

Supplementary Committee Agenda



**Epping Forest
District Council**

Area Planning Subcommittee South Wednesday, 18th August, 2010

Place: Roding Valley High School, Brook Road, Loughton, Essex

Time: 7.30 pm

Democratic Services: Mark Jenkins (Office of the Chief Executive) 01992 56 4607
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7.a Supplementary Item Development Control (Pages 3 - 10)

(Director of Planning and Economic Development) To consider the attached report.

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APPLICATION No:	EPF/1380/10
SITE ADDRESS:	11 Barfields Path Loughton Essex IG10 3JJ
PARISH:	Loughton
WARD:	Loughton Alderton
APPLICANT:	Mr Paul Richards
DESCRIPTION OF PROPOSAL:	New detached dwelling house on land adjacent to 11 Barfields Path, Loughton (Revised application)
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 3 The hedge on the site boundary with the footway of Barfields Path and with 13 Barfields path shown on the approved plans shall be cut down, uprooted, wilfully damaged or destroyed, cut back to a height or width of less than 1 metre or removed without the prior written approval of the Local Planning Authority.

If the hedge is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 3 years of the completion of the development, another hedge shall be planted at the same place, and that hedge shall be of such size, specification, and species, and should be planted at such time as may be specified in writing by the Local Planning Authority.

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

- 4 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 Class F of Part 1, Schedule 2 of the Order shall be undertaken between the house hereby approved and the site boundary with the footway of Barfields Path without the prior written permission of the Local Planning Authority.
- 5 A flood risk assessment shall be submitted to and approved by the Local Planning Authority prior to commencement of the development. The assessment shall demonstrate compliance with the principles of Sustainable Drainage Systems (SuDS). The approved measures shall be carried out prior to the first occupation of the building hereby approved and shall be adequately maintained in accordance with a management plan to be submitted concurrently with the assessment..
- 6 Prior to first occupation of the building hereby approved the proposed window opening in the east facing flank and the bathroom window opening in the north facing elevation shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7metres above the floor of the room in which the windows are installed and shall be permanently retained in that condition.

This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section CL56, Schedule A (g) of the Council's Delegated Functions).

Description of Proposal:

Erection of a detached house.

The house would be two-storey with a simple rectangular footprint 6.1m in width and 7.8m in depth. It would have a shallow pitched gabled roof with the gable ends to the sides. External materials would be facing brick to the ground floor, render to the first floor and interlocking tiles for the roof. The house would have relatively deep eaves.

The ground floor would be laid out as two main rooms: a kitchen to the front and a lounge/dining area to the rear. The first floor would comprise 2 bedrooms to the front and a study and bathroom to the rear. Windows to the bathroom and a landing on the eastern flank would be obscure glazed. The window to the study would be high level and continue as a rooflight breaking the eaves of the rear elevation.

The house would be set 1m from the flank wall of the existing house at 11 Barfields Path and between 700mm and 2m from the site boundary with 13 Barfields Path. There would be a distance of between 5.3m and 6.3m between the proposed house and the first floor flank wall of 13 Barfields Path. The house would project 1m forward of the front wall of the existing house at no. 11 and align with its rear wall.

An L shaped rear garden of approximately 80m² would provide private amenity space. Rear of the house it would have a depth between 6m and 7m.

The house would be set 6.5m from the front garden boundary with the back edge of the footway. The front garden would be grassed and enclosed by an existing mature hedge.

Description of Site:

The site is the side garden of 11 Barfields Path, a two-storey semi-detached house set approximately 6.5m rear of the property boundary with the back edge of the footway. The house has a shallow pitched gabled roof with a gable end to the flank elevations. It is typical of houses in Barfields Path which appear to be constructed of pre-fabricated panels and have relatively deep eaves. The ground floor is finished in render and the first floor retains the appearance of a prefabricated panel with strong vertical elements. A substantial hedge encloses the front and part of the side garden boundaries. Low timber panel fencing encloses the rear part of the side garden and more open picket fencing the boundary with 27 Cherston Road.

Both 11 and 13 Barfields Path have a single landing window in their flank elevations. No 13 has a single storey garage addition that is set into the surrounding land.

