



Epping Forest District Council

AREA PLANNING SUB-COMMITTEE SOUTH **Wednesday 6th December 2023**

You are invited to attend the next meeting of **Area Planning Sub-Committee South**, which will be held at:

Council Chamber, Civic Offices, High Street, Epping
on **Wednesday 6th December 2023 at 7.00 pm**

Georgina Blakemore
Chief Executive

**Democratic Services
Officer:**

V Messenger, Democratic Services Tel: (01992) 564243
Email: democraticservices@eppingforestdc.gov.uk

Members:

Councillors K Rizvi (Chairman), R Baldwin (Vice-Chairman),
I Allgood, D Barlow, P Bhanot, R Brookes, E Gabbett, S Heap,
R Jennings, J Jennings, J Jogia, H Kauffman, A Lion, L Mead,
L Morgan, S Murray, C Nweke, M Owen, A Patel, S Patel,
Caroline Pond, C C Pond, D Sunger, K Williamson and D Wixley

[This meeting will be broadcast live and recorded for repeated viewing.](#)

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 MS Teams 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.

Members are reminded to activate their microphones before speaking”.

2. ADVICE TO PUBLIC AND SPEAKERS ATTENDING THE COUNCIL PLANNING SUB-COMMITTEES (Pages 5 - 6)

General advice to people attending the meeting is attached.

3. APOLOGIES FOR ABSENCE

To be announced at the meeting.

To report non-attendance before the meeting, please use the [Members Portal webpage](#) to ensure 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'.

4. DECLARATIONS OF INTEREST

To declare interests in any item on this agenda.

5. MINUTES (Pages 7 - 8)

To confirm the minutes of the last meeting of the Sub-Committee held on 8 November 2023.

6. ANY OTHER BUSINESS

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.

7. SITE VISITS

To identify and agree requirements for formal site visits to be held with regard to any planning application listed in this agenda, prior to consideration of the application.

8. EPF/1169/23 11 TYCEHURST HILL, LOUGHTON IG10 1BX (Pages 9 - 14)

To consider the attached report on the Ground floor rear extension, two storey side extension, and loft conversion involving a rear dormer and front rooflights.

9. EPF/1500/23 SKYHAVEN, 87 OAKWOOD HILL, LOUGHTON IG10 3EP (Pages 15 - 19)

To consider the attached report on the Proposed part one, part two storey rear extension, floor plan redesign and all associated works.

10. EPF/2047/23 WAYBACK 179 LAMBOURNE ROAD CHIGWELL IG7 6JU (Pages 20 - 26)

To consider the attached report of the Application for variation of condition 2 (Plan numbers) on EPF/2607/21 allowed on appeal APP/J1535/W/22/3299091 (Demolition of existing dwelling and erection of replacement dwelling and ancillary garden outbuilding).

11. EPF/2084/23 51 ALGERS ROAD LOUGHTON IG10 4NF (Pages 27 - 31)

To consider the attached report on the proposal is for a single storey rear extension to the existing garage, a single storey rear/side wraparound extension, alterations to garage roof and front garage door with brick infill/replacement door, and rear external timber decking (Revised scheme to EPF/0620/23).

12. EPF/2193/23 155, FOREST ROAD, LOUGHTON IG10 1EF (Pages 32 - 37)

To consider the attached report for the Demolition of existing rear extension. New 1 storey rear extension. New dormer extension.

13. EPF/0726/23 GARAGE SITE BURNEY DRIVE LOUGHTON IG10 2DU (Pages 38 - 48)

To consider the attached report on the Demolition of existing garages and the addition of two new build flats (2 storey); 2 1B2P, designed to achieve Passivhaus standards, with new 3 no. parking spaces, standalone bin stores to the front of the property and private standalone cycle stores in rear gardens for each unit.

14. EPF/1415/23 - 6 GREAT OAKS CHIGWELL IG7 5ES (Pages 49 - 53)

To consider the attached report on the Demolition of existing garage and the construction of a two-storey rear/side wraparound extension (Revised app to EPF/2316/22).

15. EXCLUSION OF PUBLIC AND PRESS

Exclusion: 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):

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	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: Article 17 - Access to Information, Procedure Rules of the Constitution define 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 for four years after the date of the meeting one copy of each of the documents on the list of background papers.

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. 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 MS Teams 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 MS Teams. Speakers must NOT forward the MS Teams 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 are available on [our website](#). 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, email democraticservices@eppingforestdc.gov.uk

EPPING FOREST DISTRICT COUNCIL AREA PLANNING SUB-COMMITTEE SOUTH MEETING MINUTES

Wednesday 8 November 2023, 7.00 pm - 8.25 pm

Council Chamber, Civic Offices, High Street, Epping

Members Present: Councillors K Rizvi (Chairman), R Baldwin (Vice-Chairman), I Allgood, E Gabbett, S Heap, A Lion, L Mead, L Morgan, S Murray, C Nweke, Caroline Pond, C C Pond, K Williamson and D Wixley

Apologies: Councillor(s) D Barlow, P Bhanot, R Brookes, R Jennings, J Jennings, J Jogia, H Kauffman, A Patel, S Patel and D Sunger

Officers In Attendance: Laura Kirman (Democratic Services Officer), Therese Larsen (Democratic Services Officer) and Steven Mitchell (PR Website Editor)

Officers In Attendance (Virtually): Vivienne Messenger (Democratic Services Officer), Matt Picking (Democracy & Elections Apprentice) and Muhammad Rahman (Planning Officer)

[A RECORDING OF THIS MEETING IS AVAILABLE FOR REPEATED VIEWING](#)

48 WEBCASTING INTRODUCTION

The Chairman made a short address to remind all present that the meeting would be broadcast on the Internet, and that the Council had adopted a protocol for the webcasting of its meetings.

49 DECLARATIONS OF INTEREST

- a) Pursuant to the Council's Members' Code of Conduct, Councillor Mead declared a non-pecuniary interest in the following item of the agenda by virtue of living in the same road, but not knowing the applicant. The Councillor had determined that she would remain in the meeting for the consideration of the application and voting thereon:
- EPF/0934/23 - 2 Goldings Road, Loughton, IG10 2QN

50 MINUTES

RESOLVED:

That the minutes of the Sub-Committee held on 11 October 2023 be taken as read and signed by the Chairman as a correct record.

51 ANY OTHER BUSINESS

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

52 SITE VISITS

There were no formal site visits requested by the Sub-Committee.

53 EPF/0934/23 - 2 GOLDINGS ROAD LOUGHTON IG10 2QN

Decision: [approved with conditions](#).

54 EPF/1033/23 - 16 ELEVEN ACRE RISE LOUGHTON IG10 1AN

Decision: [refused](#)

55 EPF/1852/23 - 16 ELEVEN ARCE RISE LOUGHTON IG10 1AN

Decision: [refused](#)

56 EPF/1966/23 - 39 ALBION HILL LOUGHTON IG10 4RD

Decision: [refused](#)

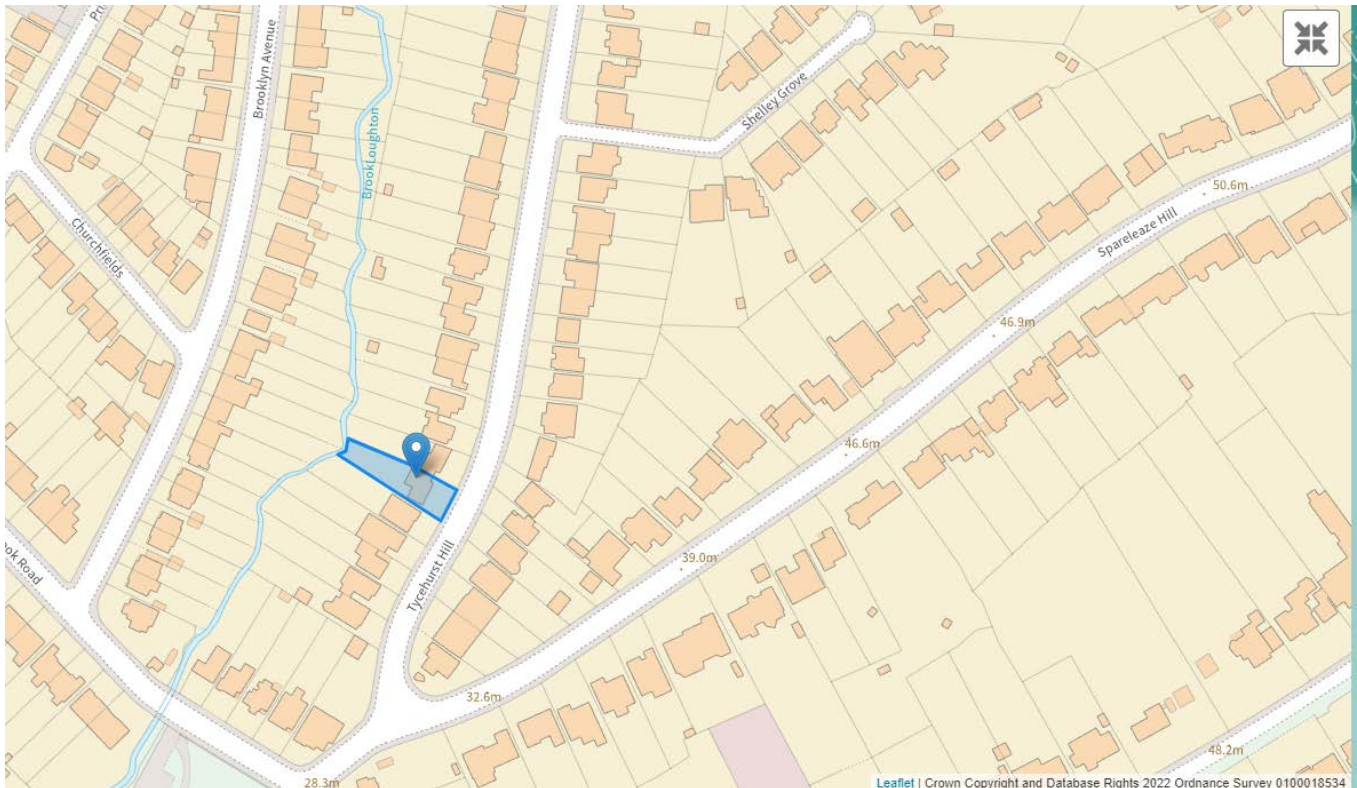
57 EPF/0669/23 - GARAGES AT PYRLES LANE LOUGHTON IG10 2NW

Decision: [approved with conditions.](#)

CHAIRMAN

OFFICER REPORT

Application Ref: EPF/1169/23
Application Type: Householder planning permission
Applicant: Mr Oliver Rosshandler
Case Officer: Caroline Brown
Site Address: 11, Tycehurst Hill, Loughton, IG10 1BX
Proposal: Ground floor rear extension, two storey side extension, and loft conversion involving a rear dormer and front rooflights
Ward: Loughton St. Mary's
Parish: Loughton
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000001WMyn>
Recommendation: Approve with Conditions



*Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.
Crown Copyright and Database Rights 2022 Ordnance Survey 0100018534*

This application is 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.11 is a large 2-storey hip roof with front gable, semidetached dwellinghouse with integral side garage, located to the south of Tycehurst Hill which is residential in character. The property has been previously extended with a 2- storey side extension and has front parking for 2 cars.

