



***District Development Management Committee
Wednesday, 26th January, 2022***

You are invited to attend the next meeting of **District Development Management Committee**, which will be held at:

Council Chamber - Civic Offices
on **Wednesday, 26th January, 2022**
at **7.00 pm** .

Georgina Blakemore
Chief Executive

**Democratic Services
Officer**

Gary Woodhall Tel: (01992) 564243
Email: democraticservices@eppingforestdc.gov.uk

Members:

Councillors S Jones (Chairman), B Rolfe (Vice-Chairman), R Baldwin, H Brady, I Hadley, S Heap, S Heather, H Kauffman, P Keska, J Lea, R Morgan, C C Pond, S Rackham, J M Whitehouse and K Williamson

SUBSTITUTE NOMINATION DEADLINE:

18:00

1. WEBCASTING INTRODUCTION

This meeting is to be webcast and the Chairman will read the following announcement:

"I would like to remind everyone present that this hybrid meeting will be broadcast live to the internet (or filmed) and will be capable of repeated viewing (or other such use by third parties). Therefore by participating in this meeting, you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes. If any public speakers on Zoom do not wish to have their image captured they should ensure that their video setting throughout the meeting is turned off and set to audio only.

Please also be aware that if technical difficulties interrupt the meeting that cannot be overcome, I may need to adjourn the meeting."

2. ADVICE FOR PUBLIC & SPEAKERS AT PLANNING COMMITTEES (Pages 5 - 6)

(Team Manager – Democratic & Electoral Services) General advice for those persons attending the meeting of the Committee is attached as an Appendix to this agenda.

3. APOLOGIES FOR ABSENCE

Please use the Members' Portal webpage to report non-attendance at meetings [https://eppingforestdc-self.achieveservice.com/service/Member Contact](https://eppingforestdc-self.achieveservice.com/service/Member>Contact) to ensure that your query is properly logged.

Alternatively, you can access the Members' Portal from the front page of the Council's website, at the bottom under 'Contact Us' <https://eppingforestdc.gov.uk/your-council/members-portal/>.

4. SUBSTITUTE MEMBERS

(Team Manager – Democratic & Electoral Services) To report the appointment of any substitute members for the meeting.

5. DECLARATIONS OF INTEREST

(Team Manager – Democratic & Electoral Services) To declare interests in any item on the agenda.

6. MINUTES

(Team Manager – Democratic & Electoral Services) To confirm the minutes of the meeting of the Committee held on 27 October 2021 (to follow).

7. EPPING FOREST DISTRICT LOCAL PLAN SUBMISSION VERSION - PLANNING POLICY BRIEFING NOTE

(Service Manager – Development Management) A Planning Policy Briefing Note, dated October 2021, has been produced by the Planning Policy Team to ensure that a consistent approach is taken to the provision of planning policy advice for the District, particularly in relation to the Epping Forest District Local Plan Submission Version, which was published on 18 December 2017 and the Main Modifications to the LPSV published for consultation between 15 July and 23 September 2021.

The primary purpose of the Planning Policy Briefing Note is to inform the development management process and to provide assistance for Development Management Officers, Councillors, applicants and planning agents. The Planning Policy Briefing Note is available at:

<https://www.eppingforestdc.gov.uk/wp-content/uploads/2021/10/Planning-Policy-Briefing-Note-06-October-2021-accessible.pdf>

8. PLANNING APPLICATION EPF/0826/18 48 RUSSELL ROAD, BUCKHURST HILL (Pages 7 - 58)

(Service Manager – Development Management) To consider the attached report for the demolition of the existing bungalow and erection of three flats.

9. PLANNING APPLICATION EPF/2829/21 1A MONKSWOOD AVENUE, WALTHAM ABBEY (Pages 59 - 68)

(Service Manager – Development Management) To consider the attached report for a hip to gable extension to the roof and insertion of a rear dormer.

10. PLANNING APPLICATION EPF/2870/21 1A MONKSWOOD AVENUE, WALTHAM ABBEY (Pages 69 - 76)

(Service Manager – Development Management) To consider the attached report for a single storey side/rear extension.

11. PLANNING APPLICATION EPF/0583/21 8 BOLEYN ROW, EPPING (Pages 77 - 86)

(Service Manager – Development Management) To consider the attached report for a part single/two storey rear/side extensions, replacement larger roof window on rear elevation, and conversion of rear half of existing garage (Revised application to EPF/0052/21).

12. ANY OTHER BUSINESS

(Team Manager – Democratic & Electoral Services) Section 100B(4)(b) of the Local Government Act 1972 requires that the permission of the Chairman be obtained, after prior notice to the Chief Executive, before urgent business not specified in the agenda (including a supplementary agenda of which the statutory period of notice has been given) may be transacted.

13. EXCLUSION OF PUBLIC AND PRESSExclusion

(Team Manager – Democratic & Electoral Services) To consider whether, under Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the items of business set out below on grounds that they will involve the likely disclosure of exempt information as defined in the following paragraph(s) of Part 1 of Schedule 12A of the Act (as amended) or are confidential under Section 100(A)(2):

<u>Agenda Item</u>	<u>Subject</u>	<u>Paragraph Number</u>
Nil	None	Nil

The Local Government (Access to Information) (Variation) Order 2006, which came into effect on 1 March 2006, requires the Council to consider whether maintaining the exemption listed above outweighs the potential public interest in disclosing the information. Any member who considers that this test should be applied to any currently exempted matter on this agenda should contact the proper officer at least 24 hours prior to the meeting.

Background Papers

(Team Manager – Democratic & Electoral Services) Article 17 (Access to Information) of the Constitution defines background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and

- (b) have been relied on to a material extent in preparing the report and does not include published works or those which disclose exempt or confidential information and in respect of executive reports, the advice of any political advisor.

The Council will make available for public inspection one copy of each of the documents on the list of background papers for four years after the date of the meeting. Inspection of background papers can be arranged by contacting either the Responsible Officer or the Democratic Services Officer for the particular item.

Advice to Public and Speakers at the Council's District Development Management Committee and Area Plans Sub-Committees

Are the meetings open to the public?

Yes, all our meetings are open for you to attend. Only in special circumstances are the public excluded. If you wish to observe meetings live you can view the webcast on the Council's website at: <https://www.eppingforestdc.gov.uk/your-council/watch-a-meeting/> Alternatively, you can attend in person and will be seated in the public gallery of the Council Chamber.

When and where is the meeting?

Details of the location, date and time of the meeting are shown at the top of the front page of the agenda along with the details of the contact officer and Members of the Committee.

Can I speak?

If you wish to speak **you must register with Democratic Services by 4.00 p.m. on the day before the meeting**, by telephoning the number shown on the front page of the agenda. You can register to speak at the meeting either virtually via Zoom or in person at the Civic Offices. Speaking to a Planning Officer will not register you to speak; you must register with Democratic Services. Speakers are not permitted on Planning Enforcement or legal issues.

Who can speak?

Three classes of speakers are generally allowed: Only one objector (maybe on behalf of a group), the local Parish or Town Council and the applicant or his/her agent. In some cases, a representative of another authority consulted on the application may also be allowed to speak.

What can I say?

You will be allowed to have your say about the application, but you must bear in mind that you are limited to **3 minutes**. At the discretion of the Chairman, speakers may clarify matters relating to their presentation and answer questions from Committee members.

If you are not present by the time your item is considered, the Committee will determine the application in your absence.

If you have registered to speak on a planning application to be considered by the District Development Management Committee, Area Plans Sub-Committee East, Area Plans Sub-Committee South or Area Plans Sub-Committee West you will either address the Committee from within the Council Chamber at the Civic Offices, or will be admitted to the meeting virtually via Zoom. Speakers must NOT forward the Zoom invite to anyone else under any circumstances. If attending virtually, your representation may be supplied in advance of the meeting, so this can be read out by an officer on your behalf should there be a technical problem. Please email your statement to: democraticservices@eppingforestdc.gov.uk

Can I give the Councillors more information about my application or my objection?

Yes, you can but it must not be presented at the meeting. If you wish to send further information to Councillors, their contact details can be obtained from Democratic Services or our website <https://www.eppingforestdc.gov.uk/> Any information sent to Councillors should be copied to the Planning Officer dealing with the application.

How are the applications considered?

The Committee will consider applications in the agenda order. On each case they will listen to an outline of the application by the Planning Officer. They will then hear any speakers' presentations.

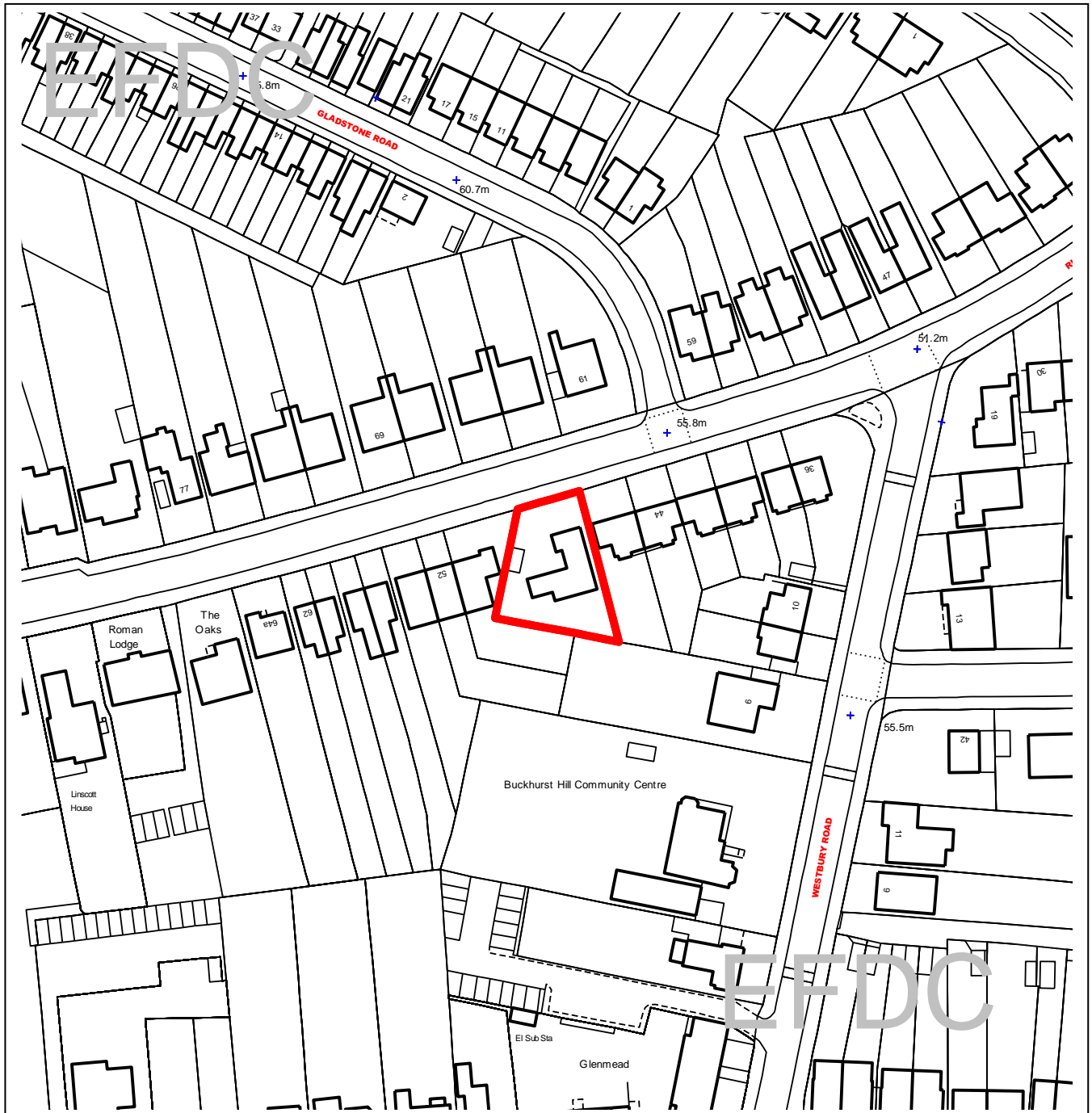
The order of speaking will be (1) Objector, (2) Parish/Town Council, then (3) Applicant or his/her agent. The Committee will then debate the application and vote on either the recommendations of officers in the agenda or a proposal made by the Committee. Should the Committee propose to follow a course of action different to officer recommendation, it is required to give its reasons for doing so.

An Area Plans Sub-Committee is required to refer applications to the District Development Management Committee where:

- (a) the Sub-Committee's proposed decision is a substantial departure from:
 - (i) the Council's approved policy framework; or
 - (ii) the development or other approved plan for the area; or
 - (iii) it would be required to be referred to the Secretary of State for approval as required by current government circular or directive;
- (b) the refusal of consent may involve the payment of compensation; or
- (c) the District Development Management Committee have previously considered the application or type of development and has so requested; or
- (d) the Sub-Committee wish, for any reason, to refer the application to the District Development Management Committee for decision by resolution.

Further Information

Further information can be obtained from Democratic Services.



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Application Number:	EPF/0826/18
Site Name:	48 Russell Road, Buckhurst Hill, IG9 5QE
Scale of Plot:	1/1250

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[SAC CASE NOW PROGRESSING**]**

Address: 48 Russell Road, Buckhurst Hill, IG9 5QE

Subject: EPF/0826/18 – Demolition of existing bungalow and erection of three flats

Officer contact for further information: (Mr) Cuma Ahmet (Ext.2158).

Democratic Services Officer: Gary Woodhall (Ext 4243)

Recommendation(s):

(1) That planning application EPF/0826/18 be granted planning permission, subject to the completion, within 6 months, of a Section 106 Legal Agreement to secure appropriate financial contributions towards (a) access management and monitoring of visitors to the Epping Forest Special Area of Conservation (EFSAC) and b) mitigation of air pollution in the vicinity of the EFSAC.

And subject to the following planning 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:**

**318-PL-11 Rev A - Site & Location Plans
318-PL-12 Rev A - Proposed & Existing Street Elevation
318-PL-13 Rev A – Proposed Ground Floor Plan
318-PL-14 Rev A – Proposed Lower Ground & First Floor Plans
318-PL-15 Rev A – Proposed Second Floor & Roof Plans
318-PL-16 Rev A – Proposed Elevations
318-PL-17 – Proposed & Existing Section A-A
318-EX-01 Rev A – Existing Lower Ground & Ground Floor Plans
318-EX-02 Rev A – Existing Roof Plan
318-EX-03 Rev A – Existing Elevations**

Supporting Documents:

Tree Constraints Plan CA/RUS/01 Rev A

- 3. No construction works above ground level shall have taken 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, prior to the commencement of the development. The development shall be implemented in accordance with such approved details.**

- 4. 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.**
- 5. No development, including works of demolition or site clearance, shall take place until foundation details have been submitted to the Local Planning Authority and approved in writing. The foundations shall consist of piles and an above ground beam design. Drawings submitted shall include cross sectional detail of pile and beam join and the location of piles in plan form. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.**
- 6. Prior to any above ground works, full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) shall be 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.**
- 7. No services shall be installed within the root protection area of the retained trees on or adjacent to the site unless the Local Planning Authority gives its prior written approval.**

- 8. The lift shown on the approved plans shall be provided as part of the construction of the approved building and completed prior to first occupation and maintained thereafter.**
- 9. The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site. Should any discoloured or odorous soils be encountered during development works or should any hazardous materials or significant quantities of non-soil forming materials be found, then all development works should be stopped, the local planning authority contacted and a scheme to investigate the risks and/or the adoption of any required remedial measures be submitted to, agreed and approved in writing by the local planning authority prior to the recommencement of development works. In such instances, following the completion of development works and prior to the first occupation of the site, sufficient information must be submitted to demonstrate that any required remedial measures were satisfactorily implemented or confirmation provided that no unexpected contamination was encountered.**
- 10. Prior to any above groundworks, details and location of the parking spaces (including garages) equipped with active and/or passive Electric Vehicle Charging Point(s) shall have been submitted to and approved in writing with the Local Planning Authority (LPA), unless otherwise agreed in writing with the LPA. The installation of EVCP shall be completed in accordance with the approved details and made operational prior to first occupation. The details shall include:**

 - Location of active and passive charging infrastructure;**
 - Specification of charging equipment; and**
 - Operation/management strategy. The council will expect that a management plan for the charging points is set out clearly. This will address:**
 - a) Which parking bays will have active and/or passive charging provision, including disabled parking bays;**
 - b) How charging point usage will be charged amongst users;**
 - c) The process and the triggers for identifying when additional passive charging points will become activated; and**
 - d) Electricity supply availability. The electricity supply should be already confirmed by the Network Provider so that the supply does not need to be upgraded at a later date.**
- 11. Prior to first occupation of the development, measures shall be incorporated within the development to ensure a water efficiency standard of 110 litres (or less) per person per day.**

- 12. Prior to first occupation of the development, a scheme to enhance the ecological value of the site shall be submitted to and agreed in writing by the Local Planning Authority. The ecological value shall be quantified using the Biodiversity Impact Assessment Calculator (BIAC) where appropriate. The scheme shall be implemented in full prior to the occupation of the development hereby approved.**
- 13. Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed and utilised to clean vehicles immediately before leaving the site. Any mud or other material deposited on nearby roads as a result of the development shall be removed.**
- 14. 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.**
- 15. If any tree, shrub or hedge shown to be retained in the submitted Arboricultural reports 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.**
- 16. No construction works above ground level shall take place until the documentary and photographic details showing the fenestration to be completed in timber have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.**

Context

Previous committee resolution

This planning application was previously reported to this committee in August 2018 when it was resolved to grant planning permission subject to conditions and completion of a S106 Agreement to secure EFSAC related mitigations (see Appendix A for original committee report and associated minutes). Planning permission has since been withheld pending officers completing an *Appropriate Assessment* of the effects on the EFSAC and securing relevant mitigations, which is in accordance with this committee's decision made in April 2021.