Levels in this part of Barfields Path vary. Levels rise up from the road and continue rising to Cherston Road. They also rise to the south along Barfields Path and fall significantly from the site towards Deepdene Road. The combination of changes in levels and open aspect where Barfields Path meets Deedene Road gives the site particular prominence in the street scene, especially when seen from Deepdene Road.

A wide grass verge separates the footway from the carriageway of Barfields Path adjacent to the site. A very prominent oak tree is situated in the verge adjacent to the boundary of the site with 13 Barfields Path. The tree is not preserved since it is a street tree controlled by the Highway Authority.

Barfields Path is a quiet cul-de-sac off Barfields that terminates in a turning head adjacent to Deepdene Road. Front gardens in Barfields Path are typically enclosed by mature hedgerow. Off-street parking is not common.

Relevant History:

EPF/1819/09 Erection of a three bedroom detached house. Refused for the following reasons:

1. By reason of its unsympathetic design and siting the proposed house would form a poor contrast with the existing pattern of development in the locality that would appear unduly prominent to the detriment of the street scene. It would therefore be harmful to the character and appearance of the locality. That harm would be exacerbated by the loss of the existing hedgerow enclosing the front and side garden boundaries and the formation of a parking space in the front garden. Accordingly the proposal is contrary to policy ENV7 of the East of England Plan and policies CP2 and DBE1 of the Epping Forest District Local Plan and Alterations.
2. As a consequence of introducing first floor windows to habitable rooms a short distance from the site boundary with 27 Cherston Close, the proposed house would give rise to excessive overlooking of the rear gardens of 27 and 29 Cherston Close. The proposed house would therefore cause harm to the amenities enjoyed by the occupants of those properties and, accordingly, is contrary to policies DBE2 and DBE9 of the Epping Forest District Local Plan and Alterations.

Policies Applied:

The East of England Plan is no longer a material consideration.

Epping Forest District Local Plan and Alterations

CP2	Quality of Rural and Built Environment
CP3 – CP5 & ST1	Sustainability policies
H2A	Previously Developed Land
DBE1	Design of New Buildings
DBE2	Effect on Neighbouring Properties
DBE3	Design in Urban Areas
DBE8	Private Amenity Space
DBE9	Loss of Amenity
LL11	Landscaping Schemes
ST6	Vehicle Parking

SUMMARY OF REPRESENTATIONS:

NEIGHBOURS: - 12 neighbours were consulted but no comments were received at the time of writing this report. The consultation period for neighbours continues until 13 August and any comments subsequently received will be reported verbally. No neighbour comments were received in respect of the previously refused application.

LOUGHTON TOWN COUNCIL – “The Committee OBJECTED to this planning application as it considered the proposal an overdevelopment of the site with no parking allocated, and was therefore contrary to DBE1(i) & (ii) and DBE6 of the District Council’s adopted Local Plan & Alterations.”

LOUGHTON RESIDENTS ASSOCIATION: - Objection raised on the following grounds:

- no parking spaces are provided
- it appears to be garden-grabbing – now frowned upon by Government.
- Other houses in this road are pairs of semis of similar design, and this intrusion would be out-of-character.

Issues and Considerations:

The proposed house would be in a sustainable location within an urban area. The land is the side garden of a house that forms part of a group of houses that front the street and amounts to previously developed land. Accordingly, the principal of the development is acceptable. The main issues to consider in this case are therefore design matters, consequences for the amenities enjoyed by the occupants of neighbouring houses and consequences for on-street parking. Following the previous refusal of planning permission for a detached house, this proposal has been developed in close consultation with planning officers.

Design:

The character of development on Barfields Path is very homogenous, being dominated by housing of a relatively uniform design and relationship to the street. There is, however, an unusually wide gap between the flank walls of 11 and 13 Barfields Path which is filled primarily by the visual impact of the oak tree on the verge adjacent to the boundary between the two properties. The proposal would introduce built form into that gap but it would not be centrally located.