The properties in Tycehurst Hill comprise of predominantly detached and semidetached dwellinghouses that vary in design and scale with a variety of roof profiles.

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

Proposed Development

The proposal seeks planning consent for:-

- Increase in the height of the roof to the existing 2- storey side extension to match the height of the main roof.
-
- Extend the depth of the 2 - storey side extension a further 4m to the rear flank of the main dwellinghouse with a hip roof .
- A rear dormer and 2 front rooflights to facilitate a loft conversion.
- Single storey flat roof side/rear extension measuring a depth of 3m and a height of 3.6m.

Materials are to match the existing property.

Relevant Planning History

EPF/0943/76- Two storey side extension - Approved - 14/10/76

Policies Applied:

DEVELOPMENT PLAN CONTEXT

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.

Epping Forest District Local Plan (2011-2033) (March 2023)

The proposed adoption of the Epping Forest District Local Plan 2011 - 2033 was considered at an Extraordinary Meeting of the Council held on 6 March 2023 and formally adopted by the Council and therefore has full weight when considering planning applications.

The following policies are relevant:

Policy	Weight Afforded
DM5 Green and Blue Infrastructure	Significant
DM9 High Quality Design	Significant
DM10 Housing Design and Quality.	Significant

NPPF, 2023

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.

CONSULTATIONS CARRIED OUT & SUMMARY OF REPRESENTATIONS RECEIVED:

Epping Town Council – OBJECTION

- whilst it does not create a terracing effect, it is too close to the boundary and would result in a detrimental impact on the street scene whilst reducing the access.
The proposed loft conversion unattractive design and the Juliet balcony would affect the neighbour's amenity caused by overlooking.
- additional bedrooms place extra stress on the EFSAC.

10 adjoining neighbours were notified, and one objection has been received.

No. 15 Tycehurst Hill:

- question the scale of the extension and the extent to which the extension as proposed will overshadow the windows of our dining room, immediately adjoining their house

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
- Trees and Landscaping

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.

The existing 2- storey side extension is set in 1m from the shared side boundary with no. 9 and the proposal to increase the roof height of the hip roof and the depth of the 2 storey retains the roof design and is considered acceptable. The proposed 2 storey side extension would not be visible from the front.

The proposed single storey flat roof rear extension has a depth of 3m at a height of 3.6m forming the width of the main house and side extension.

The scale and design of the rear dormer is considered proportionate in relation to the roof.

In terms of its design, scale and siting the development is considered sympathetic and comparable in context with the design of the property and development in Tycehurst Hill and complies satisfactorily with policy, DM9 of the adopted Local Plan and does not conflict with the design objectives of the National Planning Policy Framework., 2023.

Impact on Neighbours' Amenities

In terms of amenity, No. 9 is sited to the immediate south of no. 11 and has been extensively extended with various extension to the main roof including a gable end roof extension, a rear dormer with a single and 2 storey rear extension.

No. 15, the adjoining semi to no. 11 has no rear extension. The proposed single storey rear extension at a depth of 3m, set in between 0.4-0.8m from the shared boundary is not considered to result in any significantly harmful impact on their amenity in terms of loss of light or outlook and accords with the requirements of policy DM9 of the adopted Local Plan, 2023.

The comments of the Parish Council and adjoining neighbour are noted. In response to the objections received, the design, scale and siting of the development integrates well with the property involving minor alterations to the front elevation and would not result in any demonstrable harm to the living conditions of the adjoining properties. The EFSAC mitigation contributions does not apply to householder extensions.

Trees and Landscaping

Trees and Landscaping have no objection subject to conditions for the protection and retention of existing trees and shrubs in accordance with policy DM5 of the Local Plan and the NPPF 2023.

Conclusion

The proposed development is considered of an appropriate design and scale that is in keeping with the character and appearance of the dwellinghouse and street scape and maintains an acceptable level of amenity to adjoining properties and is supported by the relevant policies of the adopted Local Plan (2011-2033), 2023 and, the guidance as set out in the National Planning Policy Framework, 2023. In 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

Conditions: (9)

- 1 The development hereby permitted shall begin not later than three years from the date of this decision.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans: 0307 050 P1; 100 P1; 101 P1; 103 P1; 110 P1; 111 P2; 112 P1; 113 P1; 200 P1; 201 P1; 210 P2; 211 P1

Reason: For the avoidance of doubt and to ensure the proposal is built in accordance with the approved plans.

- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing dwellinghouse.

Reason: To ensure a satisfactory appearance in the interests of visual amenity of the area, in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 4 Prior to first occupation of the building/extension hereby permitted the window(s) in the south 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.

Reason: To prevent overlooking and loss of privacy to the occupants of neighbouring properties, in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 5 Access to the flat roof(s) over the extension hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a seating area, roof garden, terrace, patio, or similar amenity area.

Reason: To safeguard the privacy of adjacent properties, in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 6 Tree protection shall be installed as shown on TPS Arboricultural Consultancy Tree Protection Plan, Drawing Ref: TPSQU0080TPP dated 14/07/2023, prior to the commencement of development activities (including any demolition). The methodology for development (including Arboricultural supervision) shall be undertaken in accordance with the submitted Tree Survey/ Arboricultural Method Statement reports.

Reason: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, and to enable full and proper consideration be given to the impact of the proposed development on existing trees / hedges, so as to safeguard and enhance the visual amenities of the area and to ensure a satisfactory appearance to the development in accordance with policies DM3 and DM5 of the Epping Forest District Local Plan 2011-2033, and the NPPF 2021.

- 7 If any tree, shrub or hedge shown to be retained in the submitted Arboricultural reports is removed, uprooted or destroyed, 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. 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.

Reason: To comply with requirements of Section 197 of the Town and Country Planning Act 1990 as well as to safeguard the amenity of the existing trees, shrubs or hedges and to ensure a

satisfactory appearance to the development, in accordance with Policies DM3 & DM5 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 8 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 08:00 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.

Reason: To ensure that the proposed construction work does not cause undue nuisance and disturbance to neighbouring properties at unreasonable hours, in accordance with Policies DM9 & DM21 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 9 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.

Reason: To avoid the deposit of material on the public highway in the interests of highway safety, in accordance with Policy T1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

Informatives: (2)

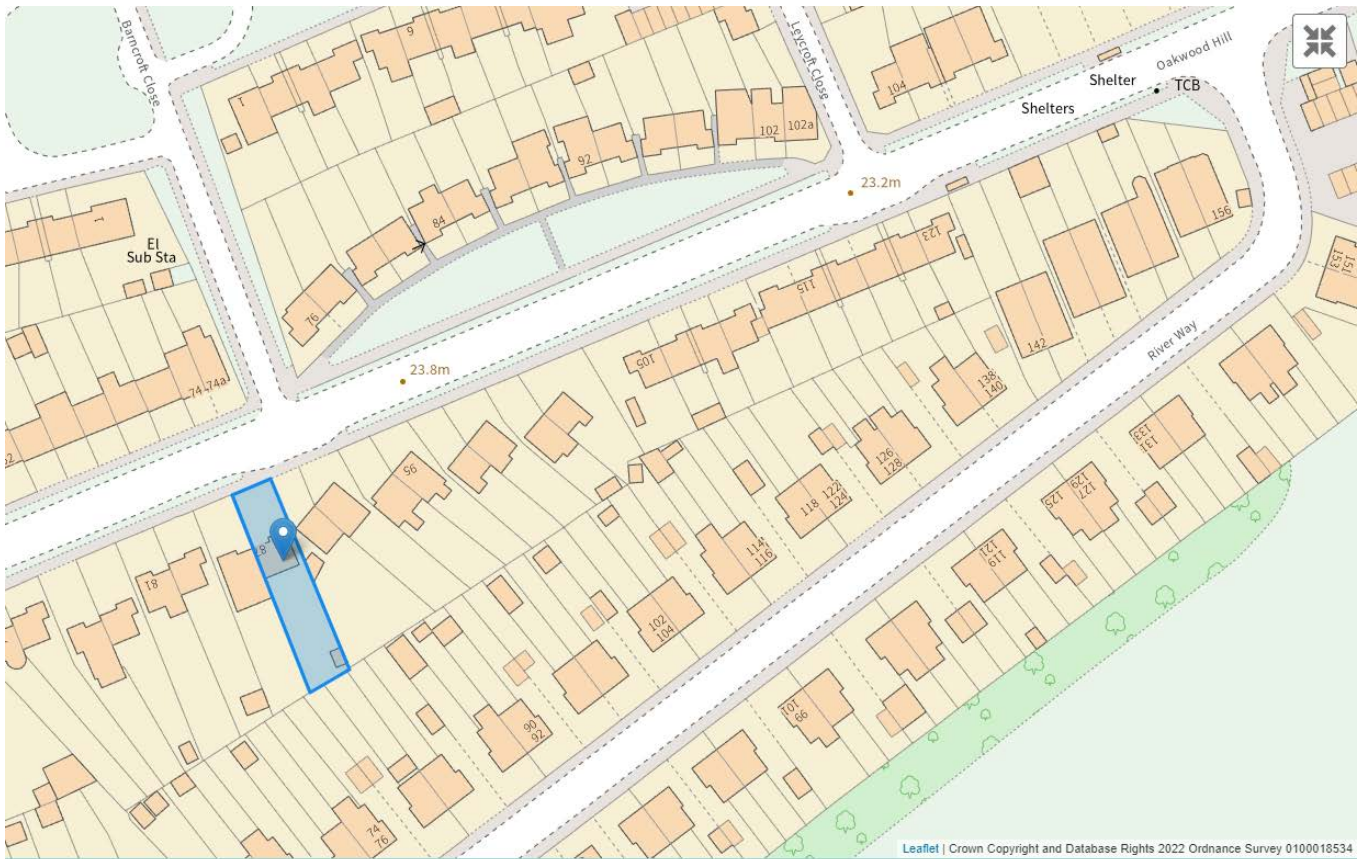
- 10 The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

- 11 **The site is at risk of surface water flooding and I recommend that the applicant refers to the Environment Agency's flood risk standing advice. See the below link for further information:**

<https://www.gov.uk/guidance/flood-risk-assessment-standing-advice>

OFFICER REPORT

Application Ref: EPF/1500/23
Application Type: Householder planning permission
Applicant: Rajesh Koria
Case Officer: Nathaniel Raimi
Site Address: Skyhaven, 87 Oakwood Hill, Loughton, IG10 3EP
Proposal: Proposed part one, part two storey rear extension, floor plan redesign and all associated works
Ward: Loughton Roding
Parish: Loughton
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000001WINa>
Recommendation: Approve with Conditions



*Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.
Crown Copyright and Database Rights 2022 Ordnance Survey 0100018534*

This application is 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).

Description of Site:

The subject property is a two storey, semi-detached dwelling located on the southern side of Oakwood Hill.

The original dwelling has previously been extended by way of two storey side extension and ground floor front extension approved under EPF/0589/92.

The dwelling is not a listed building and is not within a Conservation Area.