Why is the application being reported back again?

This case has been brought back again following the identification of new material considerations and facts which this committee may not have been previously aware and could therefore be considered material to a final decision. This approach is consistent with Section 70(2) of the Town and Country Planning Act 1990 (as amended) and relevant case law which states:

'In dealing with ... an application [for planning permission], the [local planning] authority shall have regard to ... the development plan and to any other material considerations'

What are the new facts that have been identified?

The new facts and material considerations are:

1. The neighbouring property at No.46 Russell Road (east of application site) has been altered by virtue of successive developments (some approved) since the August 2018 resolution.
2. There have been successive updates to national planning guidance in the form of National Planning Policy Framework (2021) and Planning Practice Guidance.
3. The emerging Local Development Plan in the form of the Submission Version Local Plan (2017) is now at an advanced stage in its preparation and therefore can now be given greater weight in decision making (in accordance with paragraph 48 of the NPPF).

Procedure for Determination

The decision of the Councillors at Area Planning Sub-Committee South on 27 June 2018 to refer the full determination of this application to DDMC remains valid and in accordance with the provisions contained in Article 10 of the Council's adopted constitution. A copy of Article 10 has been included under Appendix B of this report.

Description of Site & Immediate Surroundings

The application site comprises of a large single storey detached dwelling on a hillside location which slopes downwards to the south at the rear and downwards to the east from the front elevation. Due to the complicated levels of the site the bungalow has 1 non habitable room at lower ground floor level, however it cannot be considered a two-storey dwelling. Adjoining the western boundaries are three storey terraced houses, the nearest of which is No.50 Russell Road and adjoining the eastern boundary is a pair of two storey semi-detached dwellings, the nearest of which is No. 46 Russell Road. Russell Road is made up of a mixture of dwelling types and styles. The site is within an urban area and is not listed nor within a conservation area.

The neighbouring property at No.46 Russell Road (east of application site) has been extended to its side, rear including roof. The existing part side and rear extensions (including roof dormer) are currently unlawful. However, these additions are now the subject of a further planning permission granted under reference EPF/2243/21 which in its effect secures a reduction in their scale and design. We have therefore assessed the position in light of the lawful development and not what is currently unlawful.

The neighbouring property at No.50 Russell Road is located to the immediate west of the application site. This property has not been previously extended. The rear garden is L-shaped extending in part around the rear of the application site.

There is one tree to the front of the application site which is not protected. A further five protected trees in total are located to the front and rear gardens of No.50 Russell Road.

Description of Proposal

Planning permission is sought for the demolition of the existing bungalow and the construction of a block of 3 flats over three floors. Car parking, with two disabled bays, bin and cycle storage would be situated in the front forecourt. **For avoidance of doubt, the design and layout of the proposals remains identical to the scheme considered by Members in August 2018.**

Vehicle access into the site is as existing. 1 parking space is provided for each flat and storage area for up to 6 bicycles. The bike and in shed measures 5m (depth) x 2m (width).

The schedule of accommodation to be provided is as follows:

	No. of Bedrooms	Floor Area (GIA m2)	Private Amenity Space (m2)
Flat No.1	2	75.5	6
Flat No.2	2	75.5	11
Flat No.3	1	60.1	12

Relevant History

EPF/0108/20: Demolition of existing bungalow and construction of 5 flats (Revised application to EPF/2483/18). **Decision pending.**

EPF/2483/18: Demolition of existing bungalow and erection of 5 flats. **Appeal dismissed by Inspector on grounds that the development proposals have not satisfactorily demonstrated that they will not adversely affect the integrity of the EFSAC.**

EPF/3212/17: Demolition of existing bungalow and erection of 5-bedroom house. **Refused on the basis of the loss of a bungalow and consequent reduction in housing choice.**

Development Plan

Section 38(6) Planning and Compulsory Purchase Act 2004, as amended, requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan currently comprises the Epping Forest District Council Adopted Local Plan (1998) and Alterations (2006).

The following policies within the current Development Plan are considered to be of relevance to this application:

- CP1 Achieving Sustainable Development Objectives
- CP2 Protecting the Quality of the Rural and Built Environment
- CP3 New Development
- CP7 Urban Form and Quality
- H2A Previously Developed Land
- H3A Housing Density
- H4A Dwelling Mix
- H9A Lifetime Homes
- NC1 SPA's, SAC's and SSSI's
- UA1 Infrastructure Adequacy
- U3B Sustainable Drainage Systems
- 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
- LL7 Planting, Protection and Care of Trees
- LL8 Works to Preserved Trees
- LL10 Adequacy of Provision for Landscape Retention
- L11 Landscaping Schemes
- ST1 Location of Development
- ST2 Accessibility of Development
- ST4 Road Safety
- ST6 Vehicle Parking
- I1A Planning Obligations

Epping Forest District Local Plan Submission Version 2017 (LPSV)

Although the LPSV does not currently form part of the statutory development plan for the Council's District, on 14th December 2017 the Council resolved that the LPSV be endorsed as a material consideration to be used in the determination of planning applications.

Paragraph 48 of the NPPF provides that decision-takers may give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

The LPSV has been submitted for Independent Examination and hearing sessions were held on various dates from February 2019 to June 2019. On the 2nd August 2019, the appointed inspector provided her interim advice to the Council covering the substantive matters raised at the hearing and the necessary actions required of the Council to enable her to address issues of soundness with the plan without prejudice to her final conclusions.

Following the Examination Hearing Sessions for the emerging Local Plan, the Council has prepared a number of changes, known as **Main Modifications**, to the Epping Forest District Local Plan Submission Version (2017) to address issues of soundness and/or legal compliance identified by the Inspector. These are put forward without prejudice to the Inspector's final conclusions on the Plan.

As the preparation of the emerging Local Plan has reached a very advanced stage, subject to the Inspector's Advice regarding the need for additional Main Modifications, the **highest weight** should be accorded to LPSV policies in accordance with paragraph 48 of Framework. The following policies are relevant to the determination of this application:

SP1 Presumption in Favour of Sustainable Development
SP2 Spatial Development Strategy
H1 Housing Mix and Accommodation Types
DM2 Epping Forest SAC and the Lee Valley SPA
DM9 High Quality Design
DM10 Housing Design and quality
DM11 Waste recycling facilities on new development
DM16 Sustainable Drainage Systems
DM18 On Site Management of Waste Water and Water Supply
DM19 Sustainable Water Use

DM21 Local Environmental Impacts, Pollution and Land Contamination
DM22 Air Quality
T1 Sustainable Transport Choices
D1 Delivery of Infrastructure

National Planning Policy Framework (July 2021)

The revised NPPF is a material consideration in determining planning applications. As with its predecessor, the presumption in favour of sustainable development remains at the heart of the NPPF. Paragraph 11 of the NPPF provides that for determining planning applications this means either; (a) approving development proposals that accord with an up-to-date development plan without delay; or (b) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: i. the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making, but policies within the development plan need to be considered and applied in terms of their degree of consistency with the Framework. The Government's Planning practice guidance is also a material consideration to decision making and is therefore relevant to the determination of this planning application.

Consultation Carried Out and Summary of Representations Received

The first round of neighbour notifications took place in April 2018 and attracted 5 objections from the following properties (see Appendix A1):

**31, 63 Russell Road
6,8 Westbury Road
Buckhurst Hill Residents Association**

The concerns raised were:

Impact on parking, out of keeping with the character and appearance of the surrounding area

A second round of neighbour notifications took place in October 2021 where all original objectors were advised by letter of updated plans. In addition to this, a separate site notice was also posted adjacent to the site. On this occasion, a total of 11 objections have been received from the following addresses:

**Nos: 42, 46, 49, 50, 51, 52, 61, 63, 73 and 87 Russell Road
No. 6 Westbury Road**

The concerns raised on this occasion are summarised below:

- Size of development too big for the site/plot;
- Overbearing and loss of privacy to neighbouring properties;
- Insufficient parking provision made for development of this size;
- Local school (St John's) and GP surgeries are oversubscribed;
- Process of notifying neighbours has been inadequate;
- Loss of property values;
- Increase in noise and air pollution during development;
- Proposals would block sunlight to nearest gardens;
- Loss of daylight to living areas of nearest properties;
- Replacement development would spoil the road and set a precedent for similar developments to come forward;
- Increased flooding;
- Bungalows are already in short supply; and
- Updated plans do not include any side elevations that accurately and fully depict the relationship between the proposed and adjoining site proposals.

The previous comments of both statutory and non-statutory consultees remain the same as 2018. For clarity their respective comments are summarised below.

BUCKHURST HILL PARISH COUNCIL — OBJECT - Scale of the Development is out of keeping with street scene. Overbearing on adjacent properties. Insufficient amenity space for 3 flats.

EFDC TREE OFFICER— No objections subject to conditions to secure details of

EFDC LAND CONTAMINATION – No objections although one condition to cover the potential incidence of 'unexpected' contamination should be included.

ESSEX COUNTY COUNCIL HIGHWAYS: No objections.

Main Issues and Considerations

This section revisits the same planning issues considered in the 2018 committee report and includes relevant updates and/or clarifications where necessary. It does not preclude members reconsidering the issues.

Issue 1: Loss of bungalow

The previous refusal in 2017 under LPA Ref, EPF/3212/17 for a single 2 storey dwelling house is relevant to this particular case. The reason for refusal was:

The proposed loss of this bungalow would reduce housing choice, particularly for people with accessibility needs, including the current and future needs of older people, which would be at odds with this Council's objective of achieving mixed and balanced communities, contrary to Policy H1 of the Epping Forest District Local Plan Submission Version 2017.

Policy H1 of the emerging Submission Version Local Plan (2017) lists a number of requirements regarding housing mix, which includes H1 part F, which states that “the loss of bungalows and specialist accommodation will be resisted”. The proposed redevelopment of this site would result in a loss of an existing bungalow that would be contrary to this part of the emerging policy.

Nonetheless, there is currently an identified need for additional housing in the District since the Council is unable to demonstrate it has a 5-year land supply for housing. Accordingly, this proposed scheme to provide 3 flats would in a small way address the current shortfall and avoids further pressure for sites to be identified in the Green Belt. Furthermore, the proposed redevelopment would provide 2no. 2 beds and 1no. 1 bed flats built to Lifetime Home Standards, with a lift to all floors accommodated into the design, which would need to comply with the Building Regulations requirements and would provide replacement accommodation suitable for potential older future occupants.

Therefore, in this instance the benefits of redeveloping this site for additional housing would be sufficient enough to outweigh the harm that would result through the loss of the existing bungalow.

In terms of current Government guidance, the site is previously developed land and in line with the NPPF, the redevelopment of this land is encouraged. The NPPF presumption in favour of sustainable development requires local planning authorities to positively seek opportunities to meet the development needs of the area and requires Council's to be able to identify a 5-year land supply for housing. As such the redevelopment of this site assists in meeting these key objectives.

Accordingly, the proposals comply with aims and objectives of Policies CP1, CP3, CP7, H2A, H3A, H4A and H9A of the Combined Local Plan and Alterations (2006) including Policies SP1, SP2 and H1 of the Submission Version Local Plan (2017). **Officers are also satisfied that none of the new facts or neighbour objections reported would alter the conclusions made in this particular respect.**

Issue 2: Impact on character and appearance of the surrounding area

Russell Road is varied in character, and architectural design and style. Dwellings located on this street primarily comprise of large 2 storey detached Victorian, and twentieth century dwellings built on generous plots, a number of which have been converted into apartments, 1930's semi-detached properties, as well as 1950's town houses and apartments. Whilst the application dwelling would represent an increase in the bulk and size, it would still retain a similar footprint to neighbouring buildings on this street.

In terms of the overall design and appearance of the proposed dwelling (particularly when it is viewed from the front), despite the significant change, it would result in an interesting design with more visual interest than the existing red brick bungalow. Given also the significant variation in the style and design of dwellings on this street, the proposed development would appear acceptable when viewed from the general street scene.

As the application dwelling is set back by approximately 7.5m from the highway, the proposed development would not appear significantly prominent or overbearing in terms of its bulk or massing when viewed from the general street scene. Moreover, the development has a front building line which is not too dissimilar to neighbouring dwellings so would not appear significantly intrusive when viewed from the frontage. The proposed roof height and form also respects the neighbouring semi-detached and terraced properties and will continue the pattern of roof heights within the street scene.

The prominent front bay element, as well as the material palette, would reference surrounding 19th century properties and create a property with an interesting visual appearance that would sit well against the neighbouring properties and create a positive contribution to the street scene.

Overall, the proposals comply with the aims and objectives of Policies DBE1 and DBE3 of the Combined Local Plan and Alterations (2006) including Policies DM9 and DM10 of the Submission Version Local Plan (2017). **Officers are also satisfied that none of the new facts or neighbour objections reported would alter the conclusions made in this particular respect.**

Issue 3: Impact on neighbouring residential amenity

The amenities of occupiers at Nos. 46 and 50 Russell Road are potentially the most affected by the current development proposals. The following assessment reviews the relative impacts in terms of the concerns received from these properties relating to loss of daylight and sunlight to habitable areas and gardens and loss of privacy and outlook.

No.46 Russell Road

The property at No.46 Russell Road has previously been extended to its side and rear at two storeys including addition of a dormer to its roof. As indicated earlier, part of the side and rearward extensions, including roof dormer are the subject of a further planning permission granted in late 2021 under LPA Ref: EPF/2243/21. For avoidance of doubt, the impacts of the current development proposals on the amenities of the occupier at No.46 are assessed against the current lawful permitted position.

The applicants updated plans have illustrated the rearward most extent of the proposals at No.46 although it is noted that some of the approved details are not shown. Despite the discrepancies, officers consider that a proper assessment of the impacts on the amenities of occupiers at No.46 can still be made.

The rearward projection of the proposed development has been stepped in 3 metres from the side garden boundary whilst projecting an additional 1.2 metres beyond the furthest part of No.46 (as approved). No additional openings are proposed to the flank wall (east elevation).

In terms of daylight and sunlight to habitable areas of No.46, the relative extent and proximity of the proposed development will not cause undue loss and therefore the impact is considered acceptable. Similarly, the impacts on outlook and privacy will be sufficiently limited by the design of the proposals.

No.50 Russell Road

This property is sited at a relatively higher ground level to the application site and ranges between 5 and 8 metres to nearest respective flanks. Given the relative position and proximity of the application development to No.50, there would be no harmful impact on the daylight or sunlight to habitable areas nor their immediate outlook and privacy. Concerns are also raised in relation to the increased overlooking and the resulting loss of privacy to part of their private garden to the south. However, officers consider that the existing trees and vegetation along the garden boundary and within the garden of No.50 offers adequate screening from the application site and will therefore maintain (continued) enjoyment of its garden. Additional soft landscaping and planting of trees on the application site will be secured should Members be minded to grant planning permission.

With regard to objections in respect of increased noise and air pollution from construction, should Members be minded to grant planning permission both these matters can be adequately controlled via a suitably worded planning condition.

