Bricks and windows salvaged from the existing basement floor side wall shall be reused in the new side wall unless otherwise agreed in writing with the Local Planning Authority.
- 15 The proposed brickwork at basement level shall be in Flemish bond with ruddled mortar joints to match the existing brickwork unless otherwise agreed in writing with the Local Planning Authority.
- 16 The development shall be implemented in accordance with the submitted and approved surface water drainage details approved under reference EPF/1674/13.
- 17 The proposal shall be carried out in accordance with the Mitigation Measures and Enhancement Measures as outlined within the Ecological Scoping Survey Report dated 15th January 2013 unless otherwise agreed in writing with the Local Planning Authority.
- 18 The bat mitigation strategy shall be carried out in accordance with the details approved under reference EPF/1674/13.
- 19 Within 3 months of the date of this permission, the rear facing door to the utility room/garage shall be entirely fitted with obscured glass/film and shall be permanently retained in that condition.

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

### **Description of Site:**

The application site is a large, detached; 'L' shaped two storey dwelling which is in the final stages of completion following permission being granted for it to replace an earlier property on the site. The site is located on the south side of Albion Hill within the built up area of Loughton. The house is fronted by a brick wall which in its own right is Grade II Listed. The brick wall to the front and the 'L' shape of the main house creates a private courtyard area to the front with a single storey wing/garage. The site slopes steeply to the rear, and the house appears as a three storey building when viewed from the rear with a terrace at ground floor, above a lower ground floor, and the garden sloping away from the house.

The site and particularly the wall are remnants of a larger estate, known as 'Pollards' which was situated further to the west. The site is not within the Metropolitan Green Belt or a Conservation Area.

### **Description of Proposal:**

The application seeks consent for a minor material amendment to the previously approved development by seeking a variation of condition 3 'plan numbers' so that revised plans can replace those already approved. The amendment sought is to retain the as built alterations which include alterations to windows, alterations to rear roof design, replacement of glass to metal railings on terrace (and continuation behind garage area), awning above garage and a timber shed within the rear garden.

### **Relevant History:**

EPF/1709/16 - Variation of condition 3 'Plan nos' of planning permission EPF/3120/15 (Demolition of existing dwelling and erection of new two storey (three to the rear) single family dwelling) to enable approved sun shade to be used as a balcony on rear elevation – Refused  
EPF/3120/15 - Variation of condition 3 'Plan nos' of planning permission EPF/1084/13 (Demolition of existing dwelling and erection of new two storey (three to the rear) single family dwelling) To retain the as-built increase in depth of the lower ground floor and terrace above – App/Con  
EPF/0839/15 - Proposed replacement dwelling with revised roof form and appearance. (Revision to EPF/1084/13) - Refused  
EPF/0279/15 - Application for approval of details reserved by condition 2 'materials' for application EPF/1084/13 - Demolition of existing dwelling and erection of new two storey (three to the rear) single family dwelling - Approved  
EPF/0480/14 - Application for approval of details reserved by condition 5 'Construction Method Statement' of planning permission EPF/1084/13 (Demolition of existing dwelling and erection of new two storey (three to the rear) single family dwelling) – Approved  
EPF/1674/13 - Application for approval of details reserved by condition 2 'Materials', condition 5 'Construction Method Statement', condition 6 'Tree Protection, condition 9 'Flood Risk Assessment', condition 11 'Landscaping', condition 12 'Levels', condition 16 'Surface Water' and condition 18 'bat mitigation' of planning permission EPF/1084/13. (Demolition of existing dwelling and erection of new two storey (three to the rear) single family dwelling.) – Partially approved  
EPF/1143/13 - Grade II listed building consent for demolition of existing dwelling and erection of new two storey (three to the rear) single family dwelling - Approved  
EPF/1084/13 - Demolition of existing dwelling and erection of new two storey (three to the rear) single family dwelling - Approved  
EPF/0011/13 – Grade II listed building application for the demolition of existing dwelling and erection of new two storey (three to rear) single family dwelling (only the existing front wall is listed) – Approved  
EPF/2454/12 - Demolition of existing dwelling and erection of new two storey (three to rear) single family dwelling (only the existing front wall is listed) – Approved



EPF/1358/11 – Extension of time limit on EPF/1627/08 (Proposed new garage to no. 24 and new house to 26 Albion Hill – revised application) – App/Con – works have started for this proposal and therefore this application is still extant and can be implemented.

Policies Applied:

*Adopted Local Plan and Alterations*

CP2	Protecting the Quality of the Rural and Built Environment
DBE1	Design of New Buildings
DBE2 & 9	Neighbouring Amenity
DBE8	Private Amenity Space
LL10	Retention of Landscaping
LL11	Landscaping Schemes
NC4	Protection of Established Habitat
ST4	Road Safety
ST6	Vehicle Parking
HC12	Development Affecting the Setting of Listed Buildings

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

*Draft Local Plan Consultation document (2016):*

DM5	Green Infrastructure: Design of Development
DM7	Heritage Assets
DM9	High quality design
DM10	Housing design and quality
SP6	The Natural Environment, Landscape Character and Green Infrastructure

At the current time only limited material weight can be applied to the Draft Local Plan, however the Draft Plan and evidence base should be considered as a material consideration in planning decisions.

**Summary of Representations:**

LOUGHTON TOWN COUNCIL: The Committee deplored this retrospective application and OBJECTED to the retention of the completed works on the grounds of overlooking of Thurlestone, the dwelling at the rear in Pollards Close.

11 Neighbours consulted, 1 reply received.

THURLESTONE, POLLARDS CLOSE – OBJECTION – lack of privacy and amenity from overlooking. Requests additional planting at boundary.

**Issues and Considerations:**

The main issues with this proposal relate to the impact of the changes on design and impact on amenity.

Design

The changes to be retained are not considered to disrupt the design of the approved property. The originally designed roof detail has been lost to a degree as the rear roof slope is not broken up as was approved but this makes little difference to the scheme as a whole.

The shed is a relatively standard mono-pitched garden shed and not out of keeping with this rear garden environment.

### Amenity

Concern has been raised by the Parish Council and neighbour regarding overlooking. Although additional windows have been installed on the main house this is not considered to give rise to any additional overlooking above that which has already been approved. The revisions now include the omission of windows within the garage and only a door. A condition was added to the original permission ensuring these windows were obscured glazed and it is considered reasonable that this door replacing the windows is also obscure glazed to lower any perception of overlooking, particularly as this is the shallowest part of the garden to the side boundary of Thurlestone.

The shed does have side window panels but any possible views would be very oblique and no different from someone just standing in the garden and therefore this is not considered a significant issue. The shed is located at the site boundary, which is at a higher level than Thurlestone beyond, however to the rear the shed is 1.8m high rising to 2.1m so given the low height and good level of natural screening it is not considered the shed results in any excessive harm to amenity.

Extending the balcony to the rear of the garage area does result in a larger terrace area than originally approved, to the rear of the garage and as discussed above the property to the rear Thurlestone is at a lower level. However, given the extensive vegetation screening at the boundary with Thurlstone and the distance to this shared boundary (15.5m) it is not considered that the proposal results in an excessive loss of privacy perceived or actual above that of the original approval. The site was viewed by Officers during the winter period from the enlarged terrace area and due to the evergreen nature of the boundary vegetation, it is considered to provide an effective screen between the two properties.

The neighbour has requested additional planting as a condition to any approval. It is considered that given the above discussion, the existing screening is adequate and to request additional planting at this stage in the overall application process would be unreasonable.

### Conclusion:

It is regrettable that the scheme was not built to the original approved plans, however this application has been submitted to regulate the changes made during the construction process. It is considered that the changes do not result in a poor design or an excessive impact on the amenity of neighbours, even when the significant change in levels are taken into account. Given the above appraisal the proposal is therefore considered acceptable and approval is recommended.

