



Epping Forest District Council

AREA PLANNING SUBCOMMITTEE SOUTH Wednesday, 20th June, 2007

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

Room: Dining Hall

Time: 7.30 pm

Democratic Services Officer: Zoe Folley - Research and Democratic Services
Email: zfolley@eppingforestdc.gov.uk Tel: 01992 564607

Members:

Councillors J Hart (Chairman), K Angold-Stephens (Vice-Chairman), D Bateman, K Chana, R Church, Mrs S Clapp, M Cohen, T Farr, Mrs A Haigh, J Knapman, R Law, A Lee, J Markham, G Mohindra, Mrs C Pond, Mrs P Richardson, B Sandler, P Spencer, P Turpin, H Ulkun and Mrs L Wagland

A PLAN SHOWING THE LOCATION OF RODING VALLEY HIGH SCHOOL IS ATTACHED TO THIS AGENDA. A BRIEFING WILL BE HELD FOR THE CHAIRMAN, VICE-CHAIRMAN AND GROUP SPOKESPERSONS OF THE SUB-COMMITTEE, AT 6.30 P.M. PRIOR TO THE MEETING

1. ADVICE TO PUBLIC AND SPEAKERS AT COUNCIL PLANNING SUBCOMMITTEES (Pages 5 - 8)

General advice to people attending the meeting is attached together with a plan showing the location of the meeting.

2. MINUTES (Pages 9 - 28)

To confirm the minutes of the last meeting of the Sub-Committee.

3. APOLOGIES FOR ABSENCE

4. DECLARATIONS OF INTEREST

(Head of Research and Democratic Services) To declare interests in any item on this agenda.

5. ANY OTHER BUSINESS

Section 100B(4)(b) of the Local Government Act 1972, together with paragraphs 6 and 25 of the Council Procedure Rules contained in the Constitution 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.

In accordance with Operational Standing Order 6 (non-executive bodies), any item raised by a non-member shall require the support of a member of the Committee concerned and the Chairman of that Committee. Two weeks' notice of non-urgent items is required.

6. DEVELOPMENT CONTROL (Pages 29 - 70)

(Head of Planning and Economic Development) To consider planning applications as set out in the attached schedule

Background Papers: (i) Applications for determination – applications listed on the schedule, letters of representation received regarding the applications which are summarised on the schedule. (ii) Enforcement of Planning Control – the reports of officers inspecting the properties listed on the schedule in respect of which consideration is to be given to the enforcement of planning control.

7. CORIANDER RESTAURANT, 40 VICTORIA ROAD, BUCKHURST HILL, ESSEX (Pages 71 - 74)

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

8. DELEGATED DECISIONS

(Head of Planning and Economic Development) Schedules of planning applications determined by the Head of Planning and Economic Development under delegated powers since the last meeting of a Plans Subcommittee may be inspected in the Members Room or at the Planning and Economic Development Information Desk at the Civic Offices, Epping.

9. 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
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		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.

Confidential Items Commencement: Paragraph 9 of the Council Procedure Rules contained in the Constitution require:

- (1) All business of the Council requiring to be transacted in the presence of the press and public to be completed by 10.00 p.m. at the latest.
- (2) At the time appointed under (1) above, the Chairman shall permit the completion of debate on any item still under consideration, and at his or her discretion, any other remaining business whereupon the Council shall proceed to exclude the public and press.
- (3) Any public business remaining to be dealt with shall be deferred until after the completion of the private part of the meeting, including items submitted for report rather than decision.

Background Papers: Paragraph 8 of the 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 (as defined in Rule 10) and in respect of executive reports, the advice of any political advisor.

Inspection of background papers may be arranged by contacting the officer responsible for the item.

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Advice to Public and Speakers at Council Planning Subcommittees

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.

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 Subcommittee. A map showing the venue will be attached to the agenda.

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**. Ring the number shown on the top of the front page of the agenda. Speaking to a Planning Officer will not register you to speak, you must register with Democratic Service. Speakers are not permitted on Planning Enforcement or legal issues.