Overall, the impact of the proposed development on the amenities of the adjoining occupiers is considered acceptable and therefore comply with Policies DBE2 and DBE9 of the Combined Local Plan and Alterations (2006) including Policy DM9 of the Submission Version Local Plan (2017). **Officers are also satisfied that none of the new facts or neighbour objections reported would alter the conclusions made in this particular respect.**

Issue 4: Quality of residential accommodation

In terms of internal space standards, the proposals would exceed the minimum requirements for both 1 and 2 beds as specified in the National Prescribed Space Standards (Marc 2015). Habitable areas to each flat will be have adequate natural daylight.

Adopted Policy DBE8 of the Local Plan specifies that new residential development (dwellings and flats) is expected to provide private amenity space. The proposed development provides both private amenity space for each flat in the form of balconies including shared communal garden space to the rear (approximately 150 sqm in area). The combination of dedicated private and communal spaces and their southern aspect will provide a good quality of amenity.

Overall, the proposed quality of residential accommodation is considered acceptable and therefore comply with Policies DBE5 and DBE8 of the Combined Local Plan and Alterations (2006) including Policies DM9 and DM10 of the Submission Version Local Plan (2017). **Officers are also satisfied that none of the new facts or neighbour objections reported would alter the conclusions made in this particular respect.**

Issue 5: Highways and parking provision

Essex County Highways have previously reviewed the plans and consider that the proposals would not have a detrimental impact on highway safety. Given that the site is within easy walk of the town centre and local services including London Underground rail and local bus connections, one parking space per dwelling would be considered acceptable. Concerns relating to the potential significant increase for on street parking demand as a result of the development have been noted although it is considered that the abovementioned proximity of local services and transport connections including the presence of on street parking restrictions would discourage this from occurring.

Overall, the impact of the proposed development on the safety and function of the highways including level of parking provision is considered acceptable. Therefore it would comply with Policies DBE6, ST4 and ST6 of the Combined Local Plan and Alterations (2006) including Policy T1 of the Submission Version Local Plan (2017). **Officers are also satisfied that none of the new facts or neighbour objections reported would alter the conclusions made in this particular respect.**

Issue 6: Epping Forest Special Area of Conservation

This application has been screened in relation to both the recreational pressures and atmospheric pollution Pathways of Impact and concludes as follows:

- a. The site lies within the Zone of Influence as identified in the Interim Approach to Managing Recreational Pressure on the Epping Forest Special Area of Conservation' (the Interim Approach) adopted by the Council on 18 October 2018 as a material consideration in the determination of planning applications. Consequently the development would result in a likely significant effect on the integrity of the EFSAC as a result of recreational pressures.
- b. The development has the potential to result in a net increase in traffic using roads through the EFSAC.

Consequently, the application proposal would result in a likely significant effect on the integrity of the EFSAC in relation to both the recreational pressures and atmospheric pollution Pathways of Impact.

Having undertaken this first stage screening assessment and reached this conclusion there is a requirement to undertake an 'Appropriate Assessment' of the application proposal in relation to both the recreational pressures and atmospheric pollution Pathways of Impact.

Recreational Pressures

The application proposal has the potential to increase recreational pressures on the EFSAC. However, the Council, through the development of the Interim Approach, has provided a strategic, district wide approach to mitigating recreational pressures on the EFSAC through the securing of financial contributions for access management schemes and monitoring proposals. Consequently, this application can be assessed within the context of the Interim Approach. In doing so the Council has sought to take a proportionate

approach to the securing of such financial contributions, and currently only seeks these from proposals for new homes within 3km of the EFSAC, as is the case with this planning application. The applicant has agreed to make a financial contribution in accordance with the Interim Approach. Consequently, the Council is satisfied that the application proposal would not have an adverse impact on the integrity of the EFSAC subject to the satisfactory completion of a Section 106 planning obligation.

Atmospheric Pollution

The application proposal has the potential to result in a net increase in traffic using roads through the EFSAC. However, the Council, through the development of an Interim Air Pollution Mitigation Strategy (IAPMS), has provided a strategic, district wide approach to mitigating air quality impacts on the EFSAC through the imposition of planning conditions and securing of financial contributions for the implementation of strategic mitigation measures and monitoring activities. Consequently, this application can be assessed within the context of the IAPMS. The applicant has agreed to make a financial contribution in accordance with the IAPMS. In addition the application will be subject to planning conditions to secure measures as identified in the IAPMS. Consequently, the Council is satisfied that the application proposal would not have an adverse impact on the integrity of the EFSAC subject to the satisfactory completion of a Section 106 planning obligation and the imposition of relevant planning conditions.

Officers consider satisfied that, subject to the satisfactory completion of a Section 106 planning obligation and the imposition of relevant planning conditions that would secure provision for electric car charging onsite including measures to enable home working, the application proposal would not have an adverse effect on the integrity of the EFSAC. Accordingly, the proposals comply with Policies of the Combined Local Plan and Alterations 2006 including Policy DM2 and DM22 of the Submission Version Local Plan (2017). **Officers are also satisfied that none of the new facts or neighbour objections reported would alter the conclusions made in this particular respect.**

Other matters

Neighbour concerns are also made in relation to potential increase in surface water flooding and additional pressure on local health and education services from new development. In terms of surface water flooding, the site is not located within a known flood risk zone (fluvial or surface water risks). With regard to the impact on local health and educational services, it is considered that a small scheme like this is unlikely to create an unmanageable demand on existing services.

Conclusion

This application will provide a well-designed residential scheme that makes good use of an existing urban site. The proposed design in terms of its scale, bulk and mass and relationship with neighbouring buildings is acceptable as are the impacts on neighbouring amenities. The proposed development will not cause harm to highway safety and the level of parking close to local services and local public transport modes is acceptable. Overall, the proposal complies with the aims and objectives of national planning guidance and the relevant policies contained within the adopted Combined Local Plan and Alterations 2006 and the Submission Version Local Plan 2017.

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

Report to District Development Management Committee

Date of meeting: 1 August, 2018

Address: 48 Russell Road, Buckhurst Hill, IG9 5QE

Subject: EPF/0826/18 – Demolition of existing bungalow and erection of three flats



**Epping Forest
District Council**

Officer contact for further information: C. Isolda (Ext 4380)

Democratic Services Officer: S. Tautz (Ext 4180)

Recommendation(s):

(1) That planning application EPF/0826/18 be granted planning permission, subject to the completion, within 6 months, of a Section 106 Legal agreement to secure appropriate financial contributions towards a) access management and monitoring of visitors to the Epping Forest Special Area of Conservation (SAC) and b) mitigation of air pollution in the vicinity of the Epping Forest SAC.

And subject to the following 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:

318-PL-11 - Site & Location Plans
318-PL-12 - Proposed & Existing Street Elevation
318-PL-13 - Proposed Ground Floor Plan
318-PL-14 - Proposed Lower Ground & First Floor Plans
318-PL-15 - Proposed Second Floor & Roof Plans
318-PL-16 - Proposed Elevations
318-PL-17 - Proposed and Existing Section A-A
318-EX-01 - Existing Lower & Ground Floor Plans
318-EX-02 - Existing Roof Plan
318-EX-03 - Existing Elevations
Supporting Documents:
Tree Constraints Plan
Arboricultural Report

3. No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.

4. No development, 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.

5. No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to 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.

6. If any tree, shrub or hedge shown to be retained in the submitted Arboricultural reports 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. No development, including works of demolition or site clearance, shall take place until foundation details have been submitted to the Local Planning Authority and approved in writing. The foundations shall consist of piles and an above ground beam design. Drawings submitted shall include cross sectional detail of pile and beam join and the location of piles in plan form. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.

8. No services shall be installed within the root protection area of the retained trees on or adjacent to the site unless the Local Planning Authority gives its prior written approval.

9. The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site. Should any discoloured or odorous soils be encountered during development works or should any hazardous materials or significant quantities of non-soil forming materials be found, then all development works should be stopped, the Local Planning Authority contacted and a scheme to investigate the risks and / or the adoption of any required remedial measures be submitted to, agreed and approved in writing by the Local Planning Authority prior to the

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

10. An electric vehicle charging point shall be provided for each of the approved dwellings prior to first occupation

11. Prior to first occupation measures shall be incorporated within the development to ensure a water efficiency standard of 110 litres (or less) per person per day.

12. Prior to first occupation of the dwellings hereby approved measures to improve the ecological value of the site shall be implemented in accordance with details that have been submitted to and agreed in writing by the Local Planning Authority.

13. No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed. The installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.

14. 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.

15. No construction works above ground level shall take place until documentary and photographic details showing the fenestration to be completed in timber have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.

Report.

The application was put forward by Officers to Area Plans Sub Committee South on 27th June, 2018 with a recommendation for approval, subject to the above conditions. The application was referred to District Development Management Committee by virtue of a tied vote. Members recommended that the case should be referred with an additional condition regarding further details of fenestration of the building to be completed in timber, which is condition 15 above. The officers report to Area Plans South is reproduced below.

Description of Site:

The application site comprises of a large single storey detached dwelling on a hillside location which slopes downwards to the south at the rear and downwards to the east from the front elevation. Due to the complicated levels of the site the bungalow has 1 non habitable room at lower ground floor level, however it cannot be considered a two storey dwelling. Adjoining the western boundaries are three storey terraced houses and adjoining the eastern boundary is a pair of two storey semi detached dwellings. Russell Road is made

up of a mixture of a wide mixture of dwellings, with apartment buildings on either side of the road and opposite the application site. The site is within an urban area and is not listed nor within a conservation area.

Description of Proposal:

Permission is sought for the demolition of the existing bungalow and the construction of a block of 3 flats over three floors. Car parking, with two disabled bays, bin and cycle storage would be situated in the front forecourt.

This application follows a previous refusal for the redevelopment of the site for a detached two storey dwelling house. The previous scheme was greatly reduced in order to omit any significant impact on neighbouring amenity, however it was ultimately found contrary to Policy H1 of the Local Plan Submission (2017), as it would have facilitated the loss of a bungalow. Furthermore the development has been redesigned to provide a more symmetrical and softer appearance than the previous scheme.

Access to the site is as existing. 1 parking space is provided for each flat and storage area for up to 6 bicycles. The bike and bin store measures 5m deep by 2m wide.

The schedule of accommodation is as follows:

Flat no.	Bedrooms	Floor area	Amenity space
1	2	75.5m ²	6m ²
2	2	75.5m ²	10.82
3	1	60.1m ²	12m ²

Relevant History:

EPF/3212/17 Demolition of existing bungalow and erection of 5 bedroom house. Refused on the basis of the loss of a bungalow and consequent reduction in housing choice.

Policies Applied:

Epping Forest Local Plan (1998) and Alterations (2006):

CP2 – Protecting the Quality of the Rural and Built Environment
CP3 – New Development
CP5 – Sustainable Building
CP6 – Achieving sustainable urban development patterns
CP7 – Urban Form and Quality
DBE1 – Design of New Buildings
DBE2 – Effect on Neighbouring Properties
DBE3 – Design in Urban Areas
DBE8 – Private Amenity Space
ST1 – Location of Development
ST4 – Road Safety
ST6 – Vehicle Parking
H2A – Previously Developed Land
H4A – Dwelling Mix
LL10 – Adequacy of provision for landscape retention
LL11 – Landscaping schemes

The above policies form part of the Councils 1998 Local Plan. Following the publication of the NPPF, policies from this plan (which was adopted pre-2004) are to be afforded due

weight where they are consistent with the Framework. The above policies are broadly consistent with the NPPF and therefore are afforded full weight.

Epping Forest District Local Plan (Submission Version) 2017:

The Epping Forest District Local Plan (Submission Version) 2017 has been approved for publication and is the Plan the Council intend to submit for independent examination. The policies in the Plan are considered to be up to date and accord with national policy and therefore should be given substantial weight in the consideration of planning applications in accordance with the Council's decision on 14 December 2017 and paragraph 217 of the NPPF. The policies and the Plan are supported by up to date and robust evidence – the evidence should also be treated as a material consideration. The relevant policies in the context of the proposed development are:

SP1 - Presumption in Favour of Sustainable Development
SP7 - The Natural Environment, Landscape Character and Green and Blue Infrastructure
H1 - Housing Mix and Accommodation Types
T1 - Sustainable Transport Choices
T2 - Safeguarding of Routes and Facilities
DM3 - Landscape Character, Ancient Landscapes and Geodiversity
DM9 - High Quality Design
DM10 - Housing Design and Quality
DM11 - Waste Recycling Facilities on New Development
DM18 - On Site Management of Waste Water and Water Supply
DM21 - Local Environmental Impacts, Pollution and Land Contamination

Consultation Carried Out and Summary of Representations Received:

Number of neighbours consulted: 7
Site notice posted: No, not required
Responses received: 5

6, 8 WESTBURY ROAD, 31, 63 RUSSELL ROAD and BUCKHURST HILL RESIDENTS ASSOCIATION all raise objections to the proposal.

Objections summarised as: Impact on parking, out of keeping with the character and appearance of the surrounding area

BUCKHURST HILL PARISH COUNCIL – OBJECT – Scale of the Development is out of keeping with street scene. Overbearing on adjacent properties. Insufficient amenity space for 3 flats.

Main Issues and Considerations:

This revised application follows a previously refused application for the erection of a single dwelling. The reason for refusal on this was:

The proposed loss of this bungalow would reduce housing choice, particularly for people with accessibility needs, including the current and future needs of older people, which would be at odds with this Council's objective of achieving mixed and balanced communities, contrary to Policy H 1 of the Epping Forest District Local Plan Submission Version 2017.

Emerging policy H1 lists a number of requirements regarding housing mix, which includes H1 F., which states that “the loss of bungalows and specialist accommodation will be

resisted". The proposed redevelopment of this site would result in the loss of an existing bungalow that would be contrary to this part of the emerging policy.

Nonetheless there is a current identified need for additional housing in the District since the Council are currently unable to identify a five year supply of land for housing. The proposed redevelopment of this small urban site into 3 flats would go some way in addressing the current shortfall and resisting the pressure for sites within the Metropolitan Green Belt. Furthermore the proposed redevelopment would provide 2 no. two bed and 1 no. one bed flats, built to Lifetime Home Standards, with a lift to all floors, which would need to conform to current Building Regulations requirements and would provide replacement accommodation suitable for potential older future occupants. As such, in this instance, the benefits of redeveloping this site for additional housing would be sufficient enough to outweigh the harm that would result through the loss of an existing bungalow on this site by providing 3 accessible homes. This assessment is based on written advice from the Council's Planning Policy Team subsequent to the decision on application EPF/3212/17.

In terms of Government guidance, the site is previously developed land and, in line with the NPPF, the redevelopment of this land is encouraged. The NPPF's presumption in favour of sustainable development requires local planning authorities to positively seek opportunities to meet the development needs of their area and requires Council's to be able to identify a five-year land supply for housing. As such the proposed redevelopment would accord with the NPPF.

Impact on character and appearance of the surrounding area

Russell Road is varied in character, and architectural design and style. Dwellings located on this street primarily comprise of large two storey detached Victorian and twentieth century dwellings built on generous plots, a number of which have been converted into apartments , 1930's semi detached properties, as well as 1950's town houses and apartments. Whilst the application proposal would result in an increase in the bulk and size of the application dwelling, the application dwelling would have a similar footprint to neighbouring buildings on this street. Whilst the overall design and appearance of the dwelling (particularly when viewed from the front) would significantly change under the proposal, it would result in an interesting design with more visual interest than the existing red brick bungalow and given the significant variation in the style and design of dwellings on this street, the proposed development would appear acceptable when viewed from the general street scene.

As the application dwelling is set back by approximately 8m from the highway, the proposed development would not appear significantly prominent or overbearing in terms of its massing when viewed from the general street scene. Moreover, the development has a front building line which is not too dissimilar to neighbouring dwellings so would not appear significantly out of character when viewed from the frontage. The proposed roof height and form also respects the neighbouring semi detached and terraced properties and will continue the pattern of roof heights within the street scene.

The prominent front bay element, as well as the material palette, would reference surrounding 19th century properties and create a property with an interesting visual appearance that would sit well against the neighbouring properties and create a positive contribution to the street scene.

Impact on neighbouring residential amenity:

The previously refused scheme on the site, which proposed a single dwelling on an identical footprint, was amended through the course of the application in order to reduce any potential impacts on the amenities of neighbouring properties. The rearwards projection of the

proposal has been set well in from the boundary with 46 Russell Road and will not impinge on any lines of sight from 45 degrees of the rear windows of the neighbouring property.