Description of Proposal:

Proposed part one, part two storey rear extension, floor plan redesign and all associated works

Relevant Planning History:

Application No.	Description	Status
EPF/1341/02 85 Oakwood Hill	Erection of first floor rear extension.	Approved
EPF/0589/92	Two storey side extension, ground floor front extension.	Approved

Policies Applied:

Adopted Plan (March 2023):

DM9: High Quality Design

Consultation Carried Out and Summary of Representations Received:

Loughton Town Council: Objection:

The Committee OBJECTED to this application. The proposed balcony, floor to ceiling window, in the first floor rear bedroom was out of keeping and would have a negative impact on the amenity of the neighbours. If the applicant replaced this fenestration with more standard sized windows the Committee would be willing to waive its objection.

Number of neighbours consulted: 6. 1 objection received.

89 Oakwood Hill:

Objection on grounds of loss of light.

Main Issues and Considerations:

The main issues in this case are:

- Design, Character and Appearance
- Residential Amenity

Design, Character and Appearance:

The subject site comprises of a semi-detached dwelling located on Oakwood Hill. The area is a predominantly residential area and is of no significant architectural value. The site is setback from the road and benefits from a large forecourt on which off road parking is available.

The original dwelling has previously been extended by way of two storey side extension and ground floor front extension approved under EPF/0589/92.

The attached neighbour No. 85 has been extended rearwards in the form of a part two, part single storey extension (approved under planning permission EPF/1341/02) and the proposed extension would essentially match that of the attached neighbour.

The proposal seeks to erect a part 2, part 1 storey rear extension. This would form an extension on to the property over and above the 1992 approval (EPF/0589/92).

Ground floor element

The proposed ground floor element of the proposal would protrude beyond the rear wall of the dwelling house by 3.7m and would have a width in line with the main dwelling. The proposed part ground floor rear extension would have a mono-pitched/lean to roof form with a rooflight. The proposed maximum height would be 3.5m with an eaves height of 2.5m.

The proposed materials are considered to accord with the local character and appearance of the dwelling.

Overall, this element of the proposal is considered to be acceptable regarding its impact on the character and appearance of the main dwelling and its context.

First floor rear extension

The proposed part 2 storey elevation to the rear of the subject dwelling would be set back by 2.7m from the boundary shared with neighbouring occupier at no.85 Oakwood Hill. It would have a depth of 3.6m and have a maximum height of 6.8m from the ground level, which is subservient to main ridge line.

The proposed materials accord with the main dwelling and its context and are considered acceptable.

Having regard of the wider context and neighbouring extensions and the proposed works, the proposal is considered to be acceptable.

Officers note that a patio area is proposed. The applicant should be made aware the proposal is solely for the description of development and should the patio shown on plans be at a height greater than 0.3m, planning permission is needed.

Residential Amenity:

No. 85 (attached neighbour):

The proposed extension will essentially match the form of No. 85's rear extension with the two storey element set sufficiently away from No. 85's nearest habitable room window so as not to have an unacceptable impact in terms of visual impact or loss of outlook and is acceptable in this respect.

No. 89:

In response to the objection submitted on behalf of No. 89 by Right of Light Consulting, Officers do not consider that the proposed development would result in a harmful loss of light to No. 89.

The drawings submitted with No. 89's recently approved EPF/0803/22 application show that the ground floor flank kitchen window is not the only window/opening serving this room as there are also rear facing patio doors which provide light. In any case it is considered that there is sufficient separation distance between the ground floor flank kitchen window and the proposed extension to ensure that no harmful loss of light would occur. Furthermore, a kitchen is not a habitable room.

It is also worth noting that in the event that No. 89's EPF/0803/22 development is built out the existing ground floor flank window would be covered by that extension in any case.

Conclusion:

Recommended for approval.

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

Planning Application Case Officer: Nathaniel Raimi

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

Conditions: (4)

- 1 The development hereby permitted shall begin not later than three years from the date of this decision.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans: 1. 87 Oakwood Hill, Loughton, IG10 3EP Location Plan, B189049-3000 Rev A, Planning Fire Safety Strategy July-2023 prepared by Resi, B189049-3100 Rev A

Reason: For the avoidance of doubt and to ensure the proposal is built in accordance with the approved plans.

- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those specified in the submitted application form.

Reason: To ensure a satisfactory appearance in the interests of visual amenity of the area, in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 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 Classes A-H of Part 1 to schedule 2 shall be undertaken, without the prior written agreement of the Local Planning Authority.

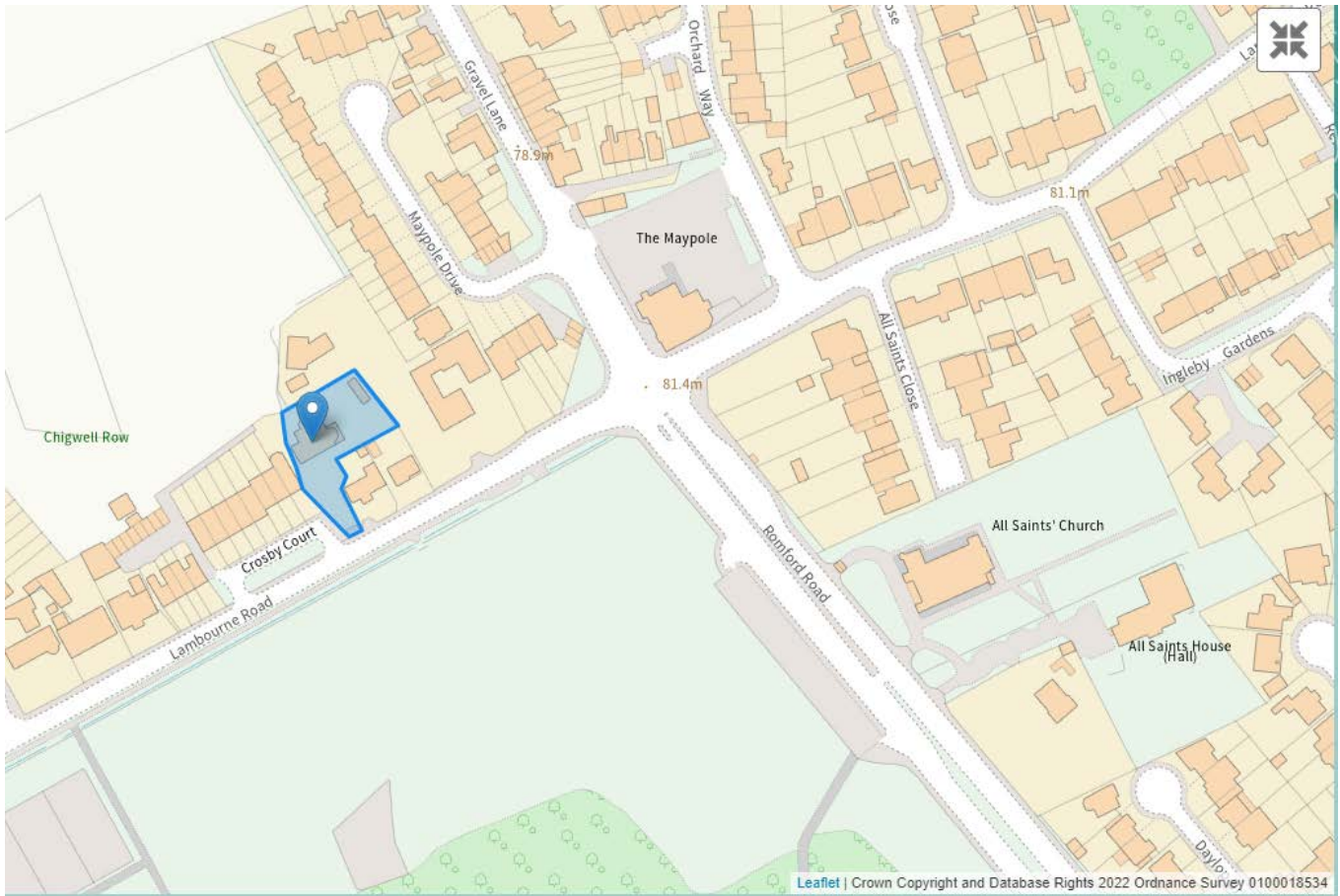
Reason: The ensure further consideration is given with regards to the effect on the character and appearance of the area and living conditions on adjoining properties [+Green Belt], in accordance with Policy [] of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

Agenda Item 10

OFFICER REPORT

Application Ref: EPF/2047/23
Application Type: Removal/variation of conditions
Applicant: Mr Amarjeet Whaid
Case Officer: Callum Wright
Site Address: 179, Wayback, Lambourne Road, Chigwell, IG7 6JU
Proposal: Application for variation of condition 2 (Plan numbers) on EPF/2607/21 allowed on appeal APP/J1535/W/22/3299091 (Demolition of existing dwelling and erection of replacement dwelling and ancillary garden outbuilding)

Ward: Chigwell Row
Parish: Chigwell
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000001XNUr>
Recommendation: Approve with Conditions



Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Crown Copyright and Database Rights 2022 Ordnance Survey 0100018534

This application is 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

The site comprises of a large, detached chalet style bungalow situated within the semi-rural area of Chigwell Row. It is not listed, nor within a Conservation Area or the Green Belt.

Proposal

The proposal is for a variation of condition 2 'Plan no's on EPF/2607/21 allowed on appeal APP/J1535/W/22/3299091 (Demolition of existing dwelling and erection of replacement dwelling and ancillary garden outbuilding).

This is a revised application to that assessed by Members under EPF/2607/21 on the 30th March 2022. The application was refused on design grounds, however, was overturned at appeal and permission granted for a replacement dwelling.

The variation to the plans includes the following changes to the primary application:

- alterations to the entrance, first floor and roof form of consented dwellinghouse;
- alterations to fenestration of main dwellinghouse;
- minor increase in footprint of consented garden outbuilding; and
- revised materials schedule.

The proposal is thereby seeking a 'minor' material amendment application, whereby the previous reference on file will be replaced by the current one if approved.

Relevant Planning History

EPF/0155/21 - Application for Approval of Details Reserved by conditions 3 'Types and colours of external finishes' & 13 'landscaping' for EPF/2946/19. (Demolition of existing dwelling and erection of replacement dwelling) – Details Partially Approved

EPF/0246/21 - Demolition of existing dwelling and erection of replacement dwelling (Amended application to EPF/2946/19 Allowed on Appeal) – Withdrawn by Applicant

EPF/0246/21 - Demolition of existing dwelling and erection of replacement dwelling (Amended application to EPF/2946/19 Allowed on Appeal). - Withdrawn

EPF/3000/20 - Grade II Listed Building application for replacement of existing double-swing vehicular access gate with sliding gate of a similar style, including decorative cast iron pattern work. Existing boundary treatment otherwise unchanged. - Withdrawn

EPF/2992/20 - Replacing existing double-swing vehicular access gate with sliding gate of a similar style, including decorative cast iron pattern work. Existing boundary treatment otherwise unchanged. - Withdrawn

EPF/2242/20 - Grade II listed building consent for installation of an outdoor swimming pool and hard landscaped surround in the grounds of Hainault Hall. The pool is adjacent to and associated with an annexe to the Hall (under construction). – Approved with Conditions

EPF/2929/20 - Application for approval of details reserved by condition 4 'Construction Method Statement' on planning application EPF/2946/19 – Details Approved

EPF/3034/20 - Application for Approval of Details Reserved by Conditions 7"risks posed by any contamination", 8"remediation scheme" & 9" Phase II report" for EPF/2946/19 – Details Approved

EPF/2113/20 - Installation of an outdoor swimming pool and hard landscaped surround in the grounds of Hainault Hall. The pool is adjacent to and associated with an annexe to the Hall (under construction).
– Approve with Conditions

EPF/2946/19 - Proposed demolition of an existing dwelling & erection of a replacement dwelling – Allowed on Appeal

Pre-app - EF\2021\ENQ\00760 - Replacement dwelling (Amended scheme to EPF/2946/19)

Development Plan Context

Epping Forest Local Plan 2011-2033 (2023)

On 9 February 2023, the council received the Inspector's Report on the Examination of the Epping Forest District Local Plan 2011 to 2033. The Inspector's Report concludes that subject to the Main Modifications set out in the appendix to the report, the Epping Forest District Local Plan 2011 to 2033 satisfies the requirements of Section 20(5) of the Planning and Compulsory Purchase Act 2004 and meets the criteria for soundness as set out in the National Planning Policy Framework and is capable of adoption. The proposed adoption of the Epping Forest District Local Plan 2011 to 2033 was considered at an Extraordinary Meeting of the Council held on 6 March 2023 and formally adopted by the Council.