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

**Planning Application Case Officer: Marie-Claire Tovey**

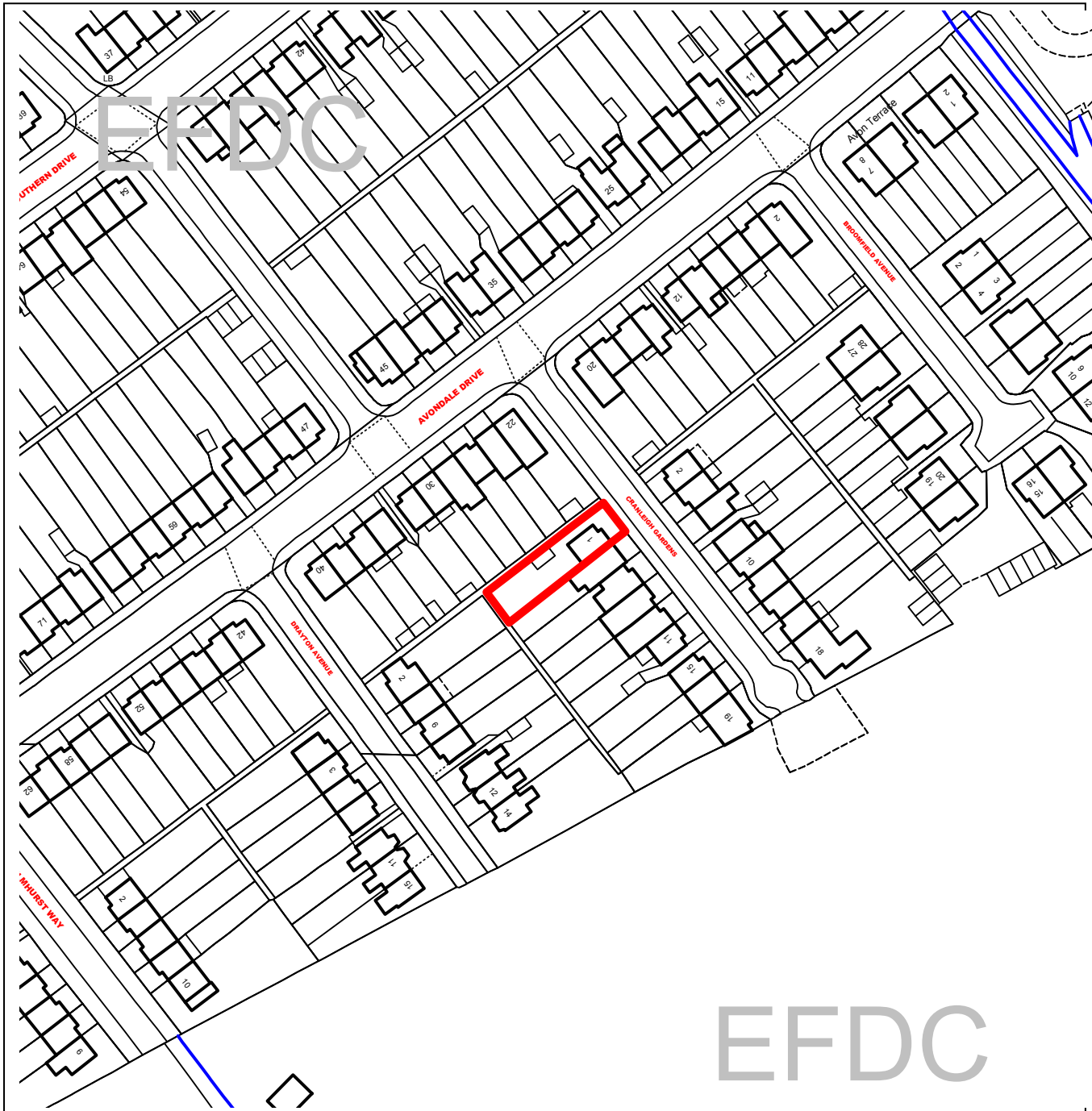
**Direct Line Telephone Number: 01992 564414**

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



# Epping Forest District Council

## Agenda Item Number 7



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Application Number:	EPF/1761/17
Site Name:	1 Cranleigh Gardens, Loughton, IG10 3DD
Scale of Plot:	1/1250

**Report Item No: 7**

<b>APPLICATION No:</b>	EPF/1761/16
<b>SITE ADDRESS:</b>	1 Cranleigh Gardens Loughton Essex IG10 3DD
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Roding
<b>APPLICANT:</b>	Ms Karen Lipka
<b>DESCRIPTION OF PROPOSAL:</b>	Two storey extension to side and rear of existing dwelling on ground and first floors, with associated amendments to existing roof and facades, resulting in a new ensuite bathroom, study and additional bedroom.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=585577](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=585577)

**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 first occupation of the development hereby approved, the proposed window opening in the north-western flank elevation, to bedroom 3, 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.
- 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 Access to the flat roof over the extension hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a seating area, roof garden, terrace, patio or similar amenity area.

- 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: Scheme of Delegation, Appendix 3)*

**Description of Site:**

The application property is an end of terrace house on the western side of Cranleigh Gardens.

The house has had a two-storey side extension added which has a flank wall flush with the side boundary. However this side extension is recessed some 4.5m back from the front elevation.

The south-eastern side boundary is contiguous with a side boundary of the attached house in the terrace, no. 3. The north-western side boundary adjoins a footpath connecting Cranleigh Gardens with Drayton Avenue. Beyond the footpath are the rear boundaries of houses fronting onto Avondale Drive.

The application property is not listed or in a conservation area.

**Description of Proposal:**

Two storey extension to side and rear of existing dwelling on ground and first floors, with associated amendments to existing roof and facades, resulting in a new ensuite bathroom, study and additional bedroom.

There are two main elements to the proposals: a two-storey extension to infill between the existing two-storey side extension and the front of the house; and, a rear extension across the full width of the house which already fills the full width of the plot at the rear. Alterations would be made to the roof. The roof above the extensions would appear as a side hip subservient in scale to the original side hip roof when viewed from the highway. At the rear the roof as proposed would have a gable to the deeper part of the extension though the element of the extension closer to no. 3, which would be recessed in depth, would have a crown roof appearing as a hip roof.

The rear extension element would be a maximum of 5m deep by 7.5m wide, effectively the full width of the plot, on the ground floor. On the first floor the extension would be 2m deep on the boundary with the neighbour. This 2m deep element would be 2.8m wide. The remainder of the first floor extension would extend a further 2.8m deep, to have a total depth of 4.6m, and be 4.8m wide.

**Relevant History:**

EPF/1704/09 - Two storey and single storey rear extension. (Revised application) – Granted 14/10/2009

**Policies Applied:**

*Adopted Local Plan:*

CP2	Protecting the quality of the rural and built environment
DBE9	Loss of Amenity
DBE10	Design of Residential Extensions

*NPPF:*

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

*Draft Local Plan:*

At the current time, only limited weight can be applied to the Draft Local Plan, however the Draft Plan and evidence base should be considered as a material consideration in planning decisions. The relevant policies in this case are as follows:

DM9	High Quality Design
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**Consultation Carried Out and Summary of Representations Received**

Number of neighbours consulted: 11

Site notice posted: No, not required

Responses received: No response received from neighbours.

Town Council: The Committee OBJECTED to this application on the following grounds:

1. Overdevelopment of the site;
2. Overbearing on the neighbours in Avondale Drive;
3. Cause loss of amenity to the neighbours from overlooking and loss of light; and was
4. Detrimental to the streetscene, especially the front part of the side extension.

**Main Issues and Considerations:**

It is considered that there are two main considerations to the proposals: the impact to neighbours and the appearance of the design.

*Impact to neighbours:*

The attached neighbour at no. 3 has a single storey flat roofed rear extension hard on the common boundary. The extension is some 5m deep. The proposals would have no adverse effect to the ground floor of no. 3. The indented nature of the footprint of the proposed first floor rear extension is such that it would be set clear of a line drawn at 45 degrees from the nearest first floor rear window of no. 3. The extension would be orientated to the north-west of no. 3. It is considered that the proposal could not be reasonably refused on the grounds of loss of light or of loss of outlook to the occupiers of no. 3.