In addition the design will move some of the flank wall away from no. 46 and create an improvement on the existing boundary situation. Due to the siting of no. 50 the proposal will have no significant impact on neighbouring amenity and due to the screening provided on site is unlikely to be visible from the rear of no. 50 Russell Road.

The proposed first floor and roof level balconies are well screened and set well away from the rear of neighbouring properties and would not have any significant impact on neighbouring amenity.

Quality of resultant residential accommodation:

Policy DBE8 of the Local Plan requires each flat to have access to at least 25m² of amenity space and that this space should be useable and provide privacy on a continuing basis. Whilst this matter is a concern of the previous proposal the proposed development would provide a shared amenity area to the rear of the unit, with separate, smaller private amenity space to each property. Flat 1 would have some 6 square metres of dedicated private amenity space, Flat 2 would have 11 square metres and Flat 3 would have 12 square metres. The shared amenity space to the rear of some 150 square metres would be provided for use by all 3 flats. The combination of dedicated private space and communal space is significantly in excess of the Councils policy requirements for amenity space provision.

Highway safety and parking provision:

The Highway Authority has reviewed the plans and considers that, subject to conditions; the proposal will not have a detrimental impact on highway safety. Furthermore, given the location of the site close to the town centre it is satisfied that one parking space per flat plus will not cause excessive parking congestion. It is on this basis that the proposal is considered to comply with the requirements of policy ST4 and ST6 of the Local Plan.

Conclusion:

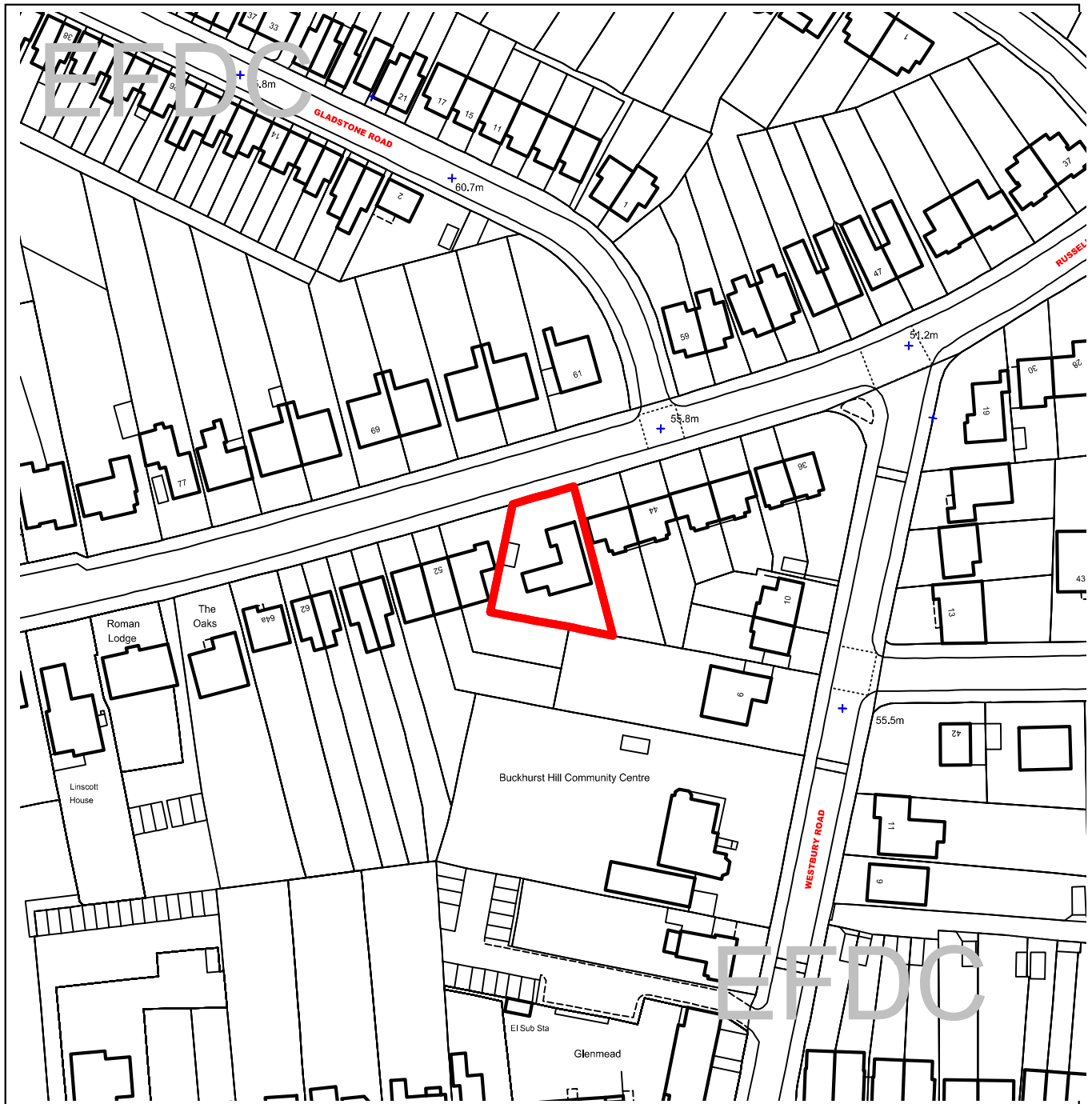
The revised application, with an increased number of fully accessible residential units along with the overall bulk and scale of the proposed development, would be considered acceptable. Despite objection from neighbouring residents the proposal would not cause any undue loss of amenity to neighbouring residents nor would it cause any parking or highway harm. Furthermore it would adequately serve the living conditions of future occupants. Therefore the proposal complies with the guidance set out within the NPPF and the relevant policies contained within the adopted Local Plan and Alterations, and the Submission Version of the emerging Local Plan. As such the application is recommended for approval.

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Epping Forest District Council

Agenda Item No.10



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Application Number:	EPF/0826/18
Site Name:	48 Russell Road, Buckhurst Hill, IG9 5QE
Scale of Plot:	1/1250

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EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: District Development Management Committee **Date:** 1 August 2018

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 9.05 pm

Members Present: Councillors B Sandler (Chairman), H Brady, G Chambers, I Hadley, S Heap, H Kauffman, P Keska, J Knapman, R Morgan, C C Pond, C Roberts, B Rolfe, D Sunger, E Webster, J M Whitehouse

Other Councillors: J Philip, C P Pond

Apologies: Councillors S Jones, R Jennings

Officers Present: N Richardson (Assistant Director (Development Management)), S Tautz (Democratic Services Manager), S Kits (Social Media and Customer Services Officer)

1. WEBCASTING INTRODUCTION

On behalf of the Chairman, the Democratic Services Officer reminded everyone present that the meeting would be broadcast live to the internet and would be capable of repeated viewing, which could infringe their human and data protection rights.

2. ADVICE TO PUBLIC AND SPEAKERS AT THE COUNCIL'S PLANNING COMMITTEES

The Chairman welcomed members of the public to the meeting and outlined the procedures and arrangements adopted by the Council to enable persons to address the Committee, during the determination of applications for planning permission. The Committee noted the advice provided for the public and speakers in attendance at meetings of the Council's Planning Committees.

3. APPOINTMENT OF VICE-CHAIRMAN

In the absence of the Vice-Chairman, who had tendered her apologies for the meeting, the Chairman requested nominations from the Committee for a member to be appointed as Vice-Chairman for the meeting.

RESOLVED:

That Councillor B. Rolfe be appointed as Vice-Chairman of the Committee for the duration of the meeting.

4. SUBSTITUTE MEMBERS

The Committee was advised that the following substitute members had been appointed for the meeting:

- (a) Councillor J. Philip for Councillor S. Jones (Vice-Chairman); and
- (b) Councillor C. P. Pond for Councillor R. Jennings.

5. DECLARATIONS OF INTEREST

Pursuant to the Council's Code of Member Conduct, Councillor D. Sunger declared a personal interest in item 9 (Planning Application EPF/0637/18 - The Lodge, Woolston Hall, Chigwell) of the agenda for the meeting, by virtue of being acquainted with the agent for the planning application. Councillor Sunger had determined that his interest was not prejudicial and indicated that he would remain in the meeting for the consideration of the application and voting thereon:

6. MINUTES**RESOLVED:**

That the minutes of the meeting of the Committee held on 6 June 2018 be taken as read and signed by the Chairman as a correct record.

7. EPPING FOREST DISTRICT LOCAL PLAN SUBMISSION VERSION - PLANNING POLICY BRIEFING NOTE

The Assistant Director (Development Management) reminded the Committee that a briefing note had been prepared to ensure that a consistent approach was taken to the provision of planning policy advice, following the publication of the Epping Forest District Local Plan Submission Version on 18 December 2017.

Members were advised that the primary purpose of the briefing note was to inform development management activities and to provide assistance for councillors, officers, applicants, planning agents and other persons involved in the development management process.

RESOLVED:

That the Planning Policy Briefing Note for the Epping Forest District Local Plan Submission Version, published on 18 December 2017, be noted.

8. PLANNING APPLICATION EPF/0621/18 - TUTEIN FARM, GROVE LANE, CHIGWELL

The Assistant Director (Development Management) presented a report with regard to the proposed demolition of an existing barn at Tutein Farm, Grove Lane, Chigwell and the construction of four residential dwellings, two five-bedroom detached houses and two four-bedroom detached houses.

Members noted that consideration of the application was before the District Development Management Committee because Area Plans Sub-Committee South had agreed at its meeting on 11 June 2018 that it be referred to the Committee for determination, after an equal number of members had voted for and against the development proposal.

The Assistant Director (Development Management) reported that the application site had an area of 0.28 hectares and included the existing access road from Grove Cottages. Members noted that the site was occupied by a large barn building and that the remainder of the site was largely laid to lawn with trees and hedges aligning the southern and western perimeters, with the northern and eastern boundaries being demarcated by a wooden picket fence. The Assistant Director (Development Management) indicated that a chalet style house also owned by the applicant adjoined the site, which had already planning permission for an annexe building to be built close to eastern boundary of the application site. Members were advised that further east was the Grade II listed Millers Farmhouse and that there were open fields to the north, west and south of the site. The Assistant Director (Development Management) reported that the agricultural barn was used to store animal feed, hay and wood chippings and to distribute and sell such products to nearby stables and equestrian businesses. Members noted that, prior to such use, the barn had been utilised as a cattle barn and that the site was within land designated as Green Belt.

The Assistant Director (Development Management) reported that each proposed dwelling unit would have two parking spaces each and that the proposed development would increase the volume of solid built form on the site by of 3.6% and that the height of the proposed buildings would rise from a maximum of 6.8m to 8m. Members were advised that, as the intensity of use on the site would also increase, the proposal was, by definition, inappropriate development in the Green Belt.

The Committee was advised that Paragraph 87 of the National Planning Policy Framework (NPPF) provided that inappropriate development was, by definition, harmful to the Green Belt and that it would need to be demonstrated that there were very special circumstances to clearly outweigh the harm to the Green Belt as a result of inappropriateness of the development and all other harms. The Assistant Director (Development Management) indicated that the percentage increase in size was comparatively small and that a reduction in the size of the scheme would not materially reduce its impact. Members noted that, furthermore, the units were to be positioned in a more southerly position in comparison to the existing barn, which would move the built form away nearer to existing buildings surrounding the site and as a consequence increase its separation from the open fields and London Loop route to the north of the site.

The Assistant Director (Development Management) advised the Committee that all of the proposed units had a high standard of design and would make a positive contribution to the character and appearance of the locality and the supply of good quality housing within the District in such a sustainable location. Members were advised that it was considered that there was sufficient public benefit to clearly outweigh the harm resulting from the additional solid built form and the consequent loss of openness, subject to a pre-commencement conditions requiring further details and method statements in relation to soft landscaping on the site and that the application was therefore recommended for approval, subject to a number of conditions.

The Committee was advised that, as the proposed development would create new residential units within a distance of 6.2km of the Epping Forest Special Area of Conservation, policies DM2(C) and DM22 of the Submission Version of the Epping Forest District Local Plan required that any permission be subject to a financial contribution to towards access management and monitoring of visitors to Epping Forest in order to mitigate against the harmful impacts of development on air quality and biodiversity within the Forest. The Assistant Director (Development Management) advised members that the amount of such contribution had not currently been agreed.

RESOLVED:

That planning permission for the proposed demolition of an existing barn at Tutein Farm, Grove Lane, Chigwell and the construction of four residential dwellings, two five-bedroom detached houses and two four-bedroom detached houses be granted, subject to the completion within six months of a Section 106 Agreement to secure appropriate financial contributions towards: (a) access management and monitoring of visitors to the Epping Forest Special Area of Conservation (SAC); (b) mitigation of air pollution in the vicinity of the Epping Forest SAC; and subject to the following 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 no's: 882.008.00, 782 004.01, dapa_782_200_03, dapa_782_201_03, dapa_782_203_03, Flood risk and SuDS Statement by Ardent report ref: 180110 - 01A February 2018, Ecological Assessment by Ethos Environmental Planning Feb 2018, 17-602/1, Arboricultural Impact Assessment Report dated 26/1/18 re SHA 613 by Sharon Hosegood Associates, dapa_782_601.03 Design and Access Statement dated 15 May 2018 on EFDC Planning Database;
- (3) No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details;
- (4) No development shall take place until details of 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;
- (5) The development shall not be commenced until details of the treatment of all boundaries including drawings of any gates, fences, walls or other means of enclosure have been submitted to and approved in writing by the local planning authority. The details shall include a low level traditional picket type fence on the northern (rear) boundary of the site and the height, species and size of hedges to be installed on the side flank of each dwelling. The approved boundary treatments shall be completed prior to the first occupation of the development and shall thereafter be permanently retained and maintained;
- (6) 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;

- (7) If any tree, shrub or hedge shown to be retained in accordance with the approved arboricultural reports 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) No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation;
- (9) The development shall be carried out in accordance with the flood risk assessment (Ardent Consulting, Ref 180110-01A February 2018) submitted with the application unless otherwise agreed in writing with the Local Planning Authority. 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) 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 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];

- (12) 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];
- (13) 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];
- (14) 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;
- (15) 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;

- (16) Prior to the first occupation of the units hereby approved, One IFR Schwegler Bat Tube shall be installed on the wall of either the western or southern elevation of each residential unit. These tubes shall be a minimum of 3 metres high. In addition and at the same time, bat access tile sets shall be installed on the roof of each dwelling at either the southern or western elevation. These items shall then be permanently maintained as such thereafter;
- (17) This permission shall not be implemented unless and until the recommendations set out in section 10 of the Ecological Assessment by Ethos Environmental Planning February 2018 has been fully undertaken and these mitigation measures shall be maintained for the duration of the use;
- (18) Prior to the first occupation of the development the access arrangements, vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The access, parking and turning areas shall be retained in perpetuity for their intended purpose;
- (19) An electric vehicle charging point shall be provided for each of the approved dwellings prior to first occupation;
- (20) Prior to first occupation measures shall be incorporated within the development to ensure a water efficiency standard of 110 litres (or less) per person per day;
- (21) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no extensions, roof enlargements or outbuildings exceeding a volume of 10 cubic metres generally permitted by virtue of Classes A, B and E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority;
- (22) 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; and
- (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.

9. PLANNING APPLICATION EPF/0637/18 - THE LODGE, WOOLSTON HALL, CHIGWELL

The Assistant Director (Development Management) presented a report with regard to a proposed residential infill comprising twelve residential dwelling houses with associated off-street parking, garden space and external landscaping at The Lodge, Woolston Hall, Chigwell.

Members noted that the application been considered by Area Plans Sub-Committee South at its meeting on 27 June 2018, at which time it had been referred to the District Development Management Committee for consideration with a recommendation that planning permission be refused in accordance with the recommendation of the Assistant Director (Development Management), on the application of the minority reference procedure set out in the Council's constitution (Rule M2).

The Assistant Director (Development Management) reported that the application site was an open parcel of land to the northwest of The Lodge, with its southwestern boundary being an access road to Woolston Manor. Members were advised that the north-eastern boundary of the site was an avenue leading to a leisure complex and that a building and a former motel accommodating flats was situated to the northwest of the site. The Assistant Director (Development Management) reported that site was off the highway of Abridge Road, between the village of Abridge and Chigwell and was within the Green Belt. Members noted that trees along the avenue to the northeast of the application site were the subject of Tree Preservation Orders and that The Lodge was a locally listed building, with the northernmost boundary of the site being 120m from the Listed Building.