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

DM8	Heritage at Risk
DM9	High Quality Design

National Planning Policy Framework 2023 (Framework)

Paragraph	11
Paragraphs	126 & 130

Summary of Representations

Number of neighbours Consulted: 10. 2 response(s) received
Site notice posted: No, not required.

5 & 8 CROSBY COURT, 177 LAMBOURNE ROAD - Objections - Summarised as:

- Overshadowing/Loss of light;
- Overlooking and Privacy Infringement
- Over-dominant/Overbearing; and
- Out of character/Unsuitable Development;
- Other comments on non-planning merits.

CHIGWELL PARISH COUNCIL – The Council OBJECTS to this application because this proposal does not meet with the requirements stipulated in the EFDC Local Plan, Policy DM21. Further it fails to mitigate to a minimum, adverse environmental impacts and fails to align with the carbon emission reduction policies, which would protect the health and well-being of residents.

Planning Considerations

The main issue for consideration in this case is whether the proposed changes are acceptable.

Character and Appearance

Within the immediate surroundings, it is residential in nature and, the properties vary in size and design. Other than Hainault Hall a Grade II listed building, the remainder of the properties lack any architectural merit. As such, the proposed dwelling would be of a size, scale and contemporary design that would represent a visually attractive solution adding to the overall quality of the area.

As already confirmed through the consent allowed on site, the proposed development would not have any adverse impacts upon the character and appearance of the street scene or the wider locality. The proposed variation to condition 2 including the alteration to the entrance, addition of new fenestration, increase in outbuilding footprint and minor change to the materials schedule would retain this lack of adverse impact.

Living Conditions of Neighbouring Properties

The proposal would have no material impact to 8 Crosby Court in terms of harmful overlooking, loss of privacy, overshadowing, or overbearing and visual impact, that would warrant a reason for refusal. This is due to the existing relationship between the host house and 8 Crosby Court, the proposed separation distance from the common boundary, and the staggered set in at the first-floor level and above on the west elevation.

No material harm is envisaged on Harsnett and School Cottage situated to the front of the host house. This is due to the separation distance from the common boundary, the orientation of the host house facing southeast and the limited scale of the proposed dwelling. The proposed variation to condition 2 including the alteration to the entrance, addition of new fenestration, increase in outbuilding footprint and minor change to the materials schedule would retain this lack of harm to neighbouring amenity.

Other Considerations

Objections received, many of which being material planning considerations have been considered and the changes if implemented would have a negligible difference upon the merits of the scheme already assessed. These amendments are thereby considered minor material changes.

Conclusion

For the reasons set out above, having regard to all the matters raised, it is recommended that conditional planning permission be granted.

If you wish to discuss the contents of this report item, please contact the case officer by 2pm on the day of the meeting at the latest. If no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

Conditions: (16)

- 1 The development hereby permitted shall begin not later than three years from the date of this decision.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans:

P-005 P02, P-006 P02, P-007 P02, P-0058 P02, P-009 P02, P-010 P02, P-011 P02, P-012 P02, P-014 P02, Design and Access Statement

Reason: For the avoidance of doubt and to ensure the proposal is built in accordance with the approved plans.

- 3 Prior to preliminary ground works taking place, details of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and shall be provided on site prior to the first occupation and shall be retained for the lifetime of the development.
- 4 Tree protection shall be installed as shown on Tim Moya Associates 'Tree protection for demolition' drawing numbers 191109-P-12 and 'Tree protection for construction' drawing number 191109-P-13 (both dated December 2021) prior to the commencement of development activities (including any demolition). The methodology for development (including Arboricultural supervision) shall be undertaken in accordance with the submitted Tree Survey/ Arboricultural Method Statement reports.
- 5 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. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of the building or completion of the development, whichever is the sooner. 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 The development hereby permitted shall be carried out in accordance with the details set out in chapters 8 & 9 of the Preliminary Ecological Appraisal by Tim Moya Associates (dated January 2020). The scheme Appeal Decision shall be implemented in full prior to the occupation of the development hereby approved, and so retained.
- 7 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.

- 8 Prior to first occupation of the building hereby permitted the windows in the flank elevation (facing Crosby Court) 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 windows 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.
- 9 Prior to first occupation of the development hereby approved, 1 Electric Vehicle Charging Point shall be installed and retained thereafter for use by the occupants of the site.
- 10 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those specified on the approved plans.
- 11 If any tree, shrub or hedge shown to be retained in the submitted Arboricultural reports is removed, uprooted or destroyed, 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.
- 12 Access to the flat roof over the extension hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a seating area, roof garden, terrace, patio or similar amenity area.
- 13 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.
- 14 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.
- 15 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.

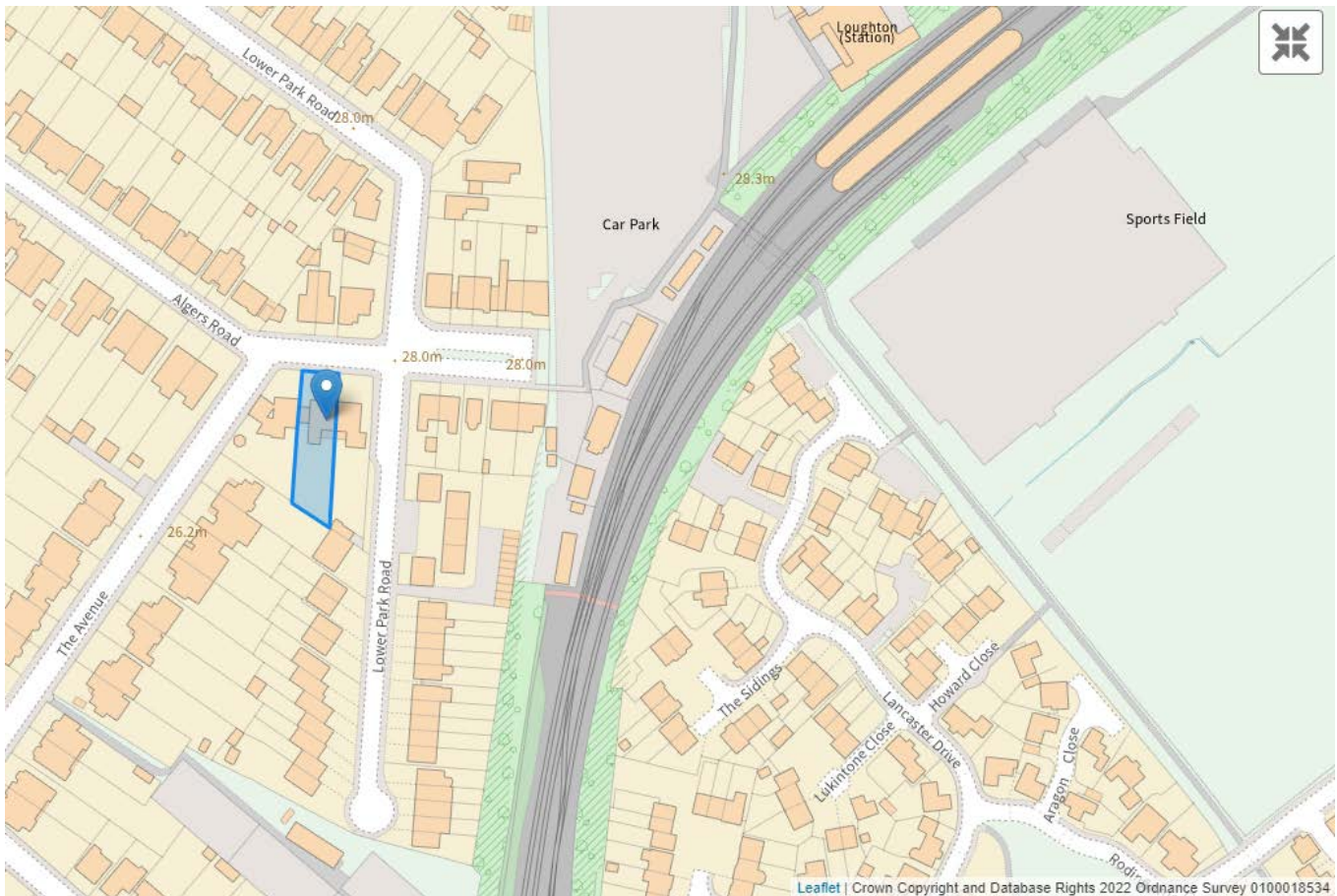
- 16 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any other order revoking and re-enacting that order) no development generally permitted by virtue of Classes A, AA, B, C, D & E of Part 1 of Schedule 2 shall be undertaken without the prior written permission of the Local Planning Authority.

Informatives: (1)

- 17 The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

OFFICER REPORT

Application Ref: EPF/2084/23
Application Type: Householder planning permission
Applicant: Mr James Hart
Case Officer: Callum Wright
Site Address: 51, Algiers Road, Loughton, IG10 4NF
Proposal: The proposal is for a single storey rear extension to the existing garage, a single storey rear/side wraparound extension, alterations to garage roof and front garage door with brick infill/replacement door, and rear external timber decking (Revised scheme to EPF/0620/23).
Ward: Loughton Forest
Parish: Loughton
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000001XPvR>
Recommendation: Approve with Conditions



**Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.
Crown Copyright and Database Rights 2022 Ordnance Survey 0100018534**

This application is 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

The site comprises of a semi-detached house, located within a built-up area of Loughton. It is not listed nor in a Conservation Area. No protected trees lie within the site.

Proposal

The proposal is for a single storey rear extension to the existing garage, a single storey rear/side wraparound extension, alterations to garage roof and front garage door with brick infill/replacement door, and rear external timber decking.