The property would retain a rear garden depth of nearly 15m. Properties beyond the rear boundary of the site, on Drayton Avenue, would therefore not be unreasonably overlooked. Any overlooking of other neighbouring gardens would not be materially different that already occurs from first floor windows.

Given the above, the comments of the Town Council regarding overlooking and loss of light are not supported. Conditions to require a side window to bedroom 3 to be obscure glazed and to require that a single storey flat roofed area not be used as a balcony would, however, be necessary and reasonable.

With regard to the visual impact from the rear elevations of houses on Avondale Drive, additional bulk of built form would be created. No 24 Avondale Drive looks directly onto the flank of the existing side extension across a minimum distance of 15m and that relationship will not change as a result of the proposal. Nos. 22 and 26 Avondale Drive would look directly onto the additional bulk of the proposed extension from a minimum distance of 15m and 19m respectively, although only the rear 2m would be directly beyond the rear garden of no. 26. The additional depth of the extension along the flank, increasing from 4.1m immediately rear of no 24 to 12 rear of 22, 24 and 26, would appear prominent when seen from all three houses. However, in relation to no 22, arguably the most affected property, the visual impact is significantly mitigated by a large outbuilding in its rear garden that has a relatively high ridge height. That outbuilding would obscure a significant proportion of the proposal when seen from all three neighbours in Avondale Drive, and particularly when seen from no. 22. The limited overlap with the rear garden of 26 mitigates the impact on that property. In the circumstances, and notwithstanding the comment of the Town Council, it is considered that the relationship of rear gardens of neighbouring houses on Avondale Drive to the proposed development, as described above, is such that the proposals would not be so unduly imposing as to reasonably constitute a reason for refusal.

#### *Appearance of design:*

The proposal involves a two-storey side extension hard on a side boundary. However, beyond the side boundary is a footpath and the property is at the end of a run of houses, with no neighbouring flank elevation adjacent to the proposed side extension. Therefore the proposal would not result in creating a terracing effect.

The front elevation would appear with a subservient roof form above the side extension. The roof to the side extension would be 0.5m lower than the ridge of the main roof and have a hip end to match the existing roof.

Whilst the comment of the Town Council is noted, it is considered that in this particular context, of a side extension adjacent rear gardens, the appearance of the design could not adequately justify refusal.

#### *Other matters:*

Car parking is not considered to be an issue with the proposal. The property has a block paved area in front of the house on which one car was parked at the time of the site visit. A portion of this block paved area, to the side of the existing house, would be taken up by the side extension at the front of the house. However, this area to be taken up is only 2.5m wide. Given that the area is contained to both sides by a flank wall of the house to one side and a boundary fence to the footpath to the other side, it is considered that this area is too narrow to be used for a car parking space in practice. Furthermore, if a car were to be parked on the area to be taken up by the extension then an alternative position for a parking space, the space seen in use at the time of the site visit, could not be used as well. The block paved area can only be realistically used by a car parked at a right angle to the road and taking up the space to the side which would be lost or by a car parked parallel with the road and set in front of the principle front elevation of the house.

#### **Conclusion:**

The comment of the Town Council have been carefully considered but with regard to the individual circumstances and setting of this site it is considered that approval, subject to conditions, is



appropriate. It is considered that the affect of the proposals to neighbours would not be to an extent that could adequately justify refusal and that the design is acceptable in its context.

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

***Planning Application Case Officer: Jonathan Doe***

***Direct Line Telephone Number: 01992 564103***

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



# Epping Forest District Council

## Agenda Item Number 8



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Application Number:	EPF/3090/16
Site Name:	2 Alderton Hall Lane, Loughton, IG10 3HN
Scale of Plot:	1/1250

**Report Item No: 8**

<b>APPLICATION No:</b>	EPF/3090/16
<b>SITE ADDRESS:</b>	2 Alderton Hall Lane Loughton Essex IG10 3HN
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Alderton
<b>APPLICANT:</b>	Mr Sundaep Saxena
<b>DESCRIPTION OF PROPOSAL:</b>	Part single, part two storey rear extension. Two storey side extension with a truncated ridge. New front porch. Alterations to the pitched roof of the original house to create a crown roof.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=589575](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=589575)

**CONDITIONS**

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

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

### **Description of Site:**

Two storey detached house located on the eastern side of Alderton Hall Lane in Loughton. It has an attached side single storey double garage adjacent to 4 Alderton Hall Lane. Prior Approval was recently granted under EPF/0141/17 for an 8m deep single storey rear extension which has not yet been implemented. Due to the angled nature of the road, the properties are stepped in such that there is no uniform front building line. Land slopes from the north to the south. Whilst existing properties in the locality have car parking on their front drive ways, a large proportion of lawn is retained which contributes to the distinctive character of the locality. The site is not in a conservation area and the building is not listed.

### **Description of Proposal:**

It is proposed to erect a part single, part two storey rear extension together with a part single, part two storey side extension. The extensions would wrap around the rear elevation and side elevation facing 4 Alderton Hall Lane.

The overall depth of the proposed extension at rear is 4.5m. The first 2m would be two-storey with associated alterations to the main roof of the house. The alterations to the roof are to extend it over the two-storey projection without its height through a crown roof design. The additional 2.5m rearward projection would be single-storey with a sloping roof 3.4m high at the ridge.

The two storey side extension would be set just over 1m from the site boundary with 4 Alderton Hall Lane. The front elevation would be set 1.5m rear of the front elevation of the existing house and its rear elevation would align with that of the proposed two-storey rear addition. Its roof would be subordinate to that of the existing house. The single-storey rear extension would continue beyond its rear elevation and be linked to a single-storey side extension that would project up to the boundary with 4 Alderton Hall Lane and wrap around the front elevation of the two-storey side extension, aligning with the front elevation of the existing house.

The proposal also includes a 1.2m deep front porch.

### **Relevant Site History:**

EPF/0141/17 Prior approval application for an 8 metre deep single storey rear extension, height to eaves 2.186 metres and overall height of 3.461 metres. Prior Approval Required and Granted 24/02/2017

### **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.

In addition to the Local Plan policies above the Council is currently consulting on the Draft Local Plan. At the current time, only limited material weight can be applied to the Draft Local Plan, however the Draft Plan and evidence base should be considered as a material consideration in planning decisions. The relevant policies in this case are as follows

SP1: Presumption in Favour of Sustainable Development.

DM9: High Quality Design.

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

Number of neighbours consulted: 6  
Site notice posted: No, not required

Responses received: 2 Letters were received from 4 and 71a Alderton Hall Lane raising objection to the proposal. Their grounds of objection are summarised below:

#### **4 ALDERTON HALL LANE:**

1. Harm to living conditions, specifically overlooking and overbearing impact, and excessive loss of light to garden area.
2. Poor design, out of keeping with neighbouring properties.
3. Loss of lawn for car parking would detract from the appearance of the property and harm the character of the area.
4. The answers given to questions on the application form relating to parking and design are not accurate.
5. Attention is drawn to a covenant on the property in which the existing garage wall is considered to be a party wall between no.2 Alderton Hall Lane and my property. The covenant has the following restrictions at the application property: The front garden must remain to lawn; there can be no car parking on the driveway; the existing double garage can only be used as a garage. These restrictions by covenant apply to 2; 4; 6; 8; and 71a Alderton Hall Lane).
6. Attention is drawn to potential conflict with Thames Water requirement in respect of construction within 3m of a public sewer which the extension would be built over. The plans do not specify how the shared sewer to the rear of the property would be protected and serviced.
7. Reference is made to Local Plan policy relating to living conditions, design, private amenity space and car parking
8. This planning application assumes that planning application EPF/0141/17 has been successful. At the current time, this is not the case.