The Assistant Director (Development Management) reported that the proposed dwellings would be laid out in four terraces each of three houses, running north/south, parallel with and facing the vehicular access to Woolston Hall. Members were advised that each terrace would have its own appearance, whilst also providing overall unity of design to all four and that each of the houses would have three storeys, an integral garage and four bedrooms and an area of communal open space at the southernmost end of the site.

The Committee was advised that the main issue with regard to the proposed development was considered to be Green Belt policy. Other considerations included the provision of affordable housing, the implications of the Submission Version of the Epping Forest District Local Plan, the affect of the development on the setting within the landscape, sustainability, the quality of the design in terms of appearance, highway matters, the possible affect on heritage assets, the impact on neighbouring properties and whether the proposal would offer adequate amenity to future occupiers. The Assistant Director (Development Management) reported that a financial contribution for the provision of off-site affordable housing of £1,624,533 had been offered by the applicant, which had been verified by a consultant acting for the Council. Members were advised however, that no legal agreement had been submitted as part of the application and that Policy I1A required that, in appropriate circumstances, a legal agreement be in place prior to the grant of planning permission.

The Assistant Director (Development Management) reported that the proposal was considered to be contrary to Green Belt policy, failed to provide required on-site affordable housing; and did not represent sustainable development. Members were advised that the proposal was contrary to policy set out in both the adopted Local Plan and the Submission Version and would be detrimental to public amenity by

virtue of failing to use natural resources prudently and failing to mitigate and adapt to climate change.

The Committee was advised that, as the proposed development would create new residential units within a distance of 6.2km of the Epping Forest Special Area of Conservation, policies DM2(C) and DM22 of the Submission Version of the Epping Forest District Local Plan required that any permission be subject to a financial contribution to towards access management and monitoring of visitors to Epping Forest in order to mitigate against the harmful impacts of development on air quality and biodiversity within the Forest. The Assistant Director (Development Management) advised members that the amount of such contribution had not currently been agreed.

RESOLVED:

That planning permission for residential infill comprising 12 no. residential dwelling houses with associated off-street parking, garden space and external landscaping at The Lodge, Woolston Hall, Chigwell be granted, subject to the completion of a legal agreement (Section 106 of the Town and Country Planning Act 1990) by 31 March 2019 that ensures a contribution towards the provision of off-site affordable housing of £1,624,000 and appropriate financial contributions towards: (a) access management and monitoring of visitors to the Epping Forest Special Area of Conservation (SAC); (b) mitigation of air pollution in the vicinity of the Epping Forest SAC; and to the following 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:

001.00 Site location plan, received 20/4/18;

200.04;

201.04;

202.03;

203.04;

205.01;

DW-2017-371 Topographical survey;

Phase 1 Habitat Survey Report by Ethos Environmental Planning dated April 2017;

Arboricultural Impact Assessment by Waterman Infrastructure & Environment Limited dated September 2017; and

Preliminary Geo-Environmental Risk Assessment by Waterman Infrastructure & Environment Limited dated February 2017

- (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 carried out in accordance with the Preliminary Geo-Environmental Risk Assessment by Waterman Infrastructure & Environment Limited dated February 2017 submitted with the application unless otherwise agreed in writing with the Local Planning Authority. The development shall be implemented in accordance with such agreed details;

- (4) Access to the flat roof to the dining area as shown on the approved plans 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) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Class A and E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority;
- (6) No development shall commence until a scheme to enhance the nature conservation interest of the site has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall include recommendations made in the Phase 1 Habitat Survey Report submitted April 2017 by Ethos Environmental Planning. The scheme shall include new native planting with new soft landscaping, provision of six bat boxes erected in suitable trees or on new buildings and bat sensitive lighting scheme during and post construction. The scheme shall be implemented in full prior to the occupation of the development hereby approved;
- (7) No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority;
- (8) The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site. Should any discoloured or odorous soils be encountered during development works or should any hazardous materials or significant quantities of non-soil forming materials be found, then all development works should be stopped, the Local Planning Authority contacted and a scheme to investigate the risks and / or the adoption of any required remedial measures be submitted to, agreed and approved in writing by the Local Planning Authority prior to the recommencement of development works. Following the completion of development works and prior to the first occupation of the site, sufficient information must be submitted to demonstrate that any required remedial measures were satisfactorily implemented or confirmation provided that no unexpected contamination was encountered;
- (9) No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Planning Authority;
- (10) 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;

- (11) If any tree, shrub or hedge shown to be retained in accordance with the details approved in condition 10 above 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;
- (12) 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;
- (13) An electric vehicle charging point shall be provided for each of the approved dwellings prior to first occupation;
- (14) Prior to first occupation measures shall be incorporated within the development to ensure a water efficiency standard of 110 litres (or less) per person per day;
- (15) 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;
- (16) 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;

- (17) Details of all walls, fences, gates and other means of enclosure to the residential development shall be submitted for approval by the Local Planning Authority in writing prior to any development above ground level, and the development shall be implemented in accordance with such approved details.

Immediately following the voting on a motion that planning permission for the proposed development be granted, five members of the Committee referred the application to the Council for determination on the application of the minority reference procedure set out in the Constitution (Rule M2).

10. PLANNING APPLICATION EPF/0826/18 - 48 RUSSELL ROAD, BUCKHURST HILL

The Assistant Director (Development Management) presented a report with regard to the proposed demolition of an existing bungalow and the erection of three flats at 48 Russell Road, Buckhurst Hill.

Members noted that consideration of the application was before the District Development Management Committee because Area Plans Sub-Committee South had agreed at its meeting on 27 June 2018 that it be referred to the Committee for determination, after an equal number of members had voted for and against the development proposal.

The Assistant Director (Development Management) reported that the application site comprised a large single storey detached dwelling on a hillside location, which sloped downwards to the south at the rear and downwards to the east from the front elevation. Members noted that, due to the complicated levels of the site the bungalow had one non habitable room at lower ground floor level and could not be considered a two-storey dwelling. The Committee was advised that adjoining the western boundaries were three storey terraced houses and adjoining the eastern boundary was a pair of two-storey semi detached dwellings. The Assistant Director (Development Management) reported that Russell Road was made up of a mixture of a wide mixture of dwellings, with apartment buildings on either side of the road and opposite the application site and that the site was within an urban area and was not listed or within a conservation area.

Members were advised that the application followed an earlier refusal of planning permission for the redevelopment of the site for a detached two-storey dwelling house, as this would have facilitated the loss of a bungalow. The Committee noted that the proposed development had been redesigned to provide a more symmetrical and softer appearance than the previous scheme, involving the construction of a block of three flats over three floors.

The Assistant Director (Development Management) reported the revised application, with an increased number of fully accessible residential units along with the overall bulk and scale of the proposed development, was considered acceptable. Despite objection from neighbouring residents, it was considered that the proposal would not cause any undue loss of amenity to neighbouring residents or cause any parking or highway harm and would adequately serve the living conditions of future occupants. The Committee was advised that the proposal therefore complied with the guidance set out within the National Planning Policy Framework, the relevant policies contained within the adopted Local Plan and Alterations and the Submission Version of the emerging Local Plan.

The Committee was advised that, as the proposed development would create new residential units within a distance of 6.2km of the Epping Forest Special Area of Conservation, policies DM2(C) and DM22 of the Submission Version of the Epping Forest District Local Plan required that any permission be subject to a financial contribution to towards access management and monitoring of visitors to Epping Forest in order to mitigate against the harmful impacts of development on air quality and biodiversity within the Forest. The Assistant Director (Development Management) advised members that the amount of such contribution had not currently been agreed.

RESOLVED:

That planning permission for the proposed demolition of an existing bungalow and the erection of three flats at 48 Russell Road, Buckhurst Hill be granted, subject to the completion within six months of a Section 106 Legal agreement to secure appropriate financial contributions towards (a) access management and monitoring of visitors to the Epping Forest Special Area of Conservation (SAC); (b) mitigation of air pollution in the vicinity of the Epping Forest SAC; and subject to the following 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:
 - 318-PL-11 - Site & Location Plans;
 - 318-PL-12 - Proposed & Existing Street Elevation;
 - 318-PL-13 - Proposed Ground Floor Plan;
 - 318-PL-14 - Proposed Lower Ground & First Floor Plans;
 - 318-PL-15 - Proposed Second Floor & Roof Plans;
 - 318-PL-16 - Proposed Elevations;
 - 318-PL-17 - Proposed and Existing Section A-A;
 - 318-EX-01 - Existing Lower & Ground Floor Plans;
 - 318-EX-02 - Existing Roof Plan;
 - 318-EX-03 - Existing Elevations; and
 - Supporting Documents: Tree Constraints Plan, Arboricultural Report;
- (3) No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details;
- (4) No development, 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;
- (5) No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the

development schedule) have been submitted to 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;

- (6) If any tree, shrub or hedge shown to be retained in the submitted Arboricultural reports 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) No development, including works of demolition or site clearance, shall take place until foundation details have been submitted to the Local Planning Authority and approved in writing. The foundations shall consist of piles and an above ground beam design. Drawings submitted shall include cross sectional detail of pile and beam join and the location of piles in plan form. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation;
- (8) No services shall be installed within the root protection area of the retained trees on or adjacent to the site unless the Local Planning Authority gives its prior written approval;
- (9) The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site. Should any discoloured or odorous soils be encountered during development works or should any hazardous materials or significant quantities of non-soil forming materials be found, then all development works should be stopped, the Local Planning Authority contacted and a scheme to investigate the risks and / or the adoption of any required remedial measures be submitted to, agreed and approved in writing by the Local Planning Authority prior to the recommencement of development works. Following the completion of development works and prior to the first occupation of the site, sufficient information must be submitted to demonstrate that any required remedial measures were satisfactorily

implemented or confirmation provided that no unexpected contamination was encountered;

- (10) An electric vehicle charging point shall be provided for each of the approved dwellings prior to first occupation;
- (11) Prior to first occupation measures shall be incorporated within the development to ensure a water efficiency standard of 110 litres (or less) per person per day;
- (12) Prior to first occupation of the dwellings hereby approved measures to improve the ecological value of the site shall be implemented in accordance with details that have been submitted to and agreed in writing by the Local Planning Authority;
- (13) No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed. The installed cleaning facilities shall be used to clean vehicles immediately before leaving the site;
- (14) All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority; and
- (15) No construction works above ground level shall take place until documentary and photographic details showing the fenestration to be completed in timber have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.

11. PLANNING APPLICATION EPF/1490/18 - 65 HIGH STREET, EPPING

The Assistant Director (Development Management) presented a report with regard to the proposed installation of a new shop front at 65 High Street, Epping.

Members noted that consideration of the application was reserved to the Committee in accordance with Article 10 (District Development Management Committee (Section 1(f)) of the Council's Constitution, as it had been submitted by, or on behalf of, a Councillor of the Authority.

The Assistant Director (Development Management) reported that the application site was a three-storey property located to the north of the High Street that formed part of a shopping parade set back from the main road by a service road. Members were advised that the first and second floors of the property were residential and were set back from the ground floor front façade.

The Committee noted that the proposed new shopfront was considered to be an improvement on the existing shopfront display that would not detract from the vitality of the shopping centre and which was considered appropriate to the character and design of shop frontages in the parade. The Assistant Director (Development Management) reported that the development was not considered to result in any material amenity implications presently enjoyed by the occupiers of adjoining properties and that the alterations to the shop front were minimal and appropriate in

design and form that is not harmful and would respect the character and appearance of the property and the shopping parade and comply with the Council's relevant policies.

RESOLVED:

That planning permission for the proposed installation of a new shop front at 65 High Street, Epping be granted, subject to the following conditions:

- (1) The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice; and
- (2) The development hereby permitted be completed strictly in accordance with the approved drawings no's: S.F.1; S.F.2; Site Plan.

12. PLANNING APPLICATION EPF/1800/18 - 25 SHOOTERS DRIVE, NAZEING

The Assistant Director (Development Management) presented a report with regard to a proposed side and rear extension at 25 Shooters Drive, Nazeing.

Members noted that consideration of the application was reserved to the Committee in accordance with Article 10 (District Development Management Committee (Section 1(f)) of the Council's Constitution, as it had been submitted by, or on behalf of, a spouse or partner of a Councillor of the Authority.

The Assistant Director (Development Management) reported that the application site comprised a split-level dwelling set within a plot sloping to the south, located on the northern side of Shooters Drive, which was a residential area characterised by detached and semi-detached single and two-storey dwellings set on large plots. Members were advised that a two storey dwelling was situated to the west of the site and that a bungalow was located to the east of the site. The Committee noted that a sub-divided plot of land (previously part of the curtilage of the application site) already benefiting from planning permission for the construction of a three-bedroom house was situated to the north of the site and that, to the south of the site, were single storey dwellings set lower than the application site due to the sloping terrain. The Assistant Director (Development Management) reported that the site was not located within the Green Belt or Conservation Area.

The Committee was advised that the proposed development provided for the erection of side and rear extensions, with the side extension matching the footprint of the existing structure, to accommodate WC, utility room and sunroom facilities. The Assistant Director (Development Management) reported that the south (principal) elevation would incorporate three additional windows to serve bedroom 2 and that the entrance to the existing garage would be replaced by a window to serve a bedroom. Members noted that the proposal sought to replace the existing entrance steps and retaining wall with new steps and retaining wall topped with a glazed balustrade and the replacement of the fixed glazed screen behind the entrance steps. The north elevation of the existing house would replace the existing window serving bedroom 1 with double doors and the east elevation of the existing house remained unchanged.

The Assistant Director (Development Management) indicated that the main issues in the determination of the application were whether the design and appearance of the proposal was acceptable and its impact on the amenities of neighbouring properties. However, it was considered that the proposal was of acceptable design and appearance and would not be detrimental to the character and appearance of the

street scene. The Committee was advised that the proposed development would retain adequate amenity space and would not adversely impact neighbour amenities and, as such the application complied with the guidance contained within the National Planning Policy Framework and the relevant Local Plan policies. Members were advised that since the publication of the agenda for the meeting, Nazeing Parish Council had confirmed that it had no objection to the development proposal.

RESOLVED:

That planning permission for a proposed side and rear extension at 25 Shooters Drive, Nazeing be granted, subject to the following 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 by the Local Planning Authority; and
- (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.

13. ANY OTHER BUSINESS

It was noted that there was no other urgent business for consideration by the Committee.

14. EXCLUSION OF PUBLIC AND PRESS

The Committee noted that there was no business which necessitated the exclusion of the public and press from the meeting.

CHAIRMAN

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ARTICLE 10

District Development Management Committee and Area Plans Sub-Committees

The Council will establish the following Committees which shall be appointed at its annual meeting.

Membership

- (1) The following shall be the non-executive committees of the Council, consisting of the number of members set out below:

Committee or Sub-Committee	Number of Councillors	Membership
District Development Management Committee	15 members	15 members of the Council appointed by the Council at its Annual meeting, subject to pro rata requirements and including those members appointed as Chairman of each Area Planning Sub-Committee. Members to be appointed on the basis of aptitude, interest and planning experience
Area Plans Sub-Committee South	25 members	All District Wards in the parishes of Buckhurst Hill, Chigwell and Loughton;
Area Plans Sub-Committee East	19 members	The District Wards of Chipping Ongar, Greensted and Marden Ash; Epping Hemnall; Epping Lindsey and Thornwood Common; Hastingwood, Matching and Sheering Village; High Ongar; Willingale and The Rodings; Lambourne; Lower Sheering; Moreton and Fyfield; North Weald Bassett; Passingford; Shelley and Theydon Bois.
Area Plans Sub-Committee West	14 members	All District Wards in the parish of Waltham Abbey together with the District Wards of Lower Nazeing; Broadley Common, Epping Upland and Nazeing and Roydon.

- (2) Members of the Council appointed to each Area Plans Sub-Committee shall be drawn solely from those representing wards within the area for which the Sub-Committee is responsible shown in the 'Membership' column above. Seats on each Sub-Committee shall be allocated to all Councillors representing electoral wards in the areas concerned. The requirement for the appointment of Sub-Committees from all members of the Council shall not apply to the Area Plans Sub-Committees.

- (3) Newly elected members may be appointed to the relevant Area Plans Sub-Committee at the next ordinary meeting of the full Council.
- (4) A member of the executive may serve on an Area Plans Sub-Committee if otherwise eligible to do so as a Councillor.

Responsibility for functions:

The Committee and Sub-Committees the subject of this Article have responsibility for determining matters which have been delegated by the Council and the Executive shown in Part 3 of this Constitution, showing those which are the responsibility of the Executive and those which are not Executive functions and any limitations on delegation.