This is a revised application to EPF/0885/22, which was refused by Members at the 29th September 2022 meeting for 3 grounds relating to design and neighbouring amenities. The main changes are;

- Omission of the first-floor side extension
- Introduction of two separate single-storey ground floor extensions

Relevant Planning History

EF2021\ENQ\00415 - Ground and first floor side extensions, ground floor rear extension and rear dormer extension - Advice Given

EPF/0885/22 - The proposal is for alterations to the roof, front garage door and first floor side extension - Refused

EPF/0620/23 - Certificate of lawful development for a proposed replacement window, rear dormer in connection with a loft conversion, side and rear ground floor extensions & raised decking area – Not Lawful

EPF/1158/23 - Certificate of lawful development for a proposed rear dormer and front rooflights in connection with a loft conversion & replacement windows (Revised scheme to EPF/0620/23) – Lawful

EPF/2139/23 - The demolition of existing single storey rear and side extensions, replace with single storey side and rear and double storey rear extensions – Refused

Development Plan Context

Epping Forest Local Plan 2011-2033 (2023)

On 9 February 2023, the council received the Inspector's Report on the Examination of the Epping Forest District Local Plan 2011 to 2033. The Inspector's Report concludes that subject to the Main Modifications set out in the appendix to the report, the Epping Forest District Local Plan 2011 to 2033 satisfies the requirements of Section 20(5) of the Planning and Compulsory Purchase Act 2004 and meets the criteria for soundness as set out in the National Planning Policy Framework and is capable of adoption. The proposed adoption of the Epping Forest District Local Plan 2011 to 2033 was considered at an Extraordinary Meeting of the Council held on 6 March 2023 and formally adopted by the Council.

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

National Planning Policy Framework 2023 (Framework)

The Framework is a material consideration in determining planning applications. The following paragraphs are considered to be of relevance to this application:

Paragraphs 126 & 130

Summary of Representations

Number of neighbours Consulted: 6. 1 neighbour response(s) received.

Site notice posted: Not required.

49 ALGERS ROAD & LRA PLANS GROUP – OBJECTIONS – Summarised as:

- Overdevelopment harmful to area character
- Extensions poorly design, bulky and overbearing
- Excessive bulk and glazing harmful to character

LOUGHTON TOWN COUNCIL – The Committee OBJECTED to this application on the grounds that it was overbearing and would negatively impact on the amenity of its neighbours by overlooking.

Members supported the comments of the Loughton Residents Association Plans Group (LRAPG),

Planning Considerations

The main issues for consideration in this case are:

- a) The impact on the character and appearance of the locality;
- b) The impact to the living conditions of neighbours;

Character & Appearance

This application follows on from previous pre-application exercises and a subsequent refusal for permission. The officer recommendations and acknowledgement of previous history are present within the proposal.

The proposed ground floor side/rear extension is recessed from the front wall by 5.1m and set in from the common boundary with No. 49 by 1m. As such, the proposal would not result in a terracing effect and is of a subservient design that complements the appearance of the existing building and that of the street scene. There are no design issues regarding the garage extension and the replacement door, nor the proposed rear dormer and front rooflight both of which can be built under permitted development.

The proposed single-storey infill rear extension would extend 6m from the inner original rear wall, or 3m past the non-original existing conservatory depth and is proposed with a flat roof at a maximum height of 3m. The extension is further considered subservient in context of the host building given its appropriate placement and dimensions and would not be visible from the street scene thus appearing presentable in context with the surrounding area character. The de

On that basis, the proposal would not have a harmful effect to the character and appearance of the area.

Living Conditions

The proposed ground floor rear/side extension is contained within the flank wall of No. 49, so there would be no impacts to No. 49 in any regard i.e., loss of light overlooking, overbearing, and visual impact. No further impacts are envisaged from the proposed extension to the rear of the garage. Too add, as mentioned above the proposed rear dormer can be built under permitted development, and the level of overlooking from a rear dormer is not uncommon within urban areas where there already exists a high level of mutual overlooking across properties.

The proposed single storey rear extension does project 6m from the original rear wall, however, 3m of this featured an existing neighbouring extension and thus the proposed would only run along the shared boundary by 3m at a height of 3m. Given the orientation of the units and the placement, it is not considered that this would be harmful.

Therefore, the proposed development safeguards the living conditions of neighbouring amenities, in compliance with Policy DM9 (H) of the LP and Paragraph 130 (f) of the Framework.

Other Considerations

Concerns were raised in relation to the extended garage, where it was believed they extend beyond the site boundary and thus certificate B would need to be signed. Upon review of the plans, there is no area proposed that would extend this line acknowledged as being the site boundary. Any further concerns over matters such as party walls would not be considered material to planning and thereby should be reviewed by appropriate legal counsel.

Conclusion

It is officer opinion that the previous reasons for refusal raised by Members have been overcome.

For the reasons set out above having regard to all matters raised, it is recommended that conditional planning permission be granted.

If you wish to discuss the contents of this report item, please contact the case officer by 2pm on the day of the meeting at the latest. If no direct contact can be made please email:

contactplanning@eppingforestdc.gov.uk

Conditions: (6)

- 1 The development hereby permitted shall begin not later than three years from the date of this decision.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans:

2005-0-01-EX, 2005-0-02-EX, 2005-0-10-EX, 2005-0-11, 2005-1-02-PROP, 2005-0-01-PROP, 2005-0-02-PROP, 2005-0-10-PROP, 2005-0-11, 2005-1-02-PROP

Reason: For the avoidance of doubt and to ensure the proposal is built in accordance with the approved plans.

- 3 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 of Part 1 to schedule 2 shall be undertaken, without the prior written agreement of the Local Planning Authority.

Reason: To ensure further consideration is given with regards to the effect on the character and appearance of the area and living conditions on adjoining properties, in accordance with Policy D9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 4 Access to the flat roof(s) over the extension hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a seating area, roof garden, terrace, patio, or similar amenity area.

Reason: To safeguard the privacy of adjacent properties, in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 5 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building or those specified on the approved plans, or those specified in the submitted application form.

Reason: To ensure a satisfactory appearance in the interests of visual amenity of the area, in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF

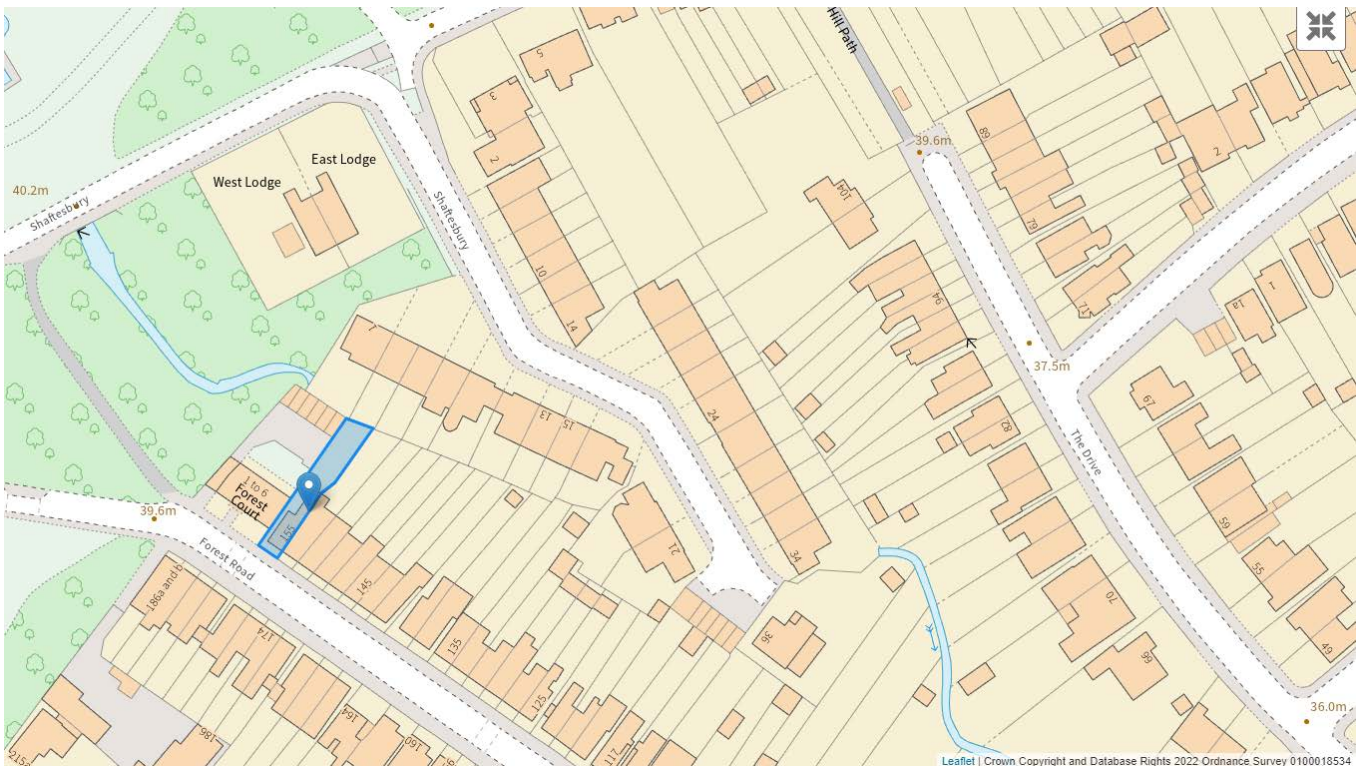
- 6 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed and utilised to clean vehicles immediately before leaving the site. Any mud or other material deposited on nearby roads as a result of the development shall be removed.

Reason: To avoid the deposit of material on the public highway in the interests of highway safety, in accordance with Policy T1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

Agenda Item 12

OFFICER REPORT

Application Ref: EPF/2193/23
Application Type: Householder planning permission
Applicant: Woodford
Case Officer: Nathaniel Raimi
Site Address: 155, Forest Road, Loughton, IG10 1EF
Proposal: Demolition of existing rear extension. New 1 storey rear extension. New dormer extension.
Ward: Loughton St. Mary's
Parish: Loughton
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000001XZNI>
Recommendation: Approve with Conditions



*Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.
Crown Copyright and Database Rights 2022 Ordnance Survey 0100018534*

This application is 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).

EPF/2193/23

Site and Surroundings

The subject site is a two-storey, end of terrace, Victorian dwelling. It is located within a residential area.

Proposal

The proposal is for the demolition of existing bungalow and the erection of 2 Detached Dwelling Houses. Part of the rear garden is within the Loughton Brook buffer area and is located within Flood Zone 2.

The subject site is not a statutory or locally listed building nor is it within a Conservation Area. The dwelling is not within the Green Belt. There are no TPOs on site.

Relevant Planning History

Application No.	Description	Status
EPF/2190/06	Erection of sun deck.	Refused
EPF/0881/09	Two storey rear extension and single storey rear extension.	Refused
EPF/1428/22	Certificate of Lawful Development for two proposed outbuilding.	Approved
EPF/1851/22	Demolition of existing rear extension. New side infill extension and part 2 storey part 1 storey rear extension. New dormer extension.	Refused

Development Plan Context

Epping Forest Local Plan 2011-2033 (2023);

On 9 February 2023, the council received the Inspector's Report on the Examination of the Epping Forest District Local Plan 2011 to 2033. The Inspector's Report concludes that subject to the Main Modifications set out in the appendix to the report, the Epping Forest District Local Plan 2011 to 2033 satisfies the requirements of Section 20(5) of the Planning and Compulsory Purchase Act 2004 and meets the criteria for soundness as set out in the National Planning Policy Framework and is capable of adoption. The proposed adoption of the Epping Forest District Local Plan 2011 to 2033 was considered at an Extraordinary Meeting of the Council held on 6 March 2023 and formally adopted by the Council.