#### **71A ALDERTON HALL LANE:**

1. Extension is excessively large in relation to the fairly small site.
2. Incompatible with neighbouring properties.
3. The general appearance of the road would be adversely affected by this proposal.
4. Increase vehicular activities at this already dangerous junction.
5. The extension would project along boundary and would block any view from our windows.
6. It would also block all the morning and afternoon sun from the majority of our garden and patio.
7. The back door directly faces the fence with view into our garden and towards our living room windows –causing considerable loss of privacy to our property.
8. Extension would be built over the common sewer which also serves neighbouring properties.
9. Proposed parking on the forecourt of the property would be in contravention of a restrictive covenant which insists on the retention of and maintenance of a lawn in the front of the property. Neighbouring properties including bungalows at 6 and 8 Alderton Hall Lane, plus the similar housing development in Alderton Rise, all adhere to and respect this restrictive covenant.

LOUGHTON TOWN COUNCIL: Objection

The Committee objected to this application. Members disliked the proposed bulk of the development, which were considered detrimental to the street scene, and design elements that would not march the adjoining neighbours' properties at nos 71A Alderton Hill and 4 Alderton Hall Lane. The Committee considered the depth of the proposed rear extension would cause loss of light and amenity to these neighbours. Concern was also voiced at the loss of the green aspect in the front garden, and possible breaking of a covenant.

**DRAINAGE:** No objection to this application in principle subject to a condition requiring approval of surface details by the local planning authority.

**TREES AND LANDSCAPING TEAM:** No objection to this application as no trees or landscape issues in connection with this proposal.

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

The main issues in this case are:

- Design.
- Living Conditions.
- Drainage.
- Highway Matters.

#### Design:

The proposal has been revised since its original submission to address the concerns of the Local Planning Authority. The revised scheme now maintains more than a 1 distance from the plot boundaries at first floor level in adherence to the requirements of Policy DBE10. No terracing effect would result from this revised scheme.

The two storey rear element is restricted in depth, and therefore proportionate to the bulk of the existing house. Similarly, the two storey side element is also set in from the front elevation at first floor and set down from the ridge of the main house, thereby achieving a subordinate appearance consistent with the proportions of the existing house.

The proposals will have a crown roof. Notwithstanding the predominance of dual pitched roof forms with single ridges on the properties in the street and the locality, the enlarged side gables and flat ridge element of the proposed crown roof would generally be hidden between the flank walls of adjoining properties 4 and 71a Alderton Hall Lane. The house would generally retain its appearance of a conventional dual pitched roof from the front and rear, particularly when seen from ground level.

It is acknowledged that there may be some views of the side elements of the crown roof on the approach from the south, however; given a substantial distance from the application site, the south facing flank is considered to be of no consequence for the street scene.

In light of the above assessment, Officers conclude the revised proposal is designed to be sympathetically subservient to the original house; and to respect the site and surrounding area in terms of style, bulk, and use of external materials. The proposal would therefore have an acceptable impact on the character and appearance of the street scene and the locality.

#### Living Conditions:

In relation to 4 Alderton Hall Lane; there is a ground floor and first floor window at front elevation serving habitable rooms. It should be understood that, the existing attached garage at the application site currently projects beyond the front wall of 4 Alderton Hall Lane by about 3m and that presently has some limited overbearing impact and limited impact on outlook from the front ground floor window of 4 Alderton Hall Lane.

The first floor of the side extension was revised, following advice from the Planning Officer, to reduce its overall bulk and height to ensure acceptable relationship with 4 Alderton Hall Lane in terms of siting. The revised scheme is now set in by 1.5m from the front elevation at first floor level, and by 1.05m from the side boundary at first floor level. It is also set down by 0.7m from the ridge of the main house. The revised design has reduced the overall scale, and it would now not violate a 45° line taken from the centre of the adjacent front elevation windows a 4 Alderton Hall Lane.

In addition, the flank wall of 4 Alderton Hale Lane projects beyond the rear wall of the application house by some 2.5m such that the revised two storey rear extensions would not project materially beyond it. Moreover, the first floor of the proposal would be set in by 1.022m from the side boundary. Given that relationship, no excessive loss of privacy from overlooking into the rear garden areas of 4 Alderton Hall Lane would arise since any potential overlooking would be from a rear bedroom window some 2m from the site boundary.

In relation to no. 4 Alderton Hall Lane, the bulk, scale and siting of revised proposal would now ensure an acceptable relationship that would not harm to the living conditions of that property.

Turning on to the relationship with 71a Alderton Hale Lane, this property is on a much higher ground than the application building. The existing flank wall of the application building does project significantly beyond the rear wall of 71a Alderton Hale Lane, some 3.5m, but it is set in by 1.28m from the common boundary with this neighbouring property. The proposed development would maintain this existing separation distance. Moreover, this neighbour has a side/rear garage adjacent to the common boundary with application building such that the house at 71a Alderton Hale Lane is sited some 3.8m away from the common boundary and 5m from the flank of application building. There are windows on the rear elevation of 71a Alderton Hale Lane serving habitable rooms. There is also a patio door which provides access to the rear patio and garden area. However; these windows are all located a substantial distance away from the common boundary and the proposed development, some 4.8 and 6m respectively.

The occupiers of 71a Alderton Hale Lane have objected to the impact the proposed development would cause to their living conditions. While the development would appear prominent when is seen from the rear of 71a Alderton Hale Lane, having regard to the relationship described above it is concluded it would not cause excessive harm to the living conditions of 71a Alderton Hale Lane.

#### Other Matters:

Other matters to address in this report are drainage, highways considerations, and matters raised in objections not otherwise dealt with.

#### *Drainage:*

The Council's Land Drainage Team was consulted on this application and have advised that, the applicant has no proposal to dispose of surface water. Since the geology of the area is predominantly clay and infiltration drainage may not be suitable for the site a condition has been suggested requiring submission and approval of surface water details by the local planning authority prior to development commencing.

The potential impact on a public drain is a matter over which Thames Water has independent control therefore it is inappropriate to attempt to control that through the decision on this planning application. The developer will have to resolve this matter directly with Thames Water. In the circumstances, this matter is not a material consideration in this particular case. Nonetheless, an appropriate informative could be included in any planning permission granted.

#### *Highway Matters*

The proposal includes conversion of existing side attached garage into a habitable room which would include replacement of the garage door with a window together with the associated brick work. There are no records of previous planning decisions which required the retention of that garage for car parking only.

A new driveway is proposed and two car parking spaces would be provided in the front garden of the application property, which would reduce the risk of increased on-street parking. Of themselves, these works do not require planning permission since they would be constructed of permeable materials. Accordingly, it is considered that the loss of the use of a garage as a car parking facility would not result in a detrimental impact on the public highway and pedestrian safety.

#### *Objections Received from Neighbours and Parish Council:*

The neighbours at 4 and 71a Alderton Hale Lane and Parish Council have raised several objections to the proposal as listed above. These objections are primarily addressed in the body of this report, however, it is necessary to point out that the potential breach of existing covenant is not a planning matter and as such, it can not be dealt with under planning law. That is a matter between neighbours, which can be addressed in private law.