Terms of Reference:

District Development Management Committee

- (1) To determine:
 - (a) Any development proposals which affect more than one Area Plans Sub-Committee;
 - (b) Any 'large scale' application¹ (as defined below);
 - (c) Any 'major' application² (as defined below) where the Council is the land owner;
 - (d) Any application referred by an Area Plans Sub-Committee by resolution, by a minority of members of an Area Plans Sub-Committee in accordance with the Council's Rules or where the Sub-Committee is unable to determine the application;
 - (e) To determine any recommendation of an Area Plans Sub-Committee which relates to potential decisions liable to give rise to claims for costs or compensation, including development management matters and enforcement of planning requirements (including recommendations of no action) but excluding works on preserved trees;
 - (f) Any planning application or other planning matter submitted by, or on behalf of, a Councillor of the Authority (and/or their relevant person as defined in the Council's Code of Conduct); and
 - (g) Any development proposals for a site made by or on behalf of the Council or where the Council is the landowner that has been recommended for refusal by the relevant Area Plans Sub-Committee contrary to a recommendation of the Service Director (Planning Services) that planning permission be granted.

¹ 'Large-scale major development' means development involving any one or more of the following;

- (a) The provision of dwellinghouses where (i) The number of dwellinghouses to be provided is 200 or more: or (ii) The development is to be carried out on a site having an area of 4 hectares or more where the number of dwellinghouses is not known (normally an Outline application) or
- (b) The provision of a commercial building or buildings where the floor space to be created by the development is 10,000 square metres or more: or
- (c) Commercial development carried out on a site having an area of 2 hectares or more.

² 'major development' means development involving any one or more of the following;

- (a) The provision of dwellinghouses where (i) The number of dwellinghouses to be provided is 10 or more up to 199: or (ii) The development is to be carried out on a site having an area of 0.5 hectares or more but just less than 4 hectares where the number of dwellinghouses is not known (normally an Outline application)..
- (b) The provision of a commercial building or buildings where the floor space to be created by the development is 1,000 square metres or more up to 9,999 square metres: or
- (c) Commercial development carried out on a site having an area of one hectare but less than 2 hectares.

Area Plans Sub-Committees

- (1) To consider all applications (except as may be delegated to the Service Director (Planning Services)) or fall to the District Development Management Committee to determine as set out above) received for development within the respective Sub-Committee area and, except as detailed below, to make decisions on behalf of the local planning authority thereon;
- (2) Subject to the prior approval of the Chairman of the Sub-Committee, to consider informal proposals for development and to give guidance to the Service Director (Planning Services);
- (3) To consider planning applications made by other authorities which are considered by the Service Director (Planning Services) to require member response;
- (4) To consider and make recommendations to the District Development Management Committee on applications for development where:
 - (a) the Sub-Committee's proposed decision is a substantial departure from:
 - (i) the Council's approved policy framework; or
 - (ii) the development or other approved plan for the area; or
 - (iii) it would be required to be referred to the Secretary of State for approval as required by current government circular or directive;
 - (b) the refusal of consent may involve the payment of compensation; or
 - (c) the District Development Management Committee have previously considered the application or type of development and has so requested; or
 - (d) the Sub-Committee wish, for any reason, to refer the application to the District Development Management Committee for decision by resolution; or
 - (e) development proposals for a site are made by or on behalf of the Council or where the Council is the landowner, that are recommended for refusal by a Sub-Committee contrary to a recommendation of the Director of Governance that planning permission be granted;
- (5) Planning applications made by officers of Service Director level and above;
- (6) Where an application is objected to by a Councillor in a purely personal capacity;
- (7) To consider enforcement action on a site where members have refused a retrospective planning application;
- (8) To require a report (pursuant to (7) above) to be made to the relevant Area Plans Sub-Committee from officers in those cases where no further action is subsequently proposed, such report to give option to refer enforcement action to the District development management Committee; and
- (9) To require that such report (pursuant to (7) above) be made within two months after the elapsing of the timescale within which a retrospective application can be appealed and that the Sub-Committee is informed if an appeal has been launched after the six week deadline.

Public Participation at District Development Management Committee and Area Plans Sub-Committees on Planning Matters

- (1) There shall be afforded to those classes of persons specified in the rules for participation at Appendix 1 to this Article an opportunity, on request, to make oral representations to any Area Plans Sub-Committee (or in appropriate circumstances, the District Development Management Committee) meeting concerning any planning application or related matter before that Sub-Committee for determination. Such arrangements for public participation also apply to all planning applications considered by the full Council;
- (2) The procedure for dealing with requests to address an Area Plans Sub-Committee, the District Development Management Committee or the Council, shall be as prescribed from time to time by the Council and as set out in Appendix 1 to this Article.

Site Visits

- (1) Formal Site visits may be undertaken of any potential development site subject to application where there is a substantial benefit to the decision-making process. Such a visit may be approved by the District Development Management Committee or the appropriate Area Plans Sub-Committee at the meeting where they are being asked to determine the matter or in advance on the recommendation of the Service Director (Planning Services) in consultation with the Chairman of the District Development Management Committee or the appropriate Area Plans Sub-Committee.
- (2) In those circumstances where an application that has been subject to a formal site visit by an Area Plans Sub-Committee is subsequently referred to the District Development Management Committee for determination, a further site visit will be arranged for members of the District Development Management Committee prior to its consideration of the application.
- (3) Formal site visits may also be held for all members with regard to any planning application to be considered by the full Council. Such site visits shall be approved by the Chairman of the Council on the recommendation of the Service Director (Planning Services).
- (4) Formal Site visits will be undertaken following the guidance at Appendix 2 to this Article.

**RULES FOR PARTICIPATION ON PLANNING MATTERS AT COUNCIL,
AREA PLANS SUB AND DISTRICT DEVELOPMENT MANAGEMENT COMMITTEE
MEETINGS**

1. The following persons shall be able, on request, to address the appropriate Area Plans Sub-Committee and/or District Development Management Committee and/or the Council on any planning application or related matter within its terms of reference and included on any agenda, for a period of three minutes:
 - (a) one objector;
 - (b) one representative of any relevant Parish or Town Council for the purpose of explaining the views of that Council on the matter in question;
 - (c) one representative of any other authority consulted on the application or as a statutory consultee where they have so requested; and
 - (d) the applicant (or one nominated agent or representative);
2. In the case of planning applications which have a District-wide significance, it shall be permissible for the Chairman of an Area Plans Sub-Committee, the District Development Management Committee or the Council, to allow any Parish or Town Council to speak on such an application.
3. For the purposes of this Standing Order the definition of "planning application or any related matter" shall not include any existing or proposed enforcement action under the Planning Acts.
4. The Chairman of the Area Plans Sub-Committee, the District Development Management Committee or the Council may allow additional speakers in exceptional circumstances.
5. Persons wishing to address the Area Plans Sub-Committee, the District Development Management Committee or the Council are required to register with Democratic Services by 4.00 pm on the day before the meeting. The Chairman may make changes or additions to speakers after that time at their discretion.
6. Persons addressing an Area Plans Sub-Committee, the District Development Management Committee or the Council shall be allowed no more than three minutes to present their case. At the discretion of the Chairman, speakers may clarify matters relating to their presentation and answer questions from members.
7. Written submissions and photographic or similar material will not be considered by an Area Plans Sub-Committee, the District Development Management Committee or the Council. Any written submissions received after the agenda is produced will be verbally summarised and reported to the Committee.
8. The right to address the Committees is extended to the Area Plans Sub-Committees the District Development Management Committee and the Council. Having previously made representations at an Area Plans Sub-Committee does not preclude any applicant, objector or parish/town council representative from speaking again when the matter is reconsidered.

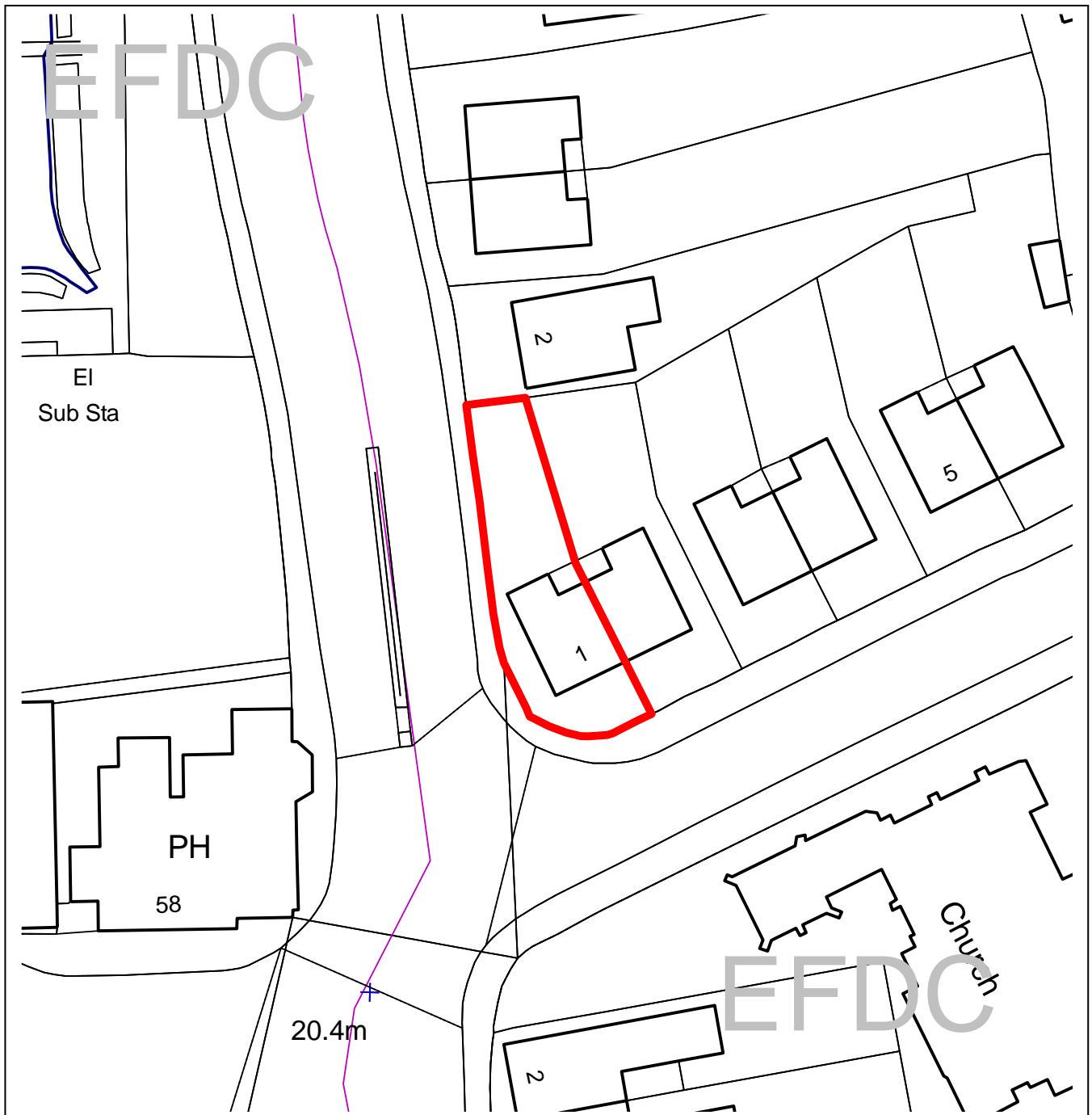
Guidance for Members at Site Visits

Formal site visits may be requested by any planning committee. These can be requested either before a planning meeting or resolved at the meeting concerned. However, these consume resources and delay determination of an application. It is good practice to consider site visits only where there is a substantial benefit to the decision-making process, e.g. when the impact of the proposed development is difficult to visualise from prior inspection from a public place, or from the plans and the supporting material; or it is particularly contentious.

It is recognised that Councillors are subject to lobbying on specific applications. In such cases, it is essential that care is taken to maintain the Council's and its members' integrity so as to protect the credibility of the planning process.

Councillors are asked to bear in mind the following guidance when undertaking planning site visits so as to avoid the perception of pre-determination.

- Site visits should be undertaken at an agreed predetermined time and conducted in a single group with a planning officer present at all times.
- Members of the committee concerned are encouraged to attend site visits.
- The site visit is managed by the Chairman, Vice-Chairman or planning officer present. The Chairman or Vice Chairman will remind Councillors of the guidance at the beginning of each visit. Members of the Committee or Sub-Committee should not enter into discussions with interested parties, such as the applicant, the agent or neighbours during the visit.
- Councillors/Planning Officers should not allow interested parties to use the site visit as an opportunity of lobbying members of the committee. It is made clear to other parties at the outset that the purpose is to gather information and to view the site only.
- Any questions from Councillors should be limited to questions of fact and directed, in the first instance, to the planning officer present and not directly to interested parties present.
- In the interests of fairness to all parties, members as a single group should consider the desirability of viewing an application site from more than one property when the site visit is arranged.
- Councillors must ensure that the application is not determined at the site visit
- Councillors should avoid acceptance of any hospitality at a site visit which could be misinterpreted by third parties.



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Application Number:	EPF/2829/21
Site Name:	1 Monkswood Avenue Waltham Abbey EN9 1LA
Scale of Plot:	1:500

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Report to District Development Management Committee



Report Reference: *EPF/2829/21*
Date of meeting: *26 January 2022*

**Epping Forest
District Council**

Address: *1A Monkswood Avenue, Waltham Abbey, EN9 1LA*

Description: *Hip to gable extension to the roof and insertion of a rear dormer.*

Responsible Officer: *Sukhi Dhadwar*

Committee Secretary: *Gary Woodhall* (01992 564470)

This application is before this Committee since it is an application that is submitted by or on behalf of a District Councillor (Pursuant to Article 10 of The Constitution).

RECOMMENDATION

That planning permission be GRANTED subject to the following conditions: -

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans:

Location Plan, Block Plan, Existing Plans Elevations and Section, Proposed Plans Elevations and Section.
- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those in the existing building, unless otherwise agreed in writing by the Local Planning Authority.

Description of Site:

Both applications relate a two-storey interwar semi-detached house which has been converted into two flats. It is located on a corner plot at the junction of the eastern side of Crooked Mile and the northern side of Monkswood Avenue.

The boundary of the Waltham Abbey Conservation Area is situated on the southern and western boundary of the site. The Grade II listed Waltham Abbey Methodist Church is located to the south east of the site. To the west is the Locally Listed New Inn Pub.

Description of Proposal:

Permission is sought for a hip to gable extension to the roof and insertion of a rear dormer with a Juliette balcony.

The width of the existing hipped roof will be extended by 4.5m to create a gable roof profile.

The rear dormer measures 2.73m deep by 4.5m wide and 2.17m high to the flat roof.

Materials will match those of the application property.

Relevant History:

Reference	Description	Decision
WHX/0025/73	Pavement crossover	Granted
EPF/1401/77	Garage and access.	Granted
EPF/1014/88	Two storey side extension.	Granted
EPF/0368/20	Application for a Lawful Development Certificate for exiting use of dwelling as two flats for more than four years.	Lawful

DEVELOPMENT PLAN

Section 38(6) Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan currently comprises the Epping Forest District Council Adopted Local Plan (1998) and Alterations (2006).

The following policies within the current Development Plan are considered to be of relevance to this application:

CP2	Protecting the Quality of the Rural and Built Environment
CP3	New Development
CP6	Achieving Sustainable Urban Development Patterns
CP7	Urban Form and Quality
DBE10	Design of Extensions
DBE8	Private Amenity Space
DBE9	Loss of Amenity
ST4	Road Safety
ST6	Vehicle Parking
HC6	Character, Appearance and setting of Conservation Area

NATIONAL PLANNING POLICY FRAMEWORK (JULY 2021)

The revised NPPF is a material consideration in determining planning applications. As with its predecessor, the presumption in favour of sustainable development remains at the heart of the NPPF. Paragraph 11 of the NPPF provides that for determining planning applications this means either;

- (a) approving development proposals that accord with an up-to-date development plan without delay; or
- (b) where there are no relevant development plan policies, or the policies which are

most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole

The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making, but policies within the development plan need to be considered and applied in terms of their degree of consistency with the Framework.

EPPING FOREST DISTRICT LOCAL PLAN SUBMISSION VERSION (2017) **(LPSV)**

Although the LPSV does not currently form part of the statutory development plan for the district, on 14 December 2017 the Council resolved that the LPSV be endorsed as a material consideration to be used in the determination of planning applications.