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

DM9 High Quality Design
DM10 Housing Design and Quality

National Planning Policy Framework 2021 (Framework)

The Framework is a material consideration in determining planning applications. The following paragraphs are considered to be of relevance to this application:

Paragraphs 132 & 134

Summary of Representations

Number of neighbours Consulted: 10. 4 response(s) received.
153 FOREST RD, 164 FOREST ROAD, FLAT 4 FOREST COURT, LRA PLANS GROUP – Objections – Summarised as;

- Privacy
- Incongruent design
- Mass
- Overbearing
- Possibly a future HMO
- Insufficient height to accommodate loft conversion .
- Encroaches into rear garden space

LOUGHTON TOWN COUNCIL –

The Committee NOTED the contents of three letters of objection.

The Committee noted two outbuildings have been erected, described as a garden room and a potting shed, in the garden of 155 for which a Certificate of Lawful Development was granted on 12 August 2022. Whilst the submitted plan PD005 showed this building to be 2.5m in height from the ground level members understand it is actually 3.5m in height. The Committee therefore request that officers take enforcement action as a matter of urgency due to the impact of the extensions on neighbours.

Regarding this current planning application, EPF/2193/23, the Committee OBJECTED to this proposal, considering the existing closet wing reads as a matching pair with 153 Forest Road; its loss would be detrimental to the character of the area. The proposed ground floor extension was also out of character with No 153 and this part of Forest Road. The roofs could also be used as terraces, leading to overlooking to the adjacent properties. The proposal would create a loss of symmetry and a loss of amenity.

Whilst not a planning matter the IC must stay in the existing position as the chamber construction cannot be under the adjoining property. The existing roof ridge does not have sufficient height for the dormer.

Factoring in the unauthorised extensions to the rear, this ground-floor addition and roof extension represent an overdevelopment of the site.

Planning Considerations

The main issues for consideration in this case are:

- A) Character and Appearance
- B) Amenity

Character and appearance

The subject site is not a statutory or locally listed building nor is it within a Conservation Area. The dwelling is not within the Green Belt. There are no TPOs on site.

The proposal seeks to demolish the existing single storey rear extension and erect a single storey rear extension and a new dormer extension.

Single storey rear extension

The proposed single storey extension would be erected following the demolition of the existing single storey rear extension.

It would have a maximum depth of 7.0m, which is no greater than the existing single storey rear extension. It would have a maximum width of 4.4m for the rear wall of the proposed single storey rear

extension – at the point at which it extends beyond the existing rear wall of the subject dwelling, the proposed single storey rear extension would have a width of c.1.7m and be set back from the rear wall by 1.4m. The proposed single storey rear extension would have a maximum height of c.3.6m which would be in line with the current existing single storey rear extension.

The proposed materials are considered to be acceptable in this location. In the event of an approval, a condition will be imposed to ensure the details for the meadow for the roof of the proposal are assessed and approved by the Local Planning Authority.

Officers recognise that there is an element of symmetry between the pair of dwellings nos.153 and 155 with regard to their existing single storey rear extensions. Whilst this proposal represents a departure from this established symmetry, it would be to the rear of the dwelling and not visible from the street scene and as such is considered to, on balance, be acceptable. It would not result in a feature considered to detract from the character and appearance of the main dwelling and its context.

Proposed dormer

The proposed dormer is setback from the western boundary of the subject dwelling and would not appear as an overly dominant protrusion from the loft. It would be set back from the eaves and the materials proposed are considered acceptable.

Furthermore, officers note the proposed rear dormer would accord with the provisions set out in the General Permitted Development Order 2015 (as amended).

Overall, the proposal is considered acceptable with regard to its impact on character and appearance. Officers note that there is an extant certificate of lawfulness () for two outbuildings, which are under construction. Whilst the proposal would introduce more built form to the rear garden, it would not protrude beyond the existing rear extension and therefore there will be no significant change between the current massing of the dwelling and the proposals.

Amenity

The neighbouring occupiers most likely to be affected by the proposals are the occupiers at 1-6, Forest Court and no.153 Forest Road.

The proposed single storey rear element would not have a depth greater than the existing rear extension, nor would it have a height significantly greater than the existing extension. Having regard of the aforementioned features of the proposed single storey rear extension, officers do not consider that this element of the proposal would significantly detract from the amenity currently enjoyed by neighbouring occupiers.

There were objections raised in relation to privacy as it concerns the meadow flat roof. In the event of an approval, a condition would be imposed to ensure to prevent this element of the proposal being used as a balcony.

Conclusion

Overall, the proposals are considered to be acceptable and therefore has officer support.

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: Nathaniel Raimi

or if no direct contact can be made, please email:

Conditions: (5)

- 1 The development hereby permitted shall begin not later than three years from the date of this decision.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans: PL103 rev A EX PR ROOF, PL100 rev A GROUND FLOOR, PL203 rev A PR SECTION BB, PP-12482406v1, PL202 rev A EX SECTION BB, PL201 rev A PR SECTION AA, PL121 rev A EX PR REAR ELEVATION, PL200 rev A EX SECTION AA, PL120 rev A EX PR FRONT ELEVATION, PL101 rev A EX PR 1ST FLOOR, PL102 rev A EX PR 2ND FLOOR

Reason: For the avoidance of doubt and to ensure the proposal is built in accordance with the approved plans.

- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those specified in the submitted application form.

Reason: To ensure a satisfactory appearance in the interests of visual amenity of the area, in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 4 Access to the flat roof(s) over the extension hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a seating area, roof garden, terrace, patio, or similar amenity area.

Reason: To safeguard the privacy of adjacent properties, in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 5
 1. Prior to any above ground works, full details of both hard and soft landscape works (including tree planting and meadow roof details) and implementation programme (linked to the development schedule) shall be submitted to and approved in writing by the Local Planning Authority. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of the building or completion of the development, whichever is the sooner. 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.

Reason: To comply with requirements of Section 197 of the Town and Country Planning Act 1990 as well as to safeguard the amenity of the existing trees, shrubs or hedges and to ensure a satisfactory appearance to the development, in accordance with Policies DM3 & DM5 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

Agenda Item 13

OFFICER REPORT

Application Ref: EPF/0726/23
Application Type: Full planning permission
Applicant: Rochelle Hoyte - EFDC
Case Officer: Muhammad Rahman
Site Address: Garage site Burney Drive , Loughton, IG10 2DU
Proposal: Demolition of existing garages and the addition of two new build flats (2 storey); 2 1B2P, designed to achieve Passivhaus standards, with new 3 no. parking spaces, standalone bin stores to the front of the property and private standalone cycle stores in rear gardens for each unit.
Ward: Loughton Fairmead
Parish: Loughton
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000001VoWA>
Recommendation: Approve with Conditions



*Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.
Crown Copyright and Database Rights 2022 Ordnance Survey 0100018534*

This application is before this Committee since it is for a type of development that cannot be determined by Officers if five objections are received (or in cases where less than 5 were consulted, a majority of those consulted object) on grounds material to the planning merits of the proposal (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council).

Site and Surroundings

The site comprises of approx. 10 garages accessed via a road in between No's 7 & 9 Burney Drive. It is located within a built-up area of Loughton. It is not listed nor in a conservation area. No protected trees lie within the site.

Proposal

The proposal is for the demolition of existing garages and the addition of two new build flats (2 storey); 2 1-Bed 2-Person, designed to achieve Passivhaus standards, with new 3 no. parking spaces, standalone bin stores to the front of the property and private standalone cycle stores in rear gardens for each unit.

The Councils Housing Team have confirmed that the proposed dwellings would be for affordable housing.

Relevant Planning History

None.

Development Plan Context

Epping Forest Local Plan 2011-2033 (2023)

On 9 February 2023, the council received the Inspector's Report on the Examination of the Epping Forest District Local Plan 2011 to 2033. The Inspector's Report concludes that subject to the Main Modifications set out in the appendix to the report, the Epping Forest District Local Plan 2011 to 2033 satisfies the requirements of Section 20(5) of the Planning and Compulsory Purchase Act 2004 and meets the criteria for soundness as set out in the National Planning Policy Framework and is capable of adoption. The proposed adoption of the Epping Forest District Local Plan 2011 to 2033 was considered at an Extraordinary Meeting of the Council held on 6 March 2023 and formally adopted by the Council.

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

SP1	Spatial Development Strategy 2011-2033
H1	Housing Mix and Accommodation Types
T1	Sustainable Transport Choices
DM2	Epping Forest SAC and the Lee Valley SPA
DM3	Landscape Character, Ancient Landscapes and Geodiversity
DM5	Green and Blue Infrastructure
DM9	High Quality Design
DM10	Housing Design and Quality
DM11	Waste Recycling Facilities on New Development
DM15	Managing and Reducing Flood Risk
DM16	Sustainable Drainage Systems
DM17	Protecting and Enhancing Watercourses and Flood Defences
DM18	On Site Management of Wastewater and Water Supply
DM19	Sustainable Water Use
DM21	Local Environmental Impacts, Pollution and Land Contamination
DM22	Air Quality

National Planning Policy Framework 2023 (Framework)

Paragraph	11
Paragraphs	126 & 130

Summary of Representations

Number of neighbours Consulted: 20. 7 response(s) received.
Site notice posted: Yes.

2, 7, 8 & 9 COLEBROOK GARDENS, 7 & 17 BURNEY DRIVE, 7 GOLDINGHAM AVENUE & LRA
PLANS GROUP – Objections – Summarised as;

- Out of keeping;
- Unacceptable infill development;
- Parking concerns;
- Loss of privacy;
- Loss of light;
- Refuse concerns
- Loss of outlook;
- Overbearing Impact;
- Impact on Trees;
- Fire safety concerns;
- Sustainability;
- Drainage concerns; and
- Concerns from Construction Phase.

LOUGHTON TOWN COUNCIL – The Chairman informed the members of the public present with an interest in this application who had not received notification from the local planning authority, Epping Forest District Council, that they would not be able to participate in these proceedings, only observe, having not registered to speak at this meeting. They were however advised to submit written objections to the local planning authority.

The Committee NOTED the contents of two letters of objection.

The Committee OBJECTED to this application on the grounds that the site was very closely surrounded by other dwellings. The proposed development would be out of scale and proportion to the surrounding houses and out of character with the area.

The proposed building would be too close to its neighbours, in particular those at 8 Colebrook Gardens. The occupiers of the development would also look into surrounding gardens and windows to the detriment of the privacy of those occupants, negatively impacting neighbours in Colebrook Gardens, Burney Drive and Goldingham Avenue, as well as negatively affecting their outlook.

There was a garage to the rear of Colebrook Gardens23 that backed onto the development site which was the sole access for the garage. No mention of this was in the planning application. Members objected to this loss of access and understood that the existing garages on this site were mainly in use, the loss of these garages would put added pressure on parking in Colebrook Gardens.

The proposed refuse strategy was considered flawed. The collection point was on a very narrow access. Cars would not be able to pass when bins were placed on the collection point without putting them on the private forecourt of No 7 Burney Drive.

Overall, this proposal was considered an unacceptable form of back land development. Members believed the site was not suitable to accommodate two storey flats, it might however be possible to accommodate single storey dwellings.

Planning Considerations

The main issues for consideration in this case are:

- a) The impact on the character and appearance of the locality;
- b) Highway safety and parking provision;
- c) The impact to the living conditions of neighbours;
- d) Standard of Accommodation for future occupiers; and
- e) The impact on the Epping Forest Special Area of Conservation.