#### **Conclusion:**

Having taken all material considerations into account, the revised proposal now adheres to the requirements of all the aforementioned policies of the adopted Local Plan (1998) and Alterations (2006) and guidance in the NPPF. The proposal is now acceptable in design terms and in respect of its impact on the living conditions of neighbours. No highways objection can be maintained and potential matters relating to a public sewer and restrictive covenants are matters for private law. Accordingly, it is recommended that planning permission be granted subject to 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 564109***

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

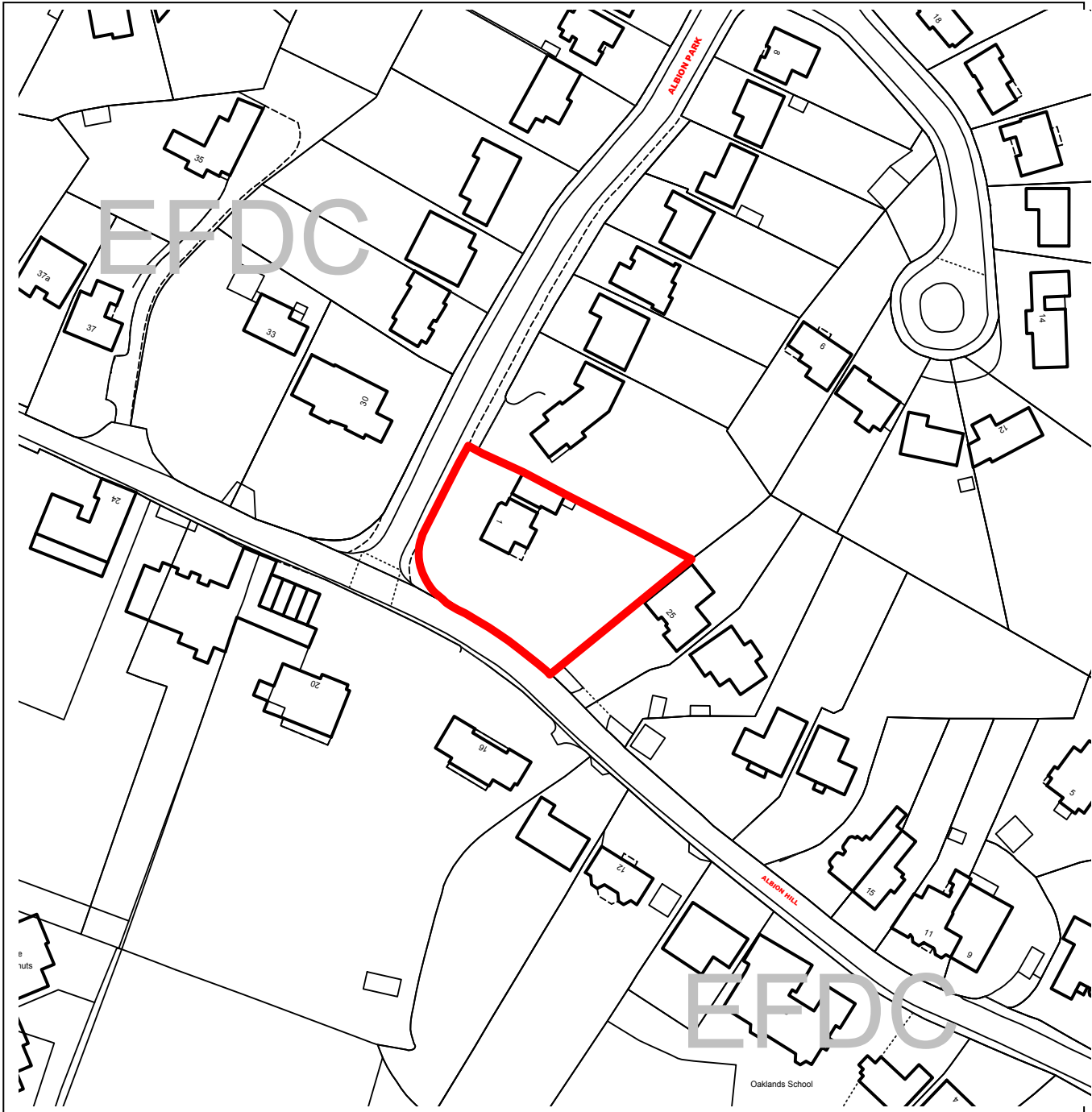


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# Epping Forest District Council

## Agenda Item Number 9



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Application Number:	EPF/3173/16
Site Name:	1 Albion Park, Loughton, IG10 4RB
Scale of Plot:	1/1250

**Report Item No: 9**

<b>APPLICATION No:</b>	EPF/3173/16
<b>SITE ADDRESS:</b>	1 Albion Park Loughton Essex IG10 4RB
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Forest
<b>APPLICANT:</b>	Mr Neil Driver
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of part one and part two storey side extension to form annexe to existing house.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM\\_websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=589776](http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=589776)

**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 proposed part one and part two storey extension hereby approved shall only be used for domestic purposes in connection with the existing dwelling on the site. It shall not be used as a separate dwelling.
- 4 The additional parking area, and second vehicular access into the front of the property, as shown on the 1/500 plan entitled 'Proposed Driveway Layout' shall be constructed and available for use before the extension hereby approved is occupied.
- 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 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 two storey detached house located on a corner plot at the junction of Albion Park with Albion Hill. Surrounding houses are also detached properties. The house is not listed nor does it lie in a conservation area.

**Description of Proposal:**

Erection of a part one and part two storey side extension to form annexe to the existing house.

**Relevant History:**

None.

**Policies Applied:**

*Adopted Local Plan:*

DBE9 – Loss of amenity.

DBE10 – Residential extensions.

ST6 – Vehicle parking.

*NPPF:*

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

*Draft Local Plan*

At the current time, only limited material weight can be applied to the Draft Local Plan, however the Draft Plan and evidence base should be considered as a material consideration in planning decisions. The relevant policies in this case are Draft Policies DM9 and T1.

**Summary of Representations:**

LOUGHTON TOWN COUNCIL – the Committee objected to this application. There was concern as the proposal was in fact for two separate self contained flats, which were clearly indicated on the plans. This intensification of use would also create more parking problems and exacerbate existing street congestion. However, if the District Council is minded to grant permission the Committee requested a condition to ensure ancillary use of the side extension with the main dwelling.

NEIGHBOURS - 5 consulted and two replies received:-

17, ALBION PARK – object - the existing drive could accommodate 4 cars in a line one behind the other but in practice cars would be likely to park on the road. The roads here are heavily parked, partly because of Oaklands School in Albion Hill, and sometimes refuse vehicles cannot manoeuvre into Albion Hill because of parked cars on or close to this junction.

7, ALBION PARK – We have no objection to the application but we have concerns about the parking. Over the last few years there have been serious parking issues in Albion Park caused by

building work there and in Albion Hill and by parking for the school in Albion Hill mainly by staff. It has been such that at one time we had no rubbish collection for six weeks as the refuse lorry could not gain access. We are also concerned that large vehicles and emergency vehicles cannot gain access at certain times. Recently a builders lorry struck a parked car while trying to gain access. Although it is true that it would be possible to park four vehicles on the existing driveway they would be parked in such a way that it would be very inconvenient for the car owners as it would be necessary to shuffle the cars whenever they wanted to use a vehicle. As a result we suggest that four cars would not be parked off the road as is suggested. This is confirmed by the fact that at present one car is parked permanently on the road. To avoid adding to the parking problems we would ask that consideration is given to provision of more suitable and practical off street parking.

### **Issues and Considerations:**

An existing single storey wing of the house, on the boundary with the neighbouring house at no.2, contains a garage and games room. It is proposed to extend this wing forwards to the front main ground floor wall of the house, and also to erect a small 'squaring off' rear extension. Above this a first floor extension is also proposed but of a smaller depth, and this first floor extension would be set in 1m from the side boundary with no.2. The application property stands on ground that is a considerable 3m lower than the neighbouring no 2, and the house at no 2 lies a minimum of 5m from the boundary, and is also angled away from the side boundary. Due to these physical factors the proposed extension will not have a significant impact on the amenity and outlook of the neighbour at no.2

The proposed extensions have pitched and hipped roofs that harmonise well with the existing house. The proposed extensions will therefore have an acceptable appearance in the street scene.

The proposed extension is described as an annexe to the existing house. The applicants have confirmed in writing that they have grown up 22 and 24 year old children who live with them at home, partly because of prohibitive property prices - and the accommodation proposed is intended to provide more independent living space for these children. The applicants have also confirmed in writing that they will accept a condition being attached to any consent requiring the proposed extension to be used only in connection with their existing house, and that it cannot be used as a separate dwelling.

With regard to the concerns raised about parking by the Town Council and two neighbours living further along Albion Hill, it is the case that although the house has a long drive it does not provide independent car spaces. Officers suggested that the applicants consider an alternative arrangement and revised plans have been received showing formation of a larger drive way area at the front and also the provision of a second vehicular access providing an in and out driveway facility. This larger drive way area can be used to provide at least 5 independent car spaces, and this revision adequately deals with concerns that the proposed additional accommodation would aggravate existing parking and vehicle manoeuvring problems at the junction of Albion Park and Albion Hill. A condition is proposed requiring this revised parking and access plan to be implemented before the proposed extension is occupied.