Who can speak?

Three classes of speakers are allowed: One objector (maybe on behalf of a group), the local Parish or Town Council and the Applicant or his/her agent.

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 three minutes and if you are not present by the time your item is considered, the Subcommittee will determine the application in your absence.

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

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

How are the applications considered?

The Subcommittee 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 Subcommittee will then debate the application and vote on either the recommendations of officers in the agenda or a proposal made by the Subcommittee. Should the Subcommittee propose to follow a course of action different to officer recommendation, they are required to give their reasons for doing so.

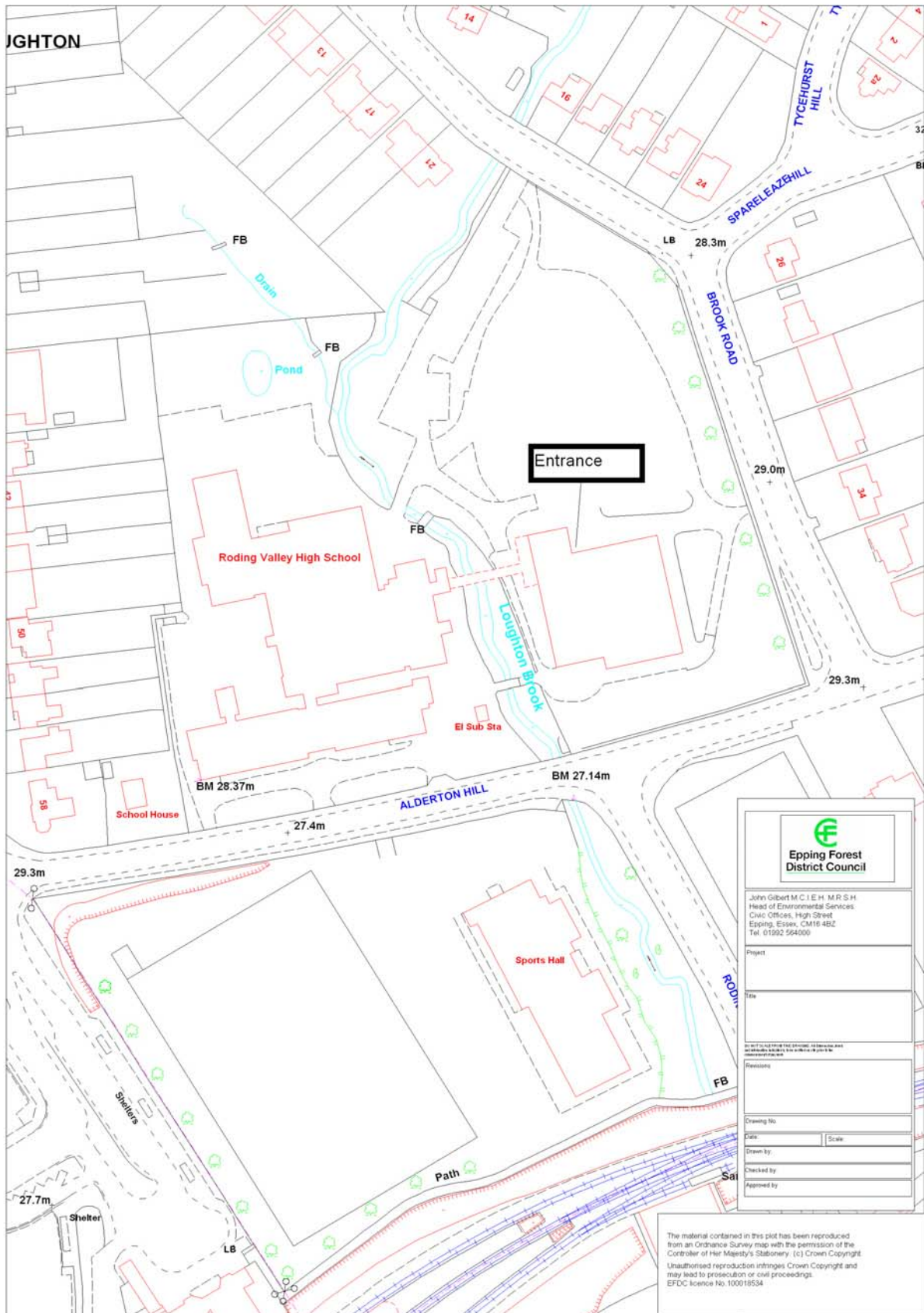
The Subcommittee cannot grant any application, which is contrary to Local or Structure Plan Policy. In this case the application would stand referred to the next meeting of the District Development Control Committee.