Character and Appearance

New developments need to relate positively to the locality by complementing and enhancing the character and appearance of the area including the street scene.

In this regard, the proposal is of a contemporary design and would not be readily visible from the main street. The proposed building is of a modest scale using high quality materials and it would be tucked behind residential dwellings on Burney Drive, Colebrook Gardens and Goldingham Avenue. Views would be limited from the street and the rear gardens of the surrounding properties.

On balance, in lieu of the existing unpleasant garages, the proposal would enhance the locality. As such, there would be no harmful impact to the character and appearance of the area.

Highway Safety and Parking Provision

The site would utilise an existing accessway and no objections have been raised by the Highways Officer subject to recommended conditions. The proposal also meets the requisite parking provision as per the adopted parking standards.

Living Conditions of Neighbouring Properties

The flank wall facing the rear gardens of the properties on Goldingham Avenue has no flank windows. The remainder of the windows at the other flank wall and rear elevation at first floor level would be obscure glazed as indicated on the proposed plan. Thus, the only potential overlooking issue is to the rear gardens 7, 9 & 11 Burney Drive. However, given the siting of the proposed building together with the separation distance to neighbouring dwellings and the surroundings as a highly dense urban area, there would be no significant harmful overlooking that warrants a reason for refusal.

Standard of Accommodation

The proposed dwellings would have sufficient internal amenity space for future occupiers of the dwellings in accordance with the National Described Space Standards, including private external amenity space with a reasonable outlook and light levels.

Epping Forest Special Area of Conservation

A large part of the Epping Forest contains a Special Area of Conservation (EFSAC) which has been identified primarily for its value in respect of beech trees and wet and dry heaths and for its population of stag beetle. As an internationally important site it is afforded the highest level of protection due to its habitats and species that are vulnerable or rare within an international context.

The Council, as a competent authority under the Conservation of Habitats and Species Regulations 2017 (as amended) (Habitats Regulations), and Policies DM2 & DM22 of the Epping Forest District Local Plan 2011 – 2033 has a duty to ensure that plans and projects for whose consent it is responsible

will not have an adverse effect on the integrity of these designated sites either alone or in-combination with other plans and projects within the adopted Local Plan.

The Council has identified two main issues (known as 'Pathways of Impact') that are currently adversely affecting the health of the Epping Forest.

The first is recreational pressure. Surveys have demonstrated that most visitors live within 6.2km (Zone of Influence) of the Epping Forest. As new residential development within 6.2km is likely to result in more people visiting the Epping Forest on a regular basis this will add to that recreational pressure.

The second issue is atmospheric pollution which is caused primarily by vehicles travelling on roads in close proximity to the Forest emitting pollutants (Nitrogen Dioxide and Ammonia). Development proposals (regardless of their type, size, and location within the District) which would result in even an increase in just one additional vehicle has the potential to contribute to increases in atmospheric pollution within the Epping Forest.

Stage 1: Screening Assessment

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

- 1) The site lies within the 0-3km / 3-6.2 km Zone of Influence as identified in the Epping Forest Strategic Access Management and Monitoring (SAMM) Strategy. In addition, the site lies within the parish of Loughton. Consequently, the development would result in a likely significant effect on the integrity of the EFSAC as a result of recreational pressures.
- 2) 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 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 recreational pressures and atmospheric pollution.

Stage 2: 'Appropriate Assessment'

Recreational Pressures

The application proposal has the potential to increase recreational pressures on the EFSAC. However, the Council, through the development of the SAMM strategy and the Epping Forest District Green Infrastructure Strategy 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, and Infrastructure Enhancement Projects specifically related to development within the parishes of Loughton, Buckhurst Hill and Theydon Bois. Consequently, this application can be assessed within the context of the above strategies. The applicant has agreed to make a financial contribution in accordance with agreed approach. Consequently, the Council is satisfied that the proposal would not have an adverse effect 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 the Air Pollution Mitigation Strategy (APMS), 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 APMS. The applicant has agreed to make a financial contribution in accordance with the APMS. In addition, the application will be subject to planning conditions (EVCP/Broadband) to secure measures as identified in the APMS. Consequently, the Council is satisfied that the 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.

Notwithstanding the above, as the Council is the applicant the contribution cannot be secured by a Unilateral Undertaking or S106 legal agreement, as the Council cannot sign such an agreement with itself. Other mechanisms are available, however, to ensure that the obligations are met.

Other Considerations

The Councils Tree & Drainage Officers have raised no objections subject to recommended conditions.

The submitted ecology report indicates that there is no material impact on local habitats and wildlife, but various enhancement measures have been suggested. This has been secured via a condition.

Officers note the concerns raised regarding refuse, however, there are inadequate grounds to refuse in this regards. There is sufficient refuse storage within the site and only on collection days will it be taken to the collection point as specified on the refuse strategy plan.

Concerns have also been raised regarding fire safety; however, this is a matter sufficiently covered by the building regulations as highlighted by the Essex Fire Service below;

It is the view of Essex Police, Fire and Crime Commissioner Fire and Rescue Authority (hereafter called "the Authority") that the proposal achieves an acceptable standard subject to the satisfactory implementation of all fire precautionary matters identified on the proposed drawings and drawing schedules.

Turning to the concerns regarding access, this is not a planning matter and falls to be considered outside the planning regime.

Conclusion

The proposal would make efficient use of land with benefit to the public in the form of affordable housing provision. There will also be some benefit to the local economy from its occupation and construction.

For the reasons set out above having regard to all the matters raised, it is recommended that conditional planning permission be granted.

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

Planning Application Case Officer: Muhammad Rahman | 01992 564415 or if no direct contact can be made, please email: contactplanning@eppingforestdc.gov.uk

Conditions: (20)

- 1 The development hereby permitted shall begin not later than three years from the date of this decision.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans: 05000 Rev P01, 05001 Rev P01, 05002 Rev P01, 05003 Rev P01, 05004 Rev P01, 05100 Rev P01, 05101 Rev P01, 05102 Rev P01, 05200 Rev P01, 05300 Rev P01, 05301 Rev P01, 05302 Rev P01, and 05303 Rev P01.

Reason: For the avoidance of doubt and to ensure the proposal is built in accordance with the approved plans.

- 3 An assessment of the risks posed by any contamination, carried out in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced) shall be undertaken. If any contamination is found then the site shall be remediated. The remediation scheme shall be sufficiently detailed and thorough to ensure that upon completion the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to its intended use. Confirmation of compliance with the requirements of this condition shall be submitted in writing to the Local Planning Authority prior to occupation of the development hereby approved.

Reason: It is the responsibility of the developer to ensure the safe development of the site and to carry out any appropriate land contamination investigation and remediation works. To ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property, and ecological systems, and to ensure that the development is carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy DM21 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 4 Tree protection shall be installed as shown on Tim Moya Associates 'Tree Protection Plan' drawing number 210768-P-12 (dated August 2022) prior to the commencement of development activities (including any demolition). The methodology for development (including Arboricultural supervision) shall be undertaken in accordance with the submitted Tree Survey/ Arboricultural Method Statement reports.

Reason: To comply with requirements of Section 197 of the Town and Country Planning Act 1990 as well as to safeguard the amenity of the existing trees, shrubs or hedges and to ensure a satisfactory appearance to the development, in accordance with Policies DM3 & DM5 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 5 No preliminary ground works shall take place until a flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tools. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.

Reason: The development is located in a flood risk area and would likely result in increased surface water run-off, in accordance with Policy DM15 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 6 Prior to preliminary ground works taking place, details of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and shall be provided on site prior to the first occupation and shall be retained for the lifetime of the development.

Reason: To ensure satisfactory provision and disposal of surface water in the interests of Land Drainage, in accordance with Policies DM16 & DM18 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 7 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. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of the building or completion of the development, whichever is the sooner. 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.

Reason: To comply with requirements of Section 197 of the Town and Country Planning Act 1990 as well as to safeguard the amenity of the existing trees, shrubs or hedges and to ensure a satisfactory appearance to the development, in accordance with Policies DM3 & DM5 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 8 Prior to any above groundworks, details and location of the parking spaces (including garages) equipped with active Electric Vehicle Charging Point(s) shall have been submitted to and approved in writing with the Local Planning Authority (LPA). The installation of EVCP shall be completed in accordance with the approved details and made operational prior to first occupation. The details must include details as follows:

- Location of active charging infrastructure; and
- Specification of charging equipment to be used.

Reason: To ensure the development contributes to supporting the Council towards a low carbon future and the wider aims and objectives for reducing car-led air pollution in regard to the

EFSAC, in accordance with Policies T1 & DM22 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 9 Prior to first occupation, the applicant/developer shall ensure that each dwelling has been provided with the necessary infrastructure to enable its connection to a superfast broadband network or alternative equivalent service.

Reason: To ensure the development contributes to supporting improved digital connectivity throughout the District and supports the wider aims and objectives for reducing car-led air pollution, improving the health and wellbeing of residents and visitors including the EFSAC, in accordance with Policies D5, DM2, DM9 & DM22 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 10 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, and so retained.

Reason: To maintain and improve the biodiversity of the site and to mitigate any impact from the development hereby approved, in accordance with Policy DM1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 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.

Reason: The District is classed as being in an area of severe water stress and the reduction of water use is therefore required in the interests of sustainability, in accordance with Policy DM19 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 12 Prior to the first occupation of the development the access arrangements and other associated works, 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.

Reason: To ensure that appropriate access, vehicle parking and turning is provided. The above measures are to ensure that this proposal is not contrary to the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, Policy T1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 13 Prior to first occupation of the development, the Developer shall be responsible for the provision, implementation and distribution of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers, and/or Oyster Cards, for use with the relevant local public transport operator. These packs (including tickets) are to be provided by the Developer to each dwelling free of charge.

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport. The above measures are to ensure that this proposal is not contrary to the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, Policy T1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 14 Prior to the first occupation of the development the cycle parking, as indicated on the approved plans, shall be provided and retained as such for the life of the development.

Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and accessibility. The above measures are to ensure that this proposal is not contrary to the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, Policy T1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 15 Prior to the first occupation of the development the refuse storage, as indicated on the approved plans, shall be provided and retained as such for the life of the development.

Reason: To ensure adequate provision is made in a suitable location, in accordance with Policies DM11 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 16 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those specified on the approved plans and the submitted application form.

Reason: To ensure a satisfactory appearance in the interests of visual amenity of the area, in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 17 The proposed dwelling(s) hereby permitted shall be built in accordance with Part M4 (2) of the Building Regulations.

Reason: To ensure satisfactory provision of homes for people with disabilities and to meet the changing needs of households, in accordance with Policy H1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 18 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 08:00 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.

Reason: To ensure that the proposed construction work does not cause undue nuisance and disturbance to neighbouring properties at unreasonable hours, in accordance with Policies DM9 & DM21 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 19 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.

Reason: To avoid the deposit of material on the public highway in the interests of highway safety, in accordance with Policy T1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 20 The development hereby approved must be carried out in accordance with the letter dated 08/11/2023 from the Head of Development at Epping Forest District Council.