Paragraph 48 of the NPPF provides that decision-takers may give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

The LPSV has been submitted for Independent Examination and hearing sessions were held on various dates from February 2019 to June 2019. On the 2nd August, the appointed inspector provided her interim advice to the Council covering the substantive matters raised at the hearing and the necessary actions required of the Council to enable her to address issues of soundness with the plan without prejudice to her final conclusions.

Consultation has been carried out on the Main Modifications. It is therefore at an advanced stage of preparation.

The following policies in the LPSV are considered to be of relevance to the determination of this application, with the weight afforded by your officers in this particular case indicated:

Policy	Weight afforded
T1 - Sustainable Transport Choices	Significant
DM7 - Heritage Assets	Significant
DM9 - High Quality Design	Significant
DM10 - Housing Design and Quality	Significant

Consultation Carried Out and Summary of Representations Received

Date of site visit: Yes
Number of neighbours consulted: 3
Site notice posted: No, not required
Responses received: No response received from neighbours
PARISH COUNCIL: No comment

Main Issues and Considerations:

The key considerations for the determination of this application are its impact on the character and appearance of the area; adjoining conservation area and neighbouring residential amenity.

Character and appearance

Policy CP 2 iv (Protecting the Quality of the Rural and Built Environment) requires that development should maintain, conserve and improve the quality of the built environment by:

Safeguarding an enhancing the setting, character and townscape of the urban environment;

Policy DBE10 (Residential Extensions) of the Local Plan states that: -

A residential extension will be required to complement and, where appropriate, enhance the appearance of:

- (i) the streetscene; and*
- (ii) the existing building*

This will be achieved by close attention to:

- (a) the scale, form, detail, elevations, materials, roof treatment and fenestration of the existing building; and*
- (b) separation from any neighbouring buildings; and*
- (c) the existence of any landscaping in the locality.*

The character and appearance of this part of Monkswood Avenue is defined by two storey semi-detached houses. To the east of the property there are dwellings of a similar design as the application properties.

Examples dormer extension can be found at 10, 14, 43, 57, 61A, 64, 67, 73, 76, 83,

84, 87A, 97 and 111 Monkswood Avenue.

It should also be noted that, if the original house had not been extended to the side or converted into two flats, it would still have benefited from permitted development rights to extend the original roof of the building to extend the original hipped roof into a gable roof and to install a dormer. Given that the Government considers that this form of development is in principle acceptable on this type of property, and the existing number of roof alterations already constructed within Monkswood Avenue, it is determined that the proposal will have a neutral impact on the character and appearance of this road. The proposal therefore meets the requirements of policies CP2, DBE10 of the Local Plan and DM 9 of the submission Version Local Plan.

Waltham Abbey Conservation Area

The site immediately adjoins the Waltham Abbey Conservation Area. The Grade II Listed Lee Valley Church is located to south east of the site, to the west is the Locally Listed building currently in use as Vince's restaurant and bar.

S72(1) of the Planning and Listed Building and Conservation Areas Act 1990 states that special attention should be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

In determining planning applications, the Council is required by the NPPF to consider the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 193 of the NPPF requires that "*When considering the impact of a proposal on the significance of the designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater weight should be given to its conservation. Significance can be harmed or lost through (inter alia) development within its setting*".

Paragraph 194 of the NPPF requires "*where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use*".

The Conservation Officer raises concerns about the design of the proposal, she states:

The building subject to this application stands in a prominent location on the corner of Crooked Mile and Monkswood Avenue, directly adjacent to the Waltham Abbey Conservation Area. This semi-detached dwelling was built in the mid twentieth century and was extended in the late 1980s with a two storey side extension, and subsequently split into two units.

Due to the location and positioning of the building, with the rear exposed to views particularly from the north, the house is very much seen in conjunction with the conservation area and placed within its setting. According to policy HC6 therefore, "Within or adjacent to a conservation area, the Council will not grant planning permission for any development or give listed building consent or consent for works to trees, which could be detrimental to the character, appearance or setting of the conservation area."

These applications will be assessed together as it applies to the whole of the

building. EPF/2870/21 seeks consent for a single storey side/rear extension and EPF/2829/21 for 1A Monkswood Avenue, Waltham Abbey, EN9 1LA a hip to gable extension with rear dormer along with a first floor infill side/rear extension.

The result of these proposed schemes would create a crown roof at first floor level and a box dormer with Juliet balcony at roof level.

The roof alteration

As stated in the Essex Design Guide "Each building should be composed of a 'family' of forms, with roofs of similar pitch and without discordant flat-topped elements." In line with this, the proposed crown roof at first floor is found to be unacceptable.

The addition of a rear dormer window

As stated in the Essex Design Guide, dormers are often the result of an attempt to provide habitable accommodation within the roof space which makes them over-dominant in their composition; they should be a minor incident in the roof plane. Their purpose should be to light the roof-space, not to gain extra headroom over any great width. They should not be located close to verges or hips and should have gabled, cat-slide or flat leaded roofs. Box dormers, such as the one proposed, are an inappropriate and unacceptable design solution. By reason of its position and design the proposed box dormer window will relate poorly to the host-building, appear over-dominant in the roof slope and cause great harm to its appearance and that of the adjacent conservation area.

For the above reasons, we OBJECT to the proposal as it would cause harm to the setting of the conservation area.

This is supported by policy HC6 of our Local Plan and Alterations (1998 and 2006), policy DM7 of our Submission Version Local Plan (2017), and paragraphs 194, 195, 197, 199, 200 and 206 of the NPPF (2021)."

The Conservation Team's comments were made on the basis of a now superseded plan to include a first-floor side/rear infill extension. The applicant has revised the scheme to only extend the original roof to provide a hip to gable extension and rear dormer.

Given that the proposal is located outside of the Conservation Area and is separated from the boundary of the Conservation Area by a distance of 2.8m, it will read as being part of the Monkswood Avenue built development more than the adjacent conservation area.

The proposal will be most visible looking in a southerly direction from Crooked Mile. The roof alterations will not screen further the views to the Grade II listed Church as it is located further east.

The proposal will be seen in conjunction with the side flank wall of 2 Sewardstone Road, the thoroughfare of Sewardstone Road and Trinity House. (A three-storey office building built around the 1970's). Given that the proposal will not rise above the maximum height of the existing house or extend beyond its footprint, and the vista affected being of mixed quality, it is on balance considered that this proposal will have a neutral impact on the character and appearance of this Conservation Area.

Impact on neighbouring amenity

All the extensions proposed are within the existing footprint of the building, it is therefore considered that there will be no excessive impact on the living conditions of neighbouring residential occupiers. The proposal therefore complies with the requirements of DBE9 of the Local Plan.

Conclusion:

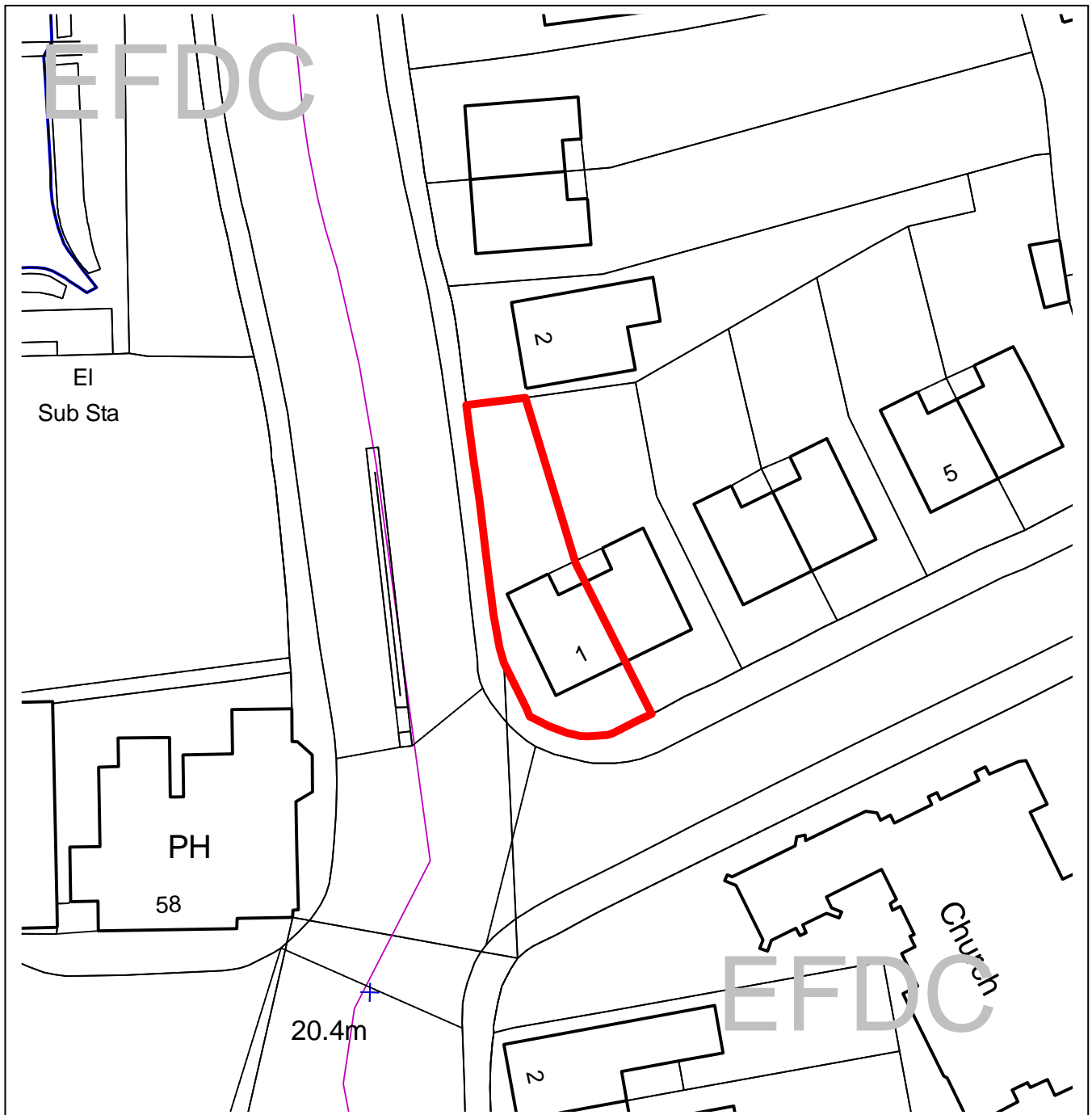
The proposal would have a neutral impact on the character and appearance of the host property, wider streetscene and adjoining conservation area. The living conditions of neighbouring properties will also not be adversely affected. The proposal therefore meets the requirements of policies HC 6, CP2 and DBE10 of the adopted Local Plan. The requirements of these policies are mirrored in policies DM 7 and DM 9 of the Submission Local Plan.

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

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

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

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Application Number:	EPF/2870/21
Site Name:	1 Monkswood Avenue Waltham Abbey EN9 1LA
Scale of Plot:	1:500

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Report to District Development Management Committee



Report Reference: EPF/2870/21
Date of meeting: 26 January 2022

**Epping Forest
District Council**

Address: 1 Monkswood Avenue, Waltham Abbey, EN9 1LA

Subject: Single storey side/rear extension.

Responsible Officer: Sukhi Dhadwar

Committee Secretary: Gary Woodhall (01992 564470)

This application is before this Committee since it is an application that is submitted by or on behalf of a District Councillor (Pursuant to Article 10 of The Constitution).

RECOMMENDATION

That planning permission be GRANTED subject to the following conditions: -

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans:

Location Plan, Block Plan, Existing Plans Elevations and Section, Proposed Plans Elevations and Section.
- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those in the existing building, unless otherwise agreed in writing by the Local Planning Authority.

Description of Site:

Both applications relate a two-storey interwar semi-detached house which has been converted into two flats. It is located on a corner plot at the junction of the eastern side of Crooked Mile and the northern side of Monkswood Avenue.

The boundary of the Waltham Abbey Conservation Area is situated on the southern and western boundary of the site. The Grade II listed Waltham Abbey Methodist Church is located to the south of the site. To the west is the Locally Listed New Inn Pub.

Description of Proposal:

Permission is sought for a single storey infill side/rear extension.

It measures a maximum of 3m wide by 2.7m deep of the property. It has a height of 4.2m to the ridge of its monoslope roof.

Materials will match those of the application property.

Relevant History:

Reference	Description	Decision
WHX/0025/73	Pavement crossover	Granted
EPF/1401/77	Garage and access.	Granted
EPF/1014/88	Two storey side extension.	Granted
EPF/0368/20	Application for a Lawful Development Certificate for exiting use of dwelling as two flats for more than four years.	Lawful

DEVELOPMENT PLAN

Section 38(6) Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan currently comprises the Epping Forest District Council Adopted Local Plan (1998) and Alterations (2006).

The following policies within the current Development Plan are considered to be of relevance to this application:

CP2	Protecting the Quality of the Rural and Built Environment
CP3	New Development
CP6	Achieving Sustainable Urban Development Patterns
CP7	Urban Form and Quality
DBE10	Design of Extensions
DBE8	Private Amenity Space
DBE9	Loss of Amenity
ST4	Road Safety
ST6	Vehicle Parking
HC6	Character, Appearance and setting of Conservation Area

NATIONAL PLANNING POLICY FRAMEWORK (JULY 2021)

The revised NPPF is a material consideration in determining planning applications. As with its predecessor, the presumption in favour of sustainable development remains at the heart of the NPPF. Paragraph 11 of the NPPF provides that for determining planning applications this means either;

- (a) approving development proposals that accord with an up-to-date development plan without delay; or
- (b) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in the NPPF that protect areas or assets of

particular importance provides a clear reason for refusing the development proposed;
or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole

The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making, but policies within the development plan need to be considered and applied in terms of their degree of consistency with the Framework.

EPHING FOREST DISTRICT LOCAL PLAN SUBMISSION VERSION (2017) **(LPSV)**

Although the LPSV does not currently form part of the statutory development plan for the district, on 14 December 2017 the Council resolved that the LPSV be endorsed as a material consideration to be used in the determination of planning applications.

Paragraph 48 of the NPPF provides that decision-takers may give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

The LPSV has been submitted for Independent Examination and hearing sessions were held on various dates from February 2019 to June 2019. On the 2nd August, the appointed inspector provided her interim advice to the Council covering the substantive matters raised at the hearing and the necessary actions required of the Council to enable her to address issues of soundness with the plan without prejudice to her final conclusions.

Consultation has been carried out on the Main Modifications. It is therefore at an advanced stage of preparation.

The following policies in the LPSV are considered to be of relevance to the determination of this application, with the weight afforded by your officers in this particular case indicated:

Policy	Weight afforded
T1 - Sustainable Transport Choices	Significant
DM7 - Heritage Assets	Significant

DM9 - High Quality Design

Significant

DM10 - Housing Design and Quality

Significant

Consultation Carried Out and Summary of Representations Received

Date of site visit: Yes

Number of neighbours consulted: 3

Site notice posted: No, not required

Responses received: No response received from neighbours

PARISH COUNCIL: No comment

Main Issues and Considerations:

The key considerations for the determination of this application are its impact on the character and appearance of the area; adjoining conservation area and neighbouring residential amenity.

The applications together seek to construct a hip to gable extension with a rear dormer.

Character and appearance

Policy CP 2 iv (Protecting the Quality of the Rural and Built Environment) requires that development should maintain, conserve and improve the quality of the built environment by:

Safeguarding and enhancing the setting, character and townscape of the urban environment;

Policy DBE10 (Residential Extensions) of the Local Plan states that: -

A residential extension will be required to complement and, where appropriate, enhance the appearance of:

- (i) the streetscene; and*
- (ii) the existing building*

This will be achieved by close attention to:

- (a) the scale, form, detail, elevations, materials, roof treatment and fenestration of the existing building; and*
- (b) separation from any neighbouring buildings; and*
- (c) the existence of any landscaping in the locality.*

The character and appearance of this part of Monkswood Avenue is defined by two storey semi-detached houses. To the east of the property there are dwellings of a similar design as the application properties.

The proposed infill extension is modest in size and has a pitched roof which is in keeping with the application property. A condition to ensure that external materials also match those of the application property is recommended. It is on this basis that the proposal complies with the requirements of policies CP2, DBE10 of the Local Plan and DM 9 of the submission Version Local Plan.