Further Information?

Can be obtained through Democratic Services or our leaflet 'Your Choice, Your Voice'

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Area Plans Subcommittee South – Location Plan



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EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Subcommittee **Date:** 23 May 2007
South

Place: Roding Valley High School, Brook Road, Loughton, Essex **Time:** 7.30 - 9.28 pm

Members Present: J Hart (Chairman), Mrs L Wagland (Vice-Chairman), D Bateman, K Chana, R Church, Mrs S Clapp, M Cohen, T Farr, J Knapman, A Lee, R Law, J Markham, Mrs C Pond, P Spencer, P Turpin and H Ulkun

Other

Councillors: M Woollard

Apologies: K Angold-Stephens, Mrs A Haigh, Mrs P Richardson and B Sandler

Officers Present: N Richardson (Principal Planning Officer), A Sebbinger (Principal Planning Officer), S G Hill (Senior Democratic Services Officer) and Z Folley (Democratic Services Assistant)

1. INTRODUCTION AND WELCOME

The Chairman welcomed Members to this first meeting of the new Sub – Committee for 2007-08.

2. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillors P Spencer, R Church and H Ulkun declared personal interests in agenda item (6) (2) (EPF/0440/07 - 12-14 High Road, Buckhurst Hill), by virtue of being members of Buckhurst Hill Parish Council. They declared that their interest were not prejudicial and indicated that they would remain in the meeting during the consideration and voting on the item.

(b) Pursuant to the Council's Code of Member Conduct, Councillors A Lee and J Markham declared personal interests in agenda items (6) (4)(EPF/0261/078 Danbury Road Loughton), by virtue of being members of Loughton Residents Association. They declared that their interests were not prejudicial and indicated that they would remain in the meeting during the consideration and voting on the items.

(c) Pursuant to the Council's Code of Member Conduct, Councillors J Knapman declared a personal interest in agenda item (6) (3)(EPF/0252/07 - 20 Alderton Hill Loughton) by virtue of being acquainted with the applicant. He declared that his interest was not prejudicial and indicated that he would remain the meeting during the consideration and voting on the item.

(d) Pursuant to the Council's Code of Member Conduct, Councillor Mrs C Pond declared a personal interest in agenda items (6) (1) (EPF/0534/07 - 16 The Summit

Loughton), (3)(EPF/0252/07 - 20 Alderton Hill, Loughton), (4) (EPF/0261/07 - 8 Danbury Road, Loughton) (5) (EPF/0304/07 - 45 High Road, Loughton) (6) (EPF/0442/07 - 148 High Road, Loughton), (7) (EPF/0564/07 - Land Adj, Oakley Court , Hillyfields, Loughton) (8) (EPF/0621/07 - 66 Wellfields, Loughton) (9) (EPF/0629/07 - 45 Sparelease Hill, Loughton) and (10) (EPF/0636/07 - 2A The Uplands, Loughton) by virtue of being a member of Loughton Town Council. She declared that her interests were not prejudicial and indicated that she would remain in the meeting during the consideration and voting on the items.

3. ANY OTHER BUSINESS

No urgent business was reported for consideration at the meeting.

4. DEVELOPMENT CONTROL

The Sub-Committee considered a schedule of applications for planning permission.

RESOLVED:

That the planning applications numbered 1 – 10 be determined as set out in the attached schedule to these minutes.