As a detached house, the proposal would appear as an atypical house type in the street scene. The applicant has therefore, on the advice of officers, taken steps to ensure the development as a whole adopts strong elements of the design of existing properties in the street. That includes a shallow pitched roof with pronounced eaves, the retention of hedges on the boundary with the footway and a grassed front garden with no off-street parking provision. The building itself would also make use of materials to break up the visual impact of its eastern flank.

Having regard to the sensitive design of the proposal, the established pattern of development in the locality is sufficiently robust to accommodate it and the new house will be absorbed by the existing pattern of development in visual terms. The proposal would therefore safeguard the character and appearance of the street.

The rear elevation would not appear conventional due to the unusual design of the window for the proposed study. That design feature is a simple solution to a potential overlooking issue that is discussed further below. It would not be visible from the street and trees in rear gardens would to some degree obscure views of the rear elevation from houses to the rear of the site.

The design of the development as a whole overcomes the first reason for refusal of the previous application.

Amenity:

The proposed house is designed to prevent a material increase in the degree of overlooking of the garden areas of 27 and 29 Cherston Close. This is a consequence of siting the bathroom window to the rear and ensuring the window to the study is a high level window. Good light to the study would nevertheless be achieved by the continuation of the high level window onto the roof as a rooflight. This arrangement satisfactorily overcomes the second reason for refusal of the previous application.

There would be some minor loss of light and overbearing impact on 13 Barfields Path but this would not be so great as to be excessively harmful to the amenities enjoyed by the occupants of no. 13.

There would be no harm to the amenities of no. 11 Barfields Path but since part of the rear garden for the new house would be sited directly rear of the existing house and be separated from it by a distance of 1m that arrangement would potentially lead to an excessive degree of overlooking of the rear garden of the new house from the rear elevation of the existing house. However, the nearest first floor window in the existing house serves a bathroom and has an obscure glazed window therefore the degree of overlooking arising would not be excessive.

Parking:

The site is situated 1km from Debden Underground Station and the Broadway shopping area. It is within in convenient walking distance of local schools and bus services.

The applicant deleted a proposal for off-street parking on the site at the request of officers. That request was made in order to achieve a development that safeguarded the character of the street where the enclosure of front gardens by hedgerow is a strong positive element of its character. The provision of an off-street parking space in the front garden of the proposed house would require the removal of a significant length of hedgerow, not only for the vehicular access, but also for the maintenance of an appropriate visibility splay. Furthermore, the vehicular access required would have to be sited in close proximity to a very prominent street tree that makes a valuable contribution to the visual amenities of the locality. In those circumstances the provision of an off-street parking space and associated vehicular crossover would be harmful to the character and appearance of the street.

The development would therefore result in an increase in the demand for on-street parking on Barfields Path. However, there is ample space for on-street parking at present and the construction of a vehicular crossover to provide access to a single off-street parking space (the minimum required by the current vehicle parking standards) would have the effect of removing one potential on-street parking space that is currently generally available. That would not be in the public interest.

Moreover, since Barfields Path is a cul-de-sac, it does not experience high traffic flows where achieving off-street parking would be in the interests of facilitating the free movement of traffic.

In the circumstances the balance of issues in this case is such that the need to achieve a development that safeguards the character and appearance of the street in the interests of the visual amenities of the locality outweighs the potential harm that could be caused by a small increase in the demand for on-street parking in Barfields Path.

While this assessment is appropriate in respect of this particular development, it may not be in respect of other proposals that may be put forward for sites elsewhere in the locality. Any planning permission given should not be construed as amounting to a precedent for similar development elsewhere.