### **Conclusions:**

For the reasons outlined above this householder proposal, as revised, now complies with relevant policies. It is therefore 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**

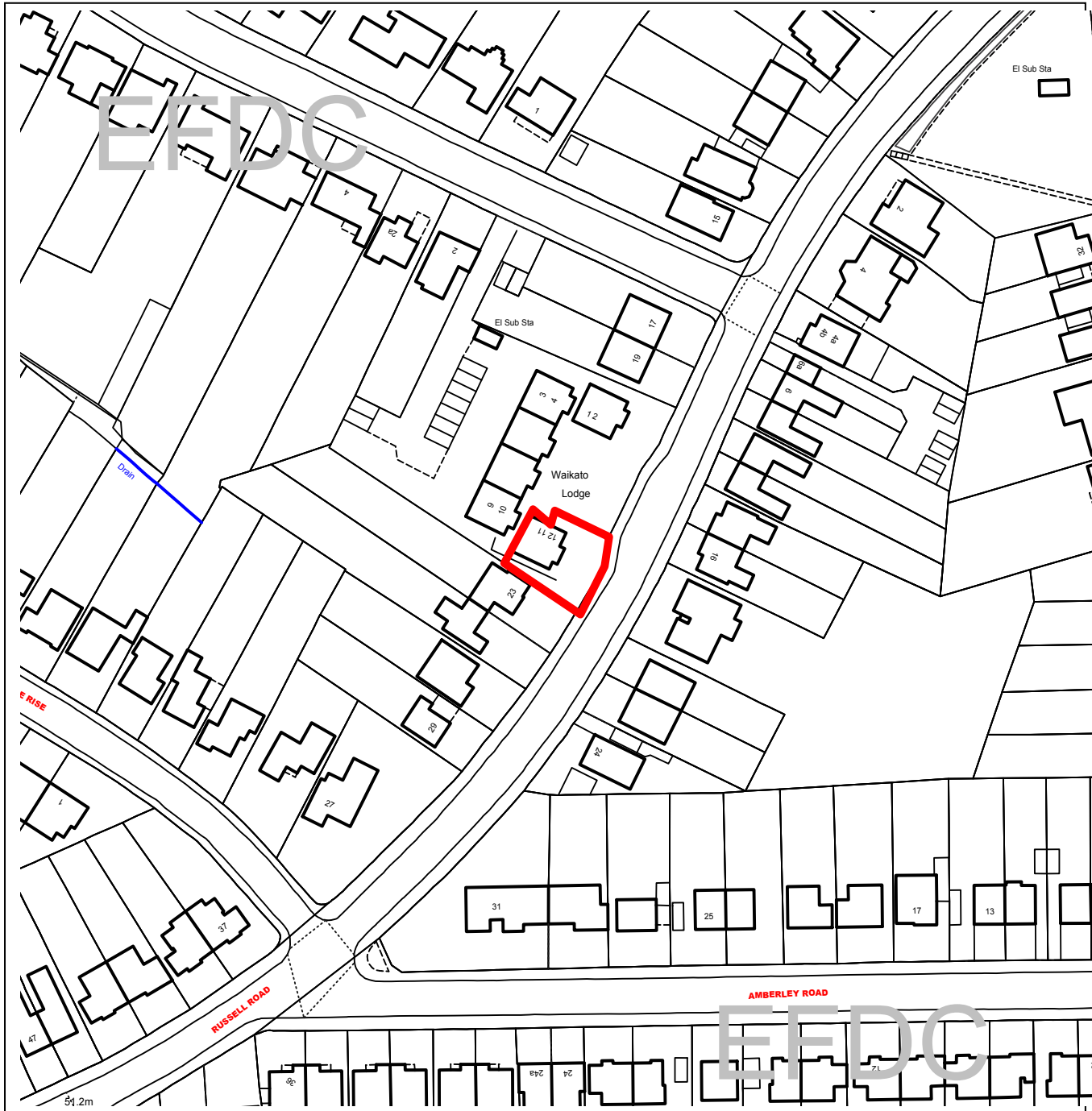
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# Epping Forest District Council

## Agenda Item Number 10



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Application Number:	EPF/3415/16
Site Name:	12 Waikato Lodge, Russell Road, Buckhurst Hill, IG9 5QH
Scale of Plot:	1/1250



**Report Item No: 10**

<b>APPLICATION No:</b>	EPF/3415/16
<b>SITE ADDRESS:</b>	12 Waikato Lodge Russell Road Buckhurst Hill Essex IG9 5QH
<b>PARISH:</b>	Buckhurst Hill
<b>WARD:</b>	Buckhurst Hill West
<b>APPLICANT:</b>	Mr David Smith
<b>DESCRIPTION OF PROPOSAL:</b>	Loft conversion with rear dormer window to provide additional accommodation for first floor flat. (Similar proposal to lapsed consent EPF/1182/05.)
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=590557](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=590557)

**CONDITIONS**

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

*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:**

Waikato Lodge comprises of 3 two storey blocks of maisonettes. Numbers 11 and 12, and 1 and 2, are two small blocks that lie to the front of the main block at numbers 3 to 10. The blocks are located on raised land on the north west side of Russell Road. These blocks of maisonettes are not listed nor do they lie in a conservation area.

### **Description of Proposal:**

Erection of a rear dormer window to provide additional accommodation for the existing first floor maisonette at number 12.

### **Relevant History:**

EPF/0585/05 was a refusal of a rear dormer to this maisonette at no.12 but EPF/1182/05 proposed a revised design and was approved. However this approval was not implemented.

### **Policies Applied:**

DBE9 – Loss of amenity.  
DBE10 – Residential extensions.

National Planning Policy Framework (NPPF)

At the current time, only limited material weight can be applied to the Draft Local Plan, however the Draft Plan and evidence base should be considered as a material consideration in planning decisions. The relevant policy in this case is Draft Policy DM9.

### **Summary of Representations:**

BUCKHURST HILL PARISH COUNCIL – object – because of visual impact of the development on neighbours, it would detract from the street scene, and would be out of keeping with immediate neighbours. If approved it could also set a precedent.

NEIGHBOURS - 8 consulted and one reply received:-

11, WAIKATO LODGE – the ground floor maisonette below no. 12. I am the owner of no.11 and I object because of risk of damage to existing party walls and roof beams, noise from increased footfall, the garden to no.11 will be overlooked, it will reduce sunlight to my property, and it will be out of keeping with the rest of Waikato Lodge which has remained largely the same since they were built in 1963.

### **Issues and Considerations:**

The dormer window is required so as to provide an extra bedroom to the maisonette which has been occupied for many years by the same household. The dormer window would be at the rear, and because no.12 only lies 3m away from the block to the rear, the proposed dormer would not give views down into the windows of the first floor flat of number 10. Nevertheless, to reduce any actual and perceived overlooking the plans have been amended to show that the lower section of windows will be obscured and fixed shut, with the top sections being openable and clear glazed.

One roof light in the rear roof slope, and three in the front, will also be provided and the proposed bedroom will receive appropriate light and ventilation, and it will have a pleasant outlook, particularly with long views at the front.

Concerns have been raised about the dormer being out of keeping and detrimental to the street scene. However it is located at the rear so it will not be viewed in the street scene, and its modest size means that areas of sloping roof will be retained around it. Also these fairly modern blocks of maisonettes are of a simple and somewhat utilitarian appearance, and it would not be reasonable to refuse permission for this much needed extra bedroom on grounds of poor design. For these reasons it is also considered that if approval were to be granted it would not set an undesirable precedent.

The objections received from the owner of the maisonette below at no.11 in part relate to structural concerns that lie outside the remit of planning. Concerns that the proposal will cause overlooking and loss of sunlight to this ground floor flat are not borne out since the proposed dormer sits on the existing roof, and any adverse effect on these amenities to the ground floor unit would be minimal.