5. PROBITY IN PLANNING - APPEAL DECISIONS, OCTOBER 2006 TO MARCH 2007

In compliance with the recommendations of the District Auditor, the Sub – Committee received a report advising of the outcome of all successful appeals, particularly those refused contrary to officer recommendation. The purpose was to advise of the consequence of these decision and inform of cases where costs could be awarded against the Council.

The Best Value Performance Indicator for appeals now only recorded planning appeals and decisions where the Council had set its own target which for this year was 24%. Over the six month period between October 2006 and March 2007, the Council received 74 decisions on appeals indicating that 29.7% of its decisions had been overturned. For the BVPI, which only considered performance against the refusal of planning permission, the performance was 31%. Of the appeals decisions 18 related to cases where the decision of the Sub – Committee was contrary to officer recommendations. 12 of which were successful. The Sub – Committee noted a list of these including those that had been determined by Area Plans 'A'.

It was suggested that a review was necessary on how the more difficult cases were dealt with to improve performance. It should be pointed out that many of the decisions were based on finally balance arguments on both sides.

There was two cases where costs were awarded during this period – one for the Council and one against. The decisions were listed in the Council Bulletin from time to time. A full list of the decisions was attached to the agenda.

RESOLVED:

That the Planning Appeals Decisions for October 2006 to March 2007 be noted.

6. DELEGATED DECISIONS

The Sub-Committee noted that schedules of planning applications determined by the Head of Planning and Economic Development under delegated authority since the last meeting had been circulated and could be inspected at the Civic Offices.

CHAIRMAN

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Minute Item 4

Report Item no. 1

APPLICATION No:	EPF/0534/07
SITE ADDRESS:	16 The Summit Loughton Essex IG10 1SW
PARISH:	Loughton
WARD:	Loughton St Johns
DESCRIPTION OF PROPOSAL:	TPO 5/93; Pine: Fell.
DECISION:	GRANT

The Committee's attention was drawn to a letter of representation from Loughton Residents Association Plans Group.

The Committee were persuaded that the tree, in this case, was causing problems to the property and was too large for the small front garden, and given it was still a relatively young tree, it will continue to grow and cause further structural problems. The permission is subject to the following condition:-

CONDITIONS

- 1 A replacement tree or trees, of a number, species, size and in a position as agreed in writing by the Local Planning Authority, shall be planted within one month of the implementation of the felling hereby agreed, unless varied with the written agreement of the Local Planning Authority. If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, dies or becomes seriously damaged or defective another tree 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.

Report Item no. 2

APPLICATION No:	EPF/0440/07
SITE ADDRESS:	12-14 High Road Buckhurst Hill Essex IG9 5HP
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
DESCRIPTION OF PROPOSAL:	Demolition of two bungalows and replacement with two blocks of flats (14 total) with 100% parking and disabled bay.
DECISION:	REFUSE

REASONS FOR REFUSAL

- 1 The proposed two blocks of flats will result in an overdevelopment of the site and because of their bulk and siting, have an overbearing impact on the occupants of neighbouring property and a harmful visual effect upon the street scene, contrary to policies H2A, DBE1, DBE2, DBE8 of the Adopted Local Plan and Alterations.

Report Item No: 3

APPLICATION No:	EPF/0252/07
SITE ADDRESS:	20 Alderton Hill Loughton Essex IG10 3JB
PARISH:	Loughton
WARD:	Loughton St Marys
DESCRIPTION OF PROPOSAL:	Replacement house.
DECISION:	GRANT

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 3 Prior to commencement of development, details of levels shall be submitted to and approved by the Local Planning Authority showing the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 4 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting the Order) no windows other than any shown on the approved plan shall be formed at any time in the flank walls of the building hereby permitted without the prior written approval of the Local Planning Authority.
- 5 No development shall take place on site, including site clearance, tree works, demolition, storage of materials or other preparatory work, until all details relevant to the retention and protection of trees, hereafter called the Arboricultural Method Statement, have been submitted to the Local Planning Authority and approved in writing. Thereafter the development shall be undertaken only in accordance with the approved details, unless the Local Planning Authority has given its prior written consent to any variation.