Conclusion

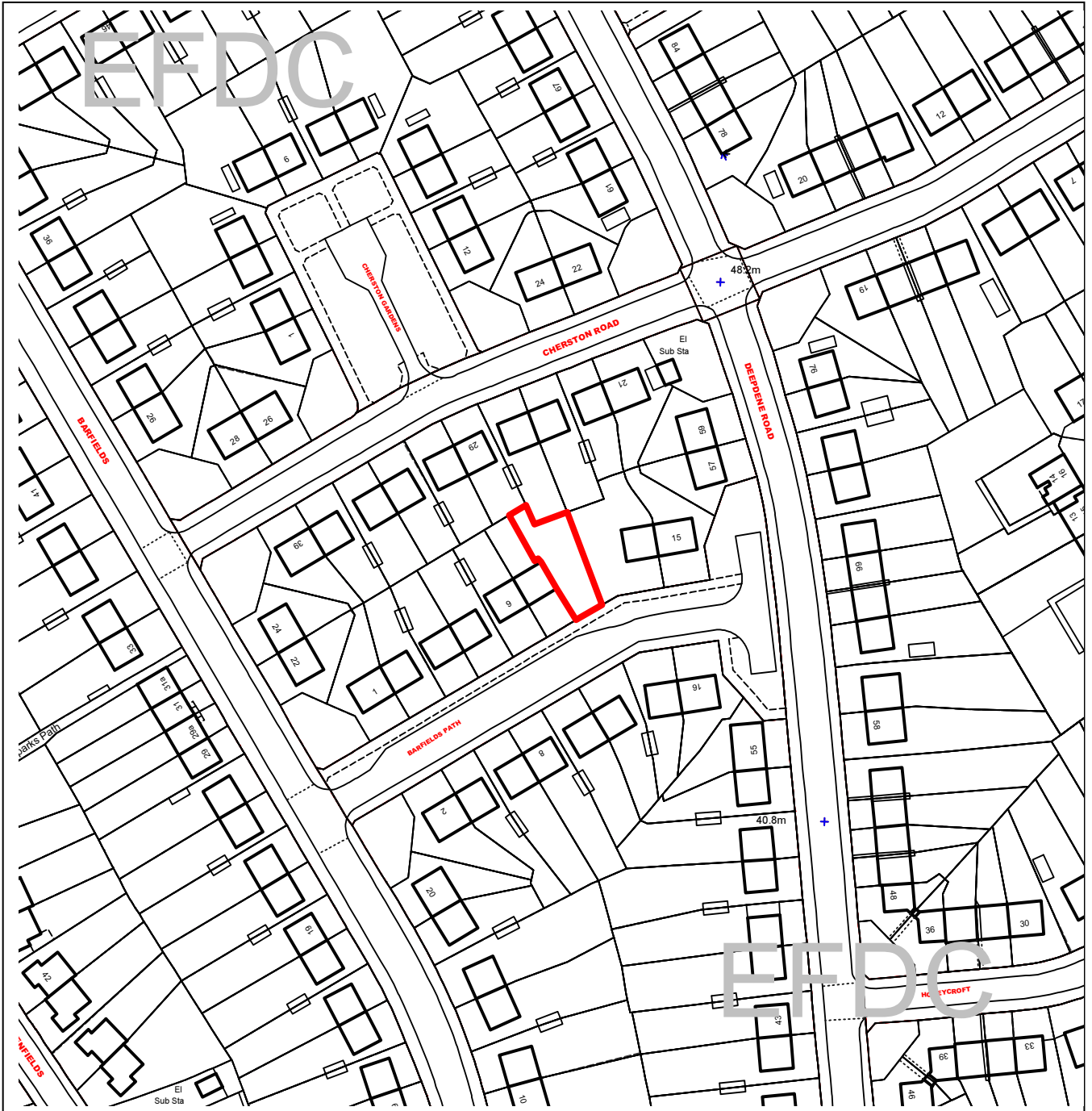
The proposed development overcomes the reasons for refusal of planning application EPF/1819/09. The pattern of development in Barfields Path is sufficiently robust to accommodate an appropriately designed house in this obvious gap between houses. Safeguarding the character and appearance of the locality depends on maintaining a green frontage that does not include an off-street parking space. The proposal achieves this in accordance with Officers advice relating to this particular site. The consequence in terms of the demand for on-street parking is very limited and certainly not harmful to amenity or the safe and free flow of traffic.

The proposal has the benefit of contributing to the provision of housing in a sustainable location. It achieves this by way of an appropriate design that safeguards the character and appearance of the locality, the amenities enjoyed by the occupants of neighbouring properties and the interests of highway safety. Accordingly, it is recommended that conditional planning permission be granted.



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:

Application Number: EPF/1380/10

Site Name: 11 Barfields Path, Loughton, IG10 3JJ

Scale of Plot: 1/1250

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