Waltham Abbey Conservation Area

The site immediately adjoins the Waltham Abbey Conservation Area. Directly to the south is Grade II listed Lee Valley Church, to the west is the Locally listed building currently in use as Vince's restaurant and bar

S72(1) of the Planning and Listed Building and Conservation Areas Act 1990 states that special attention should be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

Given the single storey height and position of the extension at the rear of the house, it is considered that the proposal will not have an adverse impact on the character and appearance of the adjoining Conservation Area. The proposal therefore accords with the requirements of policy HC6 of the Local Plan and DM 7 of the Submission Version Plan.

Impact on neighbouring amenity

The extension is attached to the western elevation adjoining highway land on Crooked Mile and does not extend beyond the existing rear elevation of the property. It is therefore considered that there will be no excessive impact on the living conditions of neighbouring residential occupiers. The proposal therefore complies with the requirements of DBE9 of the Local Plan.

Conclusion:

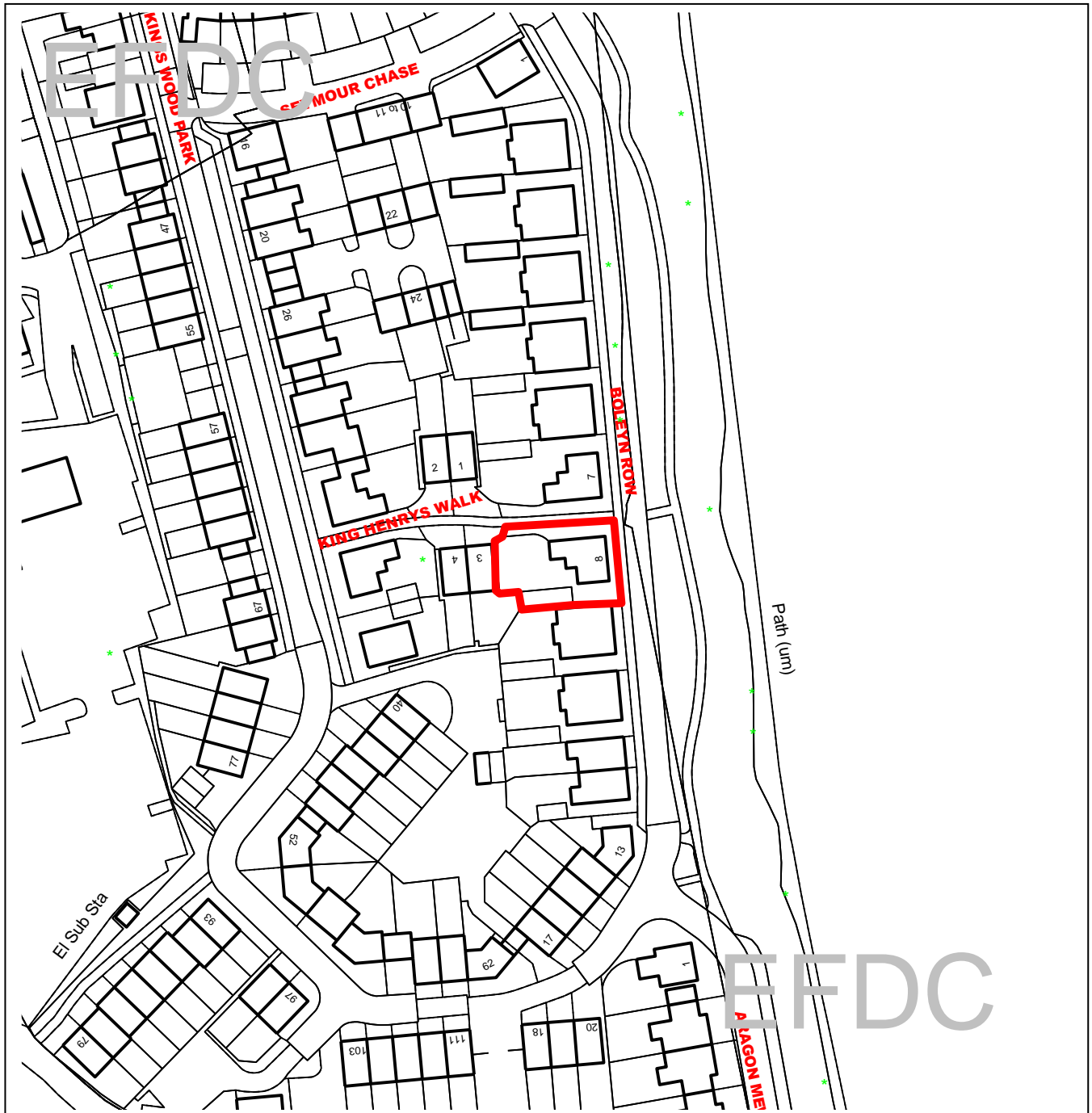
The proposal will preserve the character and appearance of the site and wider locality. It will also not have an excessive adverse impact on the living conditions of neighbouring residential occupiers. The proposal therefore meets the requirements of policies CP2 and DBE10 of the adopted Local Plan. It will also not impinge upon the character and appearance of the adjoining conservation area in accordance with HC6 of the Local Plan. The requirements of these policies are mirrored in policies DM 7 and DM 9 of the Submission Local Plan.

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

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

***or if no direct contact can be made please email:
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Application Number:	EPF/0583/21
Site Name:	8 Boleyn Row Epping CM16 6FF
Scale of Plot:	1:1250

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Report to District Development Management Committee

***Date of meeting: 26 January
2022***



**Epping Forest
District Council**

**Address: 8 Boleyn Row, Epping, CM16
6FF**

**Subject: Part single/two storey rear/side
extensions, replacement larger roof
window on rear elevation, conversion of
rear half of existing garage. (Revised
application to EPF/0052/21).**

Officer contact for further information: Caroline Brown (01992 564182)

Democratic Services Officer: Gary Woodhall (01992 564470)

RECOMMENDATION

That planning permission be GRANTED subject to the following conditions: -

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans: Location Plan; 20-8BR-04 Rev A; 20-8BR-05; 20-8BR- 06
3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those in the existing building [or those specified on the approved plans, or those specified in the submitted application form], unless otherwise agreed in writing by the Local Planning Authority.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any other order revoking and re-enacting that order) no development permitted by virtue of Class A-E of Part 1, to schedule 2 shall be undertaken, without the prior written agreement of the Local Planning Authority.
5. Prior to first occupation of the building/extension hereby permitted the window(s) in the flank elevation(s) at first floor level and above, shall have been fitted with obscure glass with a minimum privacy level 3 obscurity, and no part of that/those window[s] that is less than 1.7 metres above the internal floor level of the room in which it is installed shall be capable of being opened. Once installed the obscure glass shall be retained thereafter.

6. No deliveries, external running of plant and equipment or demolition and construction works, other than internal works not audible outside the site boundary, shall take place on the site other than between the hours of 07:30 to 18:00 on Monday to Friday and 08:00 to 13:00 on Saturday and not at all on Sundays, Public or Bank Holidays without the prior written permission of the Local Planning Authority.

Report:

1. This application was reported to Area Planning Sub-Committee East on 13 October 2021 with a recommendation to grant permission, subject to conditions.
2. Following discussion on the merits of the proposal, Members voted to support the application. However, four Members stood in order to refer this item to District Development Management Committee for further consideration with a recommendation to approve the application.
3. Councillor Whitbread suggested that Members of District Development Management Committee may benefit from visiting the location prior to the meeting taking place.

ORIGINAL REPORT

EPF/0583/21

This application is before this Committee since it is for a type of development that cannot be determined by Officers as the majority of those consulted objected on planning grounds material to the application. The application is also before this committee since the recommendation is for approval contrary to an objection from a Local Council and at least one non-councillor resident on planning grounds material to the application. (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council).

Site and Surroundings

No. 8 is a 2-storey gable roof double fronted detached dwellinghouse located to the north of Boleyn Row which is residential in character. The property has a detached side/rear garage and a 2-storey rear aspect that forms part of the original house sited to the east elevation of the property.

The property no's 2-10 front onto Boleyn Row and are uniform in character comprising of large detached dwellings of equal spacing and of a similar main front building line. No. 7 and 8 are sited on the corners of the access to King Henry's walkway and are the only 2 properties in this frontage that vary in design terms with a rear staggered building line

The property lies outside of a conservation area and is not listed.

Proposed Development

The proposal seeks planning consent for the:

- Demolition of the existing original single storey utility building
- Conversion of the rear half of the exiting double garage into a habitable room (playroom)

- Single storey rear extension extending to a depth of 6.8m and a width of 5m set in 0.5m from the west flank, (a reduction of 0.3m in depth and 3m in width from the previous application).
- the 2-storey rear extension has also been reduced in depth from 5.1m to 4.5m at a width of 4.6m
- Change of roof from a pitched roof to a shallow hip roof.
- Enlargement of the central rear roofslope skylight for the stairway
- Number of bedrooms has been reduced from 6 to 5

Materials are to match the existing property.

Relevant Planning History

EPF/0052/21- Part single/two storey rear extensions, replacement larger roof window on rear elevation, conversion of rear half of existing garage. - Refused 25/02/21

'The existing extensions and proposed development by reason of its design, excessive scale, bulk and siting would cumulatively subsume the character and appearance of the existing dwelling house. As such, the development would result in a disproportionate and obtrusive development that is unsympathetic and have a detrimental impact on the character of the property and the surrounding locality. The proposal is therefore contrary to policies CP3, DBE1, DBE3 and DBE10 of the adopted Local Plan and Alterations ((1998 -2006) and policy DM9 and DM10 of the Submission Version Local Plan, 2017 and, the National Planning Policy Framework, 2019',

Policies Applied:

DEVELOPMENT PLAN CONTEXT

Local Plan (1998) & Alterations (2006)

Section 38(6) Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan currently comprises the Epping Forest District Council Adopted Local Plan (1998) and Alterations (2006).

CP1- Achieving sustainable development objectives
 CP2 Protecting the quality of the rural and built environment
 DBE1 Design of New Building
 DBE2 Impact on Neighbouring Properties
 DBE3 Design in Urban Areas
 DBE9 Loss of Amenity
 DBE10- Residential Extensions

NPPF, 2021

The revised NPPF is a material consideration in determining planning applications. As with its predecessor, the presumption in favour of sustainable development remains at the heart of the NPPF. Paragraph 11 of the NPPF provides that for determining planning applications this means either;

- a) approving development proposals that accord with an up-to-date development plan without delay; or

- b) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
- i. the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole

The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making, but policies within the development plan need to be considered and applied in terms of their degree of consistency with the Framework.

In addition to paragraph 11, the following paragraphs of the NPPF are considered to be of relevance to this application:

Paragraph 126-7 - Achieving well designed Places

Epping Forest District Local Plan Submission Version (LPSV) (2017)

Although the LPSV does not currently form part of the statutory development plan for the district, on 14th December 2017 the Council resolved that the LPSV be endorsed as a material consideration to be used in the determination of planning applications.

Paragraph 48 of the NPPF provides that decision-takers may give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

The LPSV has been submitted for Independent Examination and hearing sessions were held on various dates from February 2019 to June 2019.

The appointed Inspector issued her initial advice on 2 August 2019 and since then, the Council has undertaken further work to address the actions identified by the Inspector. This has led to the production of a number of proposed changes to the Local Plan Submission Version 2017 (known as the Schedule of Main Modifications) and additional supporting documents associated with the Main Modifications. These are to address issues of soundness and/or legal compliance identified by the Inspector.

The Main Modifications include changes to some of the supporting text and Policies within the Plan, deletion and amendment to some site allocations, updated Housing Supply data to March 2020, along with associated changes to the mapping contained within the Plan.

The Main Modifications are put forward without prejudice to the Inspector's final conclusions on the Plan. Following the close of the consultation (ends 23rd September 2021), the representations will be passed to the Inspector for her consideration before the publication of the Inspector's final report.

The following policies in the LPSV are considered to be of relevance to the determination of this application:

SP1 Presumption in Favour of Sustainable Development

DM9 High Quality Design

DM10 Housing Design and Quality.

CONSULTATION CARRIED OUT & SUMMARY OF REPRESENTATIONS RECEIVED:

Epping Town Council - Objection

- Overdevelopment,
- Excessive scale and bulk, create a Terracing effect
- Loss of amenities to adjoining properties in the form of a loss of privacy, noise and visual impact
- Loss of garage

3 adjoining neighbours were notified, and 3 objections have been received that raise the following concerns:

Epping Society - Objection -

- The bulk, siting character and appearance of the extensions is still an issue
- Relatively new development architecturally designed to a high standard
- Over development, an unwelcome precedent

Other objections:

- visual impact, overbearing, overdevelopment, loss of privacy and light. parking congestion

Main Issues & Considerations:

- Design and siting of the development in relation to the character and appearance of the property and surrounding area.
- Impact on neighbour's amenity
- Parking and highway

Impact on the character and appearance of the property and the surrounding area

Epping Forest adopted Local Plan Policies seeks to ensure a high quality of design and that development respects and relates to the character and context of the locality, maintaining and where possible enhancing the character of the existing area. These objectives are broadly consistent with the core principles of the NPPF that planning should seek to secure high quality design.

This application is a resubmission following a previous refusal which centred around the scale and bulk of the development that was considered out of proportion to the main dwellinghouse.

The extensions have been reduced in depth and width thereby reducing their overall scale and bulk and is considered to have addressed many of the concerns of the previous application.

The rear extensions are to be set in over 4m from the west and east boundary, well set in from No. 9 and significantly enclosed by their main flank elevation and buffered to the east of the main house by the 2-storey outrigger to the main host dwellinghouse, aligning with the rear main building line of other properties in this section of Boleyn Row. The 2-storey rear extension has a shallow low roof and is considered subservient to the main house, not visible from any public viewpoints and not detrimental to the visual appearance of the street scene.

There is no objection to the conversion of the garage to a habitable space. The property retains an existing garage space and car space in front of the garage.

In terms of its design and form the development is considered sympathetic and comparable in context with the spatial design and pattern of development in the surrounding area and complies satisfactorily with policies CP2, DBE3 and DBE10 of the adopted Local Plan and policies of the Local Plan (1998) and Alterations (2006) and policy, DM9 and DM10 of the Local Plan Submission Version, 2017 and does not conflict with the design objectives of the National Planning Policy Framework., 2021 that seeks to ensure, amongst other things, that new development is of a high quality design that respects its setting and the character and environment of the locality.

Impact on Neighbours' Amenities

In terms of amenity, the proposed rear extensions are to be set in some 4.5m from No.9 and 3.5m from the east flank elevation which is buffered by the 2 storey outrigger of the same size and would not be visible from the immediate adjoining neighbours.

The separation distance of the adjoining properties would ensure that the proposed development would not result in any undue harmful amenity implications subject to first floor side elevation windows being conditioned as obscure glazed to prevent overlooking and a loss of privacy to the adjoining neighbours. The proposed playroom is an ancillary aspect to the main dwellinghouse and not considered to generate any significant amount of noise or disturbance. It is considered that the amenity of the adjoining occupiers would be maintained to an acceptable level and accords with the requirements of policy DBE9 of the adopted Local Plan and policy DM9 of the Local Plan submission Version, 2017

In response to the objections received, the proposal does not involve any alterations or extensions to the front elevation of the property. The extensions are to be sited to the rear of the property and would not result in any 'terracing' effect being created.

The proposed enlargement of the existing centrally located rooflight in the rear roof slope is to give light to a staircase and not considered to result in any loss of privacy to the living conditions of neighbouring properties.

The Environmental Protection and Drainage Team were consulted and have no comments to make on the proposal.

Parking & Highway Considerations

With regards to the parking arrangements for the proposed dwelling, 2 car parking spaces are required for a 2 bed + dwellings in line with the Councils adopted parking standards (Essex County Parking Standards 2009). The proposed extension would result in the loss of a garage

space and an increase in the number of bedrooms to 5. Two remaining car spaces remain as part of the property utilising the existing vehicle access onto Boleyn Row which meets the minimum standards required by the Essex Parking Standards and policies ST4 and ST6 of the Local Plan and policy T1 of the Local Plan Submission Version 2017.

Conclusion

The proposed development has satisfactorily addressed the previous reason for refusal and is considered appropriate in terms of its design and appearance, maintaining the established spatial pattern of development in Boleyn Row and not result in any appreciable harm to its architectural local context. The extensions are not deemed as resulting in any amenity implications to neighbouring properties and other aspects in relation to parking/highway safety are considered satisfactory. The application is considered to be in accordance with the adopted Local Plan and Alterations (1998-2006) and the emerging Local Plan, Submission Version, 2017 and with the relevant parts of the National Planning Policy Framework. In the light of the above considerations it is recommended that planning permission is approved 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: Caroline Brown
Direct Line Telephone Number: 01992 564182***

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

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