**Conclusions:**

For the reasons outlined above this is a fairly modest development that complies with relevant policies. It is therefore 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:***

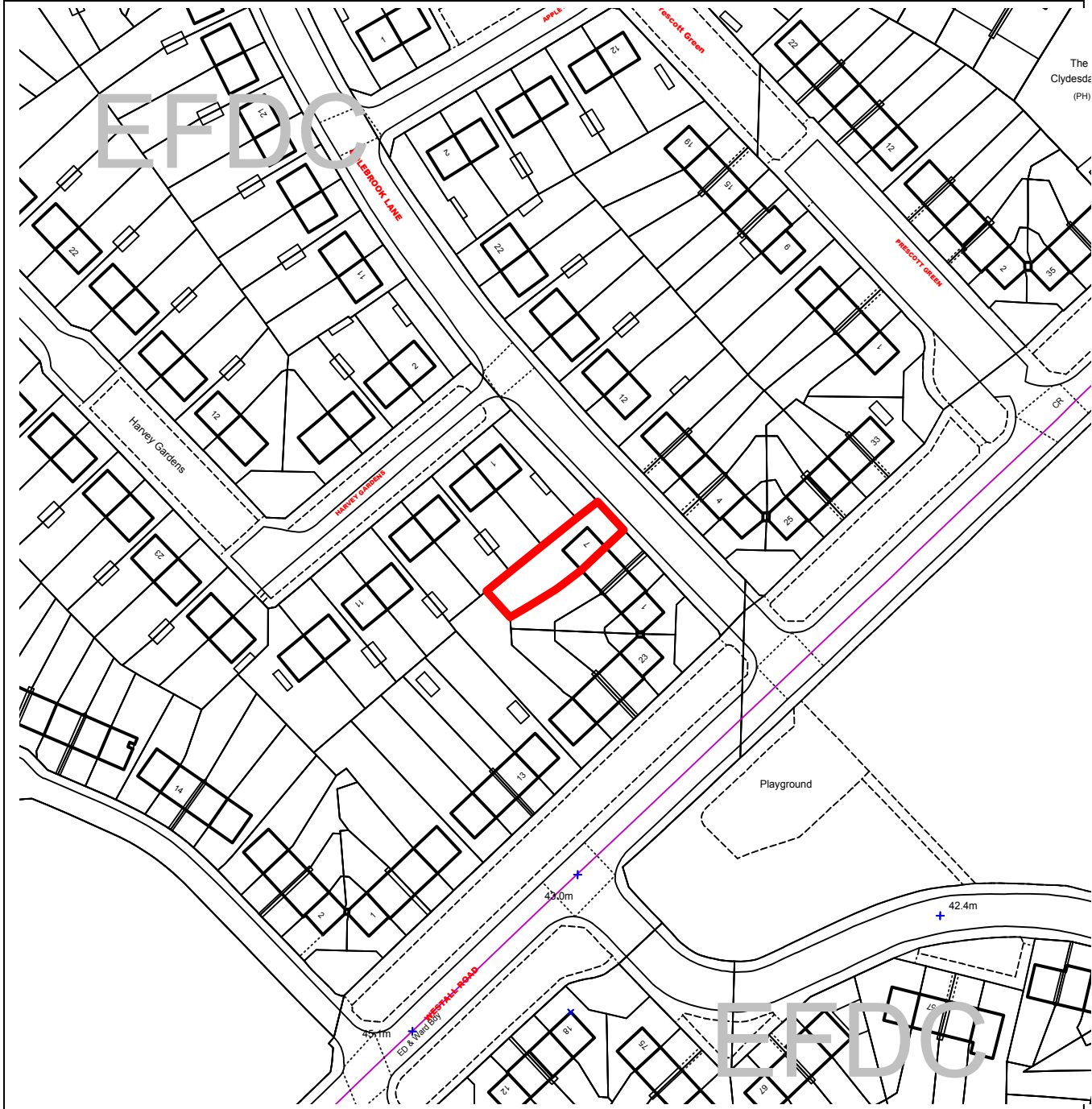
***Planning Application Case Officer: David Baker  
Direct Line Telephone Number: 01992 564514***

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



# Epping Forest District Council

## Agenda Item Number 11



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Application Number:	EPF/0187/17
Site Name:	7 Colebrook Lane, Loughton, IG10 2HQ
Scale of Plot:	1/1250

**Report Item No: 11**

<b>APPLICATION No:</b>	EPF/0187/17
<b>SITE ADDRESS:</b>	7 Colebrook Lane Loughton Essex IG10 2HQ
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Fairmead
<b>APPLICANT:</b>	Mr Selahattin Cicek
<b>DESCRIPTION OF PROPOSAL:</b>	Part retrospective application for two storey side extension, loft conversion, including rear dormer, porch and single storey rear extension (revised application to include alterations to dormer following refusal EPF/0181/16).
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=591136](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=591136)

**CONDITIONS**

- 1 Within 6 months of the date of this decision the dormer hereby approved shall be altered inline with drawing no. DP/2922/PP/06.

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

**Description of Site:**

The application site is a two storey end of terrace property located on the southwest side of Colebrook Lane within the built up area of Loughton. The property is not within the Metropolitan Green Belt or a Conservation Area.

**Description of Proposal:**

This is a part retrospective application following an enforcement investigation, and subsequent planning refusal and dismissed appeal. This application seeks to overcome the previous reasons for refusal following the Inspectorate's decision. The proposal is for the retention of a two storey side extension, loft conversion with rear dormer, front porch and single storey rear extension. This proposal also includes proposed alterations to the built dormer.

The side extension measures 2.7m wide and runs the full depth of the property. The ridge height of the extension is the same as the main roof and to the front the eaves of the extension are raised by 1m compared to the existing eaves height with the front wall of the extension set back from the front wall of the main house by 0.9m. The rear element has a maximum depth of 4.4m with a mono-pitched roof. The rear dormer currently runs the full width of the original and new roof slope but this is the proposed element set the dormer in from the flank gable by 0.6m.

### **Relevant History:**

EPF/0181/16 - Retrospective application for two storey side extension, loft conversion, including rear dormer, porch and single storey rear extension - Refused and dismissed at appeal

The reason for refusal were:

- 1. The two storey side extension coupled with the rear dormer has a contrived appearance due to the high eaves and overall height and bulk that is out of character with its surroundings to the detriment of the streetscene. Additionally it would introduce an unacceptable precedent. For these reasons the proposal is contrary to policies CP2, and DBE10 of the Adopted Local Plan and Alterations and the aims and objectives of the NPPF.*
- 2. The two storey side extension coupled with the rear dormer, by reason of the overall height, bulk and proximity to No. 1 Harvey Gardens results in an overbearing development that would detract from the amenity and outlook of the occupiers of No. 1 Harvey Gardens. The proposal is therefore contrary to policy DBE9 of the adopted Local Plan and Alterations and the aims and objectives of the NPPF.*

The Inspectorate's decision is copied in full at the end of this report.

EPF/2962/14 – Certificate of Lawful Development for proposed rear dormer window as part of a loft conversion – Lawful (This was solely across the original part of the house)

EPF/2972/14 – First floor side and single storey rear extension – App/Con

### **Policies Applied:**

#### *Epping Forest District Local Plan and Alterations*

CP2	Quality of Rural and Built Environment
DBE9	Impact on Amenity
DBE10	Extensions to Dwellings

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

#### *Draft Local Plan Consultation document (2016):*

DM9	High quality design
DM10	Housing design and quality

At the current time only limited material weight can be applied to the Draft Local Plan, however the Draft Plan and evidence base should be considered as a material consideration in planning decisions.

## **Summary of Representations:**

LOUGHTON TOWN COUNCIL: The Committee OBJECTED to this application. The rear dormer was still considered to be too high and bulky, which would cause loss of amenity to the neighbour at no 1 Harvey Gardens, and be detrimental to the streetscene.

6 Neighbours consulted: No responses received

## **Issues and Considerations:**

The main issues with this application are whether the revised plans overcome the previous reasons for refusal in terms of design and impact on amenity inline with the Inspectors comments from the appeal decision.