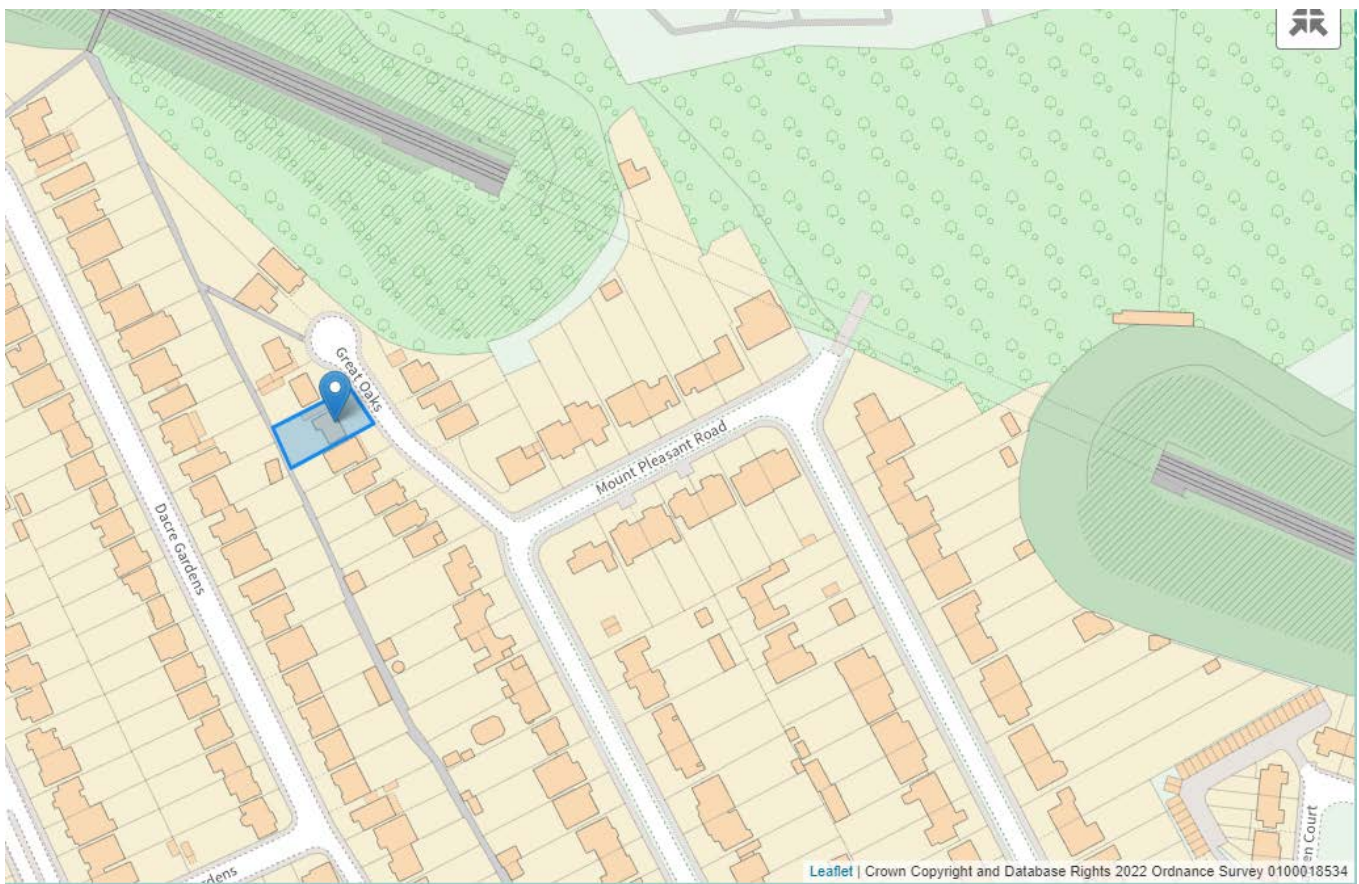
Reason: To ensure the development mitigates against any harm caused by air pollution in regard to the EFSAC, in accordance with Policy DM22 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

Informatives: (2)

- 21 The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
- 22 i. Under Building Regulations B5, access for fire tenders is required to a point not further than 45 metres from the entrance to the dwelling. Any road or private drive forming part of such a fire access must be no less than 3.7 metres wide between kerbs (this may be reduced to 3.1 metres for a gateway or similar short narrowing) and should have a minimum centre line bend radius of 6.55 metres. The access way should be capable of carrying a 12.5 tonne vehicle. A cul-desac which is more than 20 metres long must have a turning head of a least Size 3.
- ii. All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to:
SMO3 - Essex Highways, Unit 36, Childerditch Industrial Park, Childerditch Hall Drive, Brentwood, Essex, CM13 3HD.

OFFICER REPORT

Application Ref: EPF/1415/23
Application Type: Householder planning permission
Applicant: Mr Berg Bedrossin
Case Officer: Muhammad Rahman
Site Address: 6, Great Oaks, Chigwell, IG7 5ES
Proposal: Demolition of existing garage and the construction of a two-storey rear/side wraparound extension (Revised app to EPF/2316/22).
Ward: Grange Hill
Parish: Chigwell
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000001Wegq>
Recommendation: Approve with Conditions



*Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.
Crown Copyright and Database Rights 2022 Ordnance Survey 0100018534*

This application is 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

The site comprises of a detached house located within a built-up area of Chigwell. It is not listed nor in a conservation area or a flood zone. No protected trees lie within the site.

Proposal

The proposal is for the demolition of the existing garage and the construction of a two-storey rear/side wraparound extension.

Plans were amended since the initial submission alteration the design of the extension. All parties were reconsulted on the plans.

This is also a revised application to EPF/2316/22 which was refused on design and amenity grounds. The main changes are; the set in from the common boundary with No.7 by 1m and the pitched roof to the rear extension as opposed to a flat roof.

Relevant Planning History

EPF/2316/22 - Proposal to build a two-storey rear extension a first-floor side extension as well as incorporating a side garage into the main house - Refused

PRE/0044/23 - Post application to EPF/2316/22 - Proposed two storey side and rear extension - Advice Given

Development Plan Context

Epping Forest Local Plan 2011-2033 (2023)

On 9 February 2023, the council received the Inspector's Report on the Examination of the Epping Forest District Local Plan 2011 to 2033. The Inspector's Report concludes that subject to the Main Modifications set out in the appendix to the report, the Epping Forest District Local Plan 2011 to 2033 satisfies the requirements of Section 20(5) of the Planning and Compulsory Purchase Act 2004 and meets the criteria for soundness as set out in the National Planning Policy Framework and is capable of adoption. The proposed adoption of the Epping Forest District Local Plan 2011 to 2033 was considered at an Extraordinary Meeting of the Council held on 6 March 2023 and formally adopted by the Council.

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

DM9 High Quality Design

National Planning Policy Framework 2023 (Framework)

Paragraphs 126 & 130

Summary of Representations

Number of neighbours Consulted: 7. 1 response(s) received.

Site notice posted: No, not required.

7 GREAT OAKS – I do not fully object to this extension; I am just a little concerned about the size and the effect on our light and being overlooked by a two-story build to the rear of the property.

CHIGWELL PARISH COUNCIL – The Council OBJECTS to this application on the grounds of mass, bulk, and poor design and that it is considered detrimental to the local area, contrary to Policy DM9 of the adopted Local Plan.

Chigwell Parish Council comment: The Council expects householder applications to demonstrate they adequately comply with Policy DM9 iii (sustainable design and construction), DM19 (sustainable water) and/or DM20 (the incorporation of low carbon and renewable energy measures) and make sufficient contribution to meeting the EFDC objective of net zero by 2030 or 2050. The householder sustainability checklist was not available; the Council OBJECTS to this application on the grounds of insufficient available information. If, however a householder sustainability checklist is submitted to show 10 (ten) or more of the possible 19 (nineteen) sustainable design principles and building elements are being adopted and fulfilling these is made a condition of planning being granted, then the council is willing to waive this objection.

Planning Considerations

The main issues are whether the previous reasons for refusal for EPF/2316/22 have been overcome. The reasons for refusal are;

1. The proposed extensions are considered to be of a bulky appearance and of a poor design, that fails to complement the appearance of the existing building and street scene. Consequently, it would have a harmful effect to the character and appearance of the area, contrary to policies CP2, CP7 & DBE10 of the adopted Local Plan 1998 & 2006, Policy DM9 of the Local Plan Submission Version 2017, and Paragraphs 126 & 130 of the NPPF 2021.
2. The additional bulk to the rear in close proximity to the common boundary with No. 7, would result in a material overbearing and visual impact when viewed from their rear garden area. Also, given the orientation of the host house facing northeast, there would likely be a loss of afternoon light and increased overshadowing to their detriment. Therefore, the proposal is contrary to policies CP7 & DBE9 of the adopted Local Plan 1998 & 2006, Policy DM9 (h) of the Local Plan Submission Version 2017, and Paragraph 130 (f) of the NPPF 2021.

1st Reason for Refusal - Character and Appearance

There is no uniform building form or architectural design in this street. The proposed works now appear as a subservient design that complement the appearance of the existing building and by extension the street scene. There is still ample space to the front and rear along with the 1m set in from the common boundary with No.7, it would not amount to harmful overdevelopment of the site. The proposal does not extend further than the rear building line of both neighbouring dwellings.

On balance, the proposed works would not have a harmful effect to the established character and appearance of the area.

2nd Reason for Refusal - Living Conditions

The host building is orientated towards the northeast and given the visual gap of 1m from the common boundary with No.7, the absence of any flank windows, together with the rear elevation not extending further than the rear building line of both neighbouring buildings, there will be no material loss of light, overshadowing, overbearing and visual impact that warrants a reason for refusal.

Therefore, the proposed development safeguards the living conditions of neighbouring amenities, in compliance with Policy DM9 (H) of the LPSV and Paragraph 130 (f) of the Framework.

Other Considerations

Officers note the concerns raised by the Parish with regards to sustainability. However, the minimum standards for sustainability as set out within the available guidance is to meet the building regulations, which sits outside the planning regime. As such, there are insufficient grounds to refuse in this regard.

Conclusion

Officers are of the opinion that the previous reasons for refusal have been overcome.

For the reasons set out above having regard to all matters raised, it is recommended that conditional planning permission be granted.

If you wish to discuss the contents of this report item please email the case officer by 2pm on the day of the meeting at the latest, or if no direct contact can be made please email:

contactplanning@eppingforestdc.gov.uk

Conditions: (6)

- 1 The development hereby permitted shall begin not later than three years from the date of this decision.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, A2.0, A2.3, A2.4, A3.01, A3.1, P.2, P.5-A, and P.6-A.

Reason: For the avoidance of doubt and to ensure the proposal is built in accordance with the approved plans.

- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building.

Reason: To ensure a satisfactory appearance in the interests of visual amenity of the area, in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 4 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.

Reason: To avoid the deposit of material on the public highway in the interests of highway safety, in accordance with Policy T1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 5 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 08:00 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.

Reason: To ensure that the proposed construction work does not cause undue nuisance and disturbance to neighbouring properties at unreasonable hours, in accordance with Policies DM9 & DM21 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

- 6 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 Classes A & B of Part 1 to schedule 2 shall be undertaken, without the prior written agreement of the Local Planning Authority.

Reason: To ensure further consideration is given with regards to the effect on the character and appearance of the area and living conditions on adjoining properties, in accordance with Policy DM9 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF.

Informatives: (1)

- 7 The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.