### Design

The first reason for refusal related to the design of the two storey side extension coupled with the rear dormer appearing contrived, due to the high eaves and overall bulk so that it was to the detriment of the streetscene.

The Inspector considered that the high eaves of the two storey element, coupled with the set back from the front elevation result in the extension appearing *'subsidiary to the main building and avoiding the appearance of an uncharacteristically wide frontage. In this respect, therefore, it [the side extension] does not have a harmful effect on character and appearance of the area.'*

With regards to the dormer the Inspector noted that other large dormers in the area have *'been set back from the gable end and clad in the same materials as the rest of the dormer. This does something to diminish their visual impact by differentiating them visibly from, and not increasing the size of, the gable ends.'*

The Inspector continues: *'The gable end of the appeal property does not have such a setback, and the flank of the nearly full height dormer combined with the masonry of the flank elevation creates a larger than usual gable end to the back of the building, projecting to the rear of the property at the height of the ridgeline.'*

It is considered that this revised submission, setting the dormer in from the flank gable wall and cladding the flank wall of the dormer in the same material as the main dormer, has overcome the Inspector's concerns by reducing the overall bulk of the additions so that it is inline with other larger dormers in the area.

Therefore it is considered that given the Inspector's comments and the revisions made, the first reason for refusal no longer applies.

### Amenity

The second reason for refusal related to the proposal detracting from the outlook and amenity of No. 1 Harvey Gardens due to the overall height and bulk of the works. The Inspector considered that a reasonable degree of separation from the rear of No. 1 Harvey Gardens was retained. In addition, the Inspector considered that *'Any appearance of increased size is therefore focused on the roofline and rear at roof level, at the margins of views from the rear of no. 1, and not, therefore, forming an unduly obtrusive element in those views. It does not, as a result, have a significant*

*effect on the outlook from 1 Harvey Gardens'*. The Inspector did not consider that the extension resulted in an excessive loss of amenity to No. 1 Harvey Gardens and therefore the second reason for refusal can no longer apply. It is considered that the Council's concerns regarding the amenity of No. 1 are lessened with this current application as the dormer will be set in from the flank wall which is also the side boundary thereby reducing the overall bulk of works.

**Conclusion:**

It is regrettable that the scheme was not built to the original approved plans, however, it is considered that this application overcomes the previous concerns raised by the Council in a manner that is consistent with the Planning Inspectors conclusions. A condition can be added to ensure that the proposed works to the dormer are completed within 6 months to ensure that the development is in accordance with any approval. Given the above appraisal the proposal is therefore considered acceptable and approval is recommended.

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

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

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



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## Appeal Decision

Site visit made on 5 August 2016

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

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

Decision date: 31 August 2016

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**Appeal Ref: APP/J1535/D/16/3151920**

**7 Colebrook Lane, Loughton, Essex , IG10 2HQ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Selahattin Cicek against the decision of Epping Forest District Council.
  - The application Ref PL/EPF/0181/16, dated 18 January 2016, was refused by notice dated 18 March 2016.
  - The development proposed is double storey side extension, loft conversion and front porch and single storey rear extension.
- 

### Decision

1. The appeal is dismissed.

### Preliminary matters

2. The development which is the subject of the appeal application has already taken place. Planning permission was granted in February 2015 for a first floor side and single storey rear extension. The single storey rear extension and porch extension to the front of the appeal property are as previously approved, and are not contested. The appeal is focused on the form of the two storey side extension and the dormer extension to the rear roof slope, and in particular their combined impact on the street scene.
3. The appellant's agent has clarified that the appellant's name was misspelt on the planning application form. I have used the corrected spelling in the heading to this decision.

### Main Issues

4. The main issues are the effect on the character and appearance of the area, and the effect on the living conditions of the occupiers of number 1 Harvey Gardens with respect to outlook.

### Reasons

#### *Effect on the character and appearance of the area*

5. No. 7 Colebrook Lane sits at the end of a short terrace leading into an estate of cottage-style houses in brown brick. Most are of two storeys with simple, pitched and tiled roofs and set in short terraces, with paired single storey dwellings with hipped roofs marking the street corners. To the other side of the appeal property is an area of housing of quite different character, of

concrete panelled construction, with simple pitched roofs and some recladding in render, timber or PVCu weather-boarding. Gable ends are visible throughout both styles of housing, and are similarly simple in form, characterised by an expanse of brick or cladding and a simple pitched roof profile.

6. The outside flank of the full width dormer is visible from the street where it has been built up to and incorporated in the masonry of the gable end. Other large dormers in the area can be glimpsed obliquely from the street in gaps between buildings, for instance along Lawton Road. They have been set back from the gable end, and clad in the same materials as the rest of the dormer. This does something to diminish their visual impact by differentiating them visibly from, and not increasing the size of, the gable ends.
7. The gable end of the appeal property does not have such a setback, and the flank of the nearly full height dormer combined with the masonry of the flank elevation creates a larger than usual gable end to the back of the building, projecting to the rear of the property at the height of the ridgeline. While the raised eave detail to the front renders the gable end an unusual shape for the area, some care has been taken in its design to the front to repeat characteristic detailing such as the brick corbelling and the brick-on-edge finishing to the gable end. However, the gable end, departs from typical detailing where it meets the flank of the large rear dormer, and has insufficient articulation in this area, and as a result appears unduly large and prominent to the rear.
8. Due to the gap between the appeal dwelling and other houses along Colebrook Street, its gable end is visible along Colebrook Street, although slightly screened from view close up by large shrubs in a planted verge area outside boundary fence of 1 Harvey Close. Due to this location, the unusual size and shape to the rear of the gable end is a noticeably atypical element in the street scene, and therefore causes some harm to the character and appearance of the area.
9. The high eaves detail to the front is created by the small setback from the front building line of the two storey side extension. I note that the design of the approved two storey side extension shows a small step down at the ridge line from the ridge of the main building, which would have made it appear a subsidiary element and avoided the appearance of an uncharacteristically wide front elevation in an area of typically small houses. While unusual, the set back from the front and raised eaves detail in the extension as built also combine to achieve this effect, making the two storey side elevation appear subsidiary to the main building and avoiding the appearance of an uncharacteristically wide frontage. In this respect, therefore, it does not have a harmful effect on character and appearance of the area.
10. I conclude therefore that the development which is the subject of this appeal conflicts with Policy DBE10 of the Epping Forest District Local Plan which seeks to ensure that residential extensions will complement the street scene.

*Effect on the living conditions of the occupiers of 1 Harvey Gardens with respect to outlook*

11. The two storey side extension follows the footprint of the approved extension and extends to the boundary of the appeal property with the rear of the garden

of no. 1 Harvey Gardens. It thereby retains a reasonable degree of separation from the rear of no. 1 Harvey Gardens.

12. While the ridge line of the extension is higher than that of the approved two storey side extension, it is no higher than the existing ridge line. The flank elevation of the extension extends outwards at ridge height to the rear due to the presence of the rear dormer extension. Although this has created a minor increase in size over that of the original gable end, this extra size is limited to the height and width of the flank of the dormer extension, and is set to the rear of the gable end and at high level. Any appearance of increased size is therefore focused on the roofline and rear at roof level, at the margins of views from the rear of no. 1, and not, therefore, forming an unduly obtrusive element in those views. It does not, as a result, have a significant effect on the outlook from 1 Harvey Gardens.
13. I conclude that the proposed two-storey side extension would not, therefore, conflict with Policy DBE9 of the Epping Forest District Local Plan, which seeks to ensure that extensions do not result in an excessive loss of amenity for occupiers of adjoining premises in terms of visual impact.

#### **Other Matters**

14. The appeal property sits to the south-east of number 1 Harvey Gardens and will have only a limited effect on sunlight reaching the garden of that house created by the addition of the dormer to the rear of the roof slope.

#### **Conclusion**

15. For the reasons given above, and taking into account matters raised, I conclude that this appeal should be dismissed.

*S J Buckingham*

INSPECTOR