The Arboricultural Method Statement shall include a tree protection plan to show the areas designated for the protection of trees, shrubs and hedges, hereafter referred to as Protection Zones. Unless otherwise agreed, the Protection Zones will be fenced, in accordance with the British Standard Trees in Relation to Construction-Recommendations (BS.5837:2005) and no access will be permitted for any development operation.

The Arboricultural Method Statement shall include all other relevant details, such as changes of level, methods of demolition and construction, the materials, design and levels of roads, footpaths, parking areas and of foundations, walls and fences. It shall also include the control of potentially harmful operations, such as burning, the storage, handling and mixing of materials, and the movement of people or machinery across the site, where these are within 10m of any designated Protection Zone.

The fencing, or other protection which is part of the approved Statement shall not be moved or removed, temporarily or otherwise, until all works, including external works have been completed and all equipment, machinery and surplus materials removed from the site.

The Arboricultural Method Statement shall indicate the specification and timetable of any tree works, which shall be in accordance with the British Standard Recommendations for Tree Works (BS.3998: 1989).

The Arboricultural Method Statement shall include a scheme for the inspection and supervision of the tree protection measures. The scheme shall be appropriate to the scale and duration of the works and may include details of personnel induction and awareness of arboricultural matters; identification of individual responsibilities and key personnel; a statement of delegated powers; frequency, dates and times of inspections and reporting, and procedures for dealing with variations and incidents. The scheme of inspection and supervision shall be administered by a suitable person, approved by the Local Planning Authority but instructed by the applicant. trees, shrubs and hedges growing within or adjacent to the site is adequately protected during the period of construction.

- 6 The development, including site clearance, must not commence until a scheme of landscaping and a statement of the methods of its implementation have been submitted to the Local Planning Authority and approved in writing. The approved scheme shall be implemented within the first planting season following the completion of the development hereby approved.

The scheme must include details of the proposed planting including a plan, details of species, stock sizes and numbers/densities where appropriate, and include a timetable for its implementation. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand, and in writing.

The statement must include details of all the means by which successful establishment of the scheme will be ensured, including preparation of the planting area, planting methods, watering, weeding, mulching, use of stakes and ties, plant protection and aftercare. It must also include details of the supervision of the planting and liaison with the Local Planning Authority.

The landscaping must be carried out in accordance with the agreed scheme and statement, unless the Local Planning Authority has given its prior written consent to any variation.

- 7 A replacement lime tree of a size and in a position as agreed in writing by the Local Planning Authority, shall be planted within one month of the implementation of the felling hereby agreed, unless varied with the written agreement of the Local Planning Authority. If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, dies or becomes seriously damaged or defective another tree 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.

Report Item no. 4

APPLICATION No:	EPF/0261/07
SITE ADDRESS:	8 Danbury Road Loughton Essex IG10 3AP
PARISH:	Loughton
WARD:	Loughton Roding
DESCRIPTION OF PROPOSAL:	Conversion of existing dwelling to form 2 x three bedroom flats including loft conversion.
DECISION:	GRANT

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Prior to the commencement of development details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected before the occupation of any of the dwellings hereby approved and maintained in the agreed positions.
- 3 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.
- 4 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting the Order) no windows other than any shown on the approved plan shall be formed at any time in the flank walls of the building hereby permitted without the prior written approval of the Local Planning Authority.
- 5 Prior to the commencement of the development details of the proposed surface materials for the parking areas, shall be submitted to and approved in writing by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.
- 6 Gates shall not be erected on the vehicular access to the site without the prior written approval of the Local Planning Authority.
- 7 Details of the parking area shall be submitted to and approved by the Local planning Authority prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents and visitors vehicles.
- 8 Prior to the commencement of the development hereby approved details of measures to prevent the transmission of sound within the building shall be submitted to and approved by the Local Planning Authority. Such measures shall be implemented in full prior to the first occupation of any part of the development hereby approved.

- 9 Prior to the commencement of the development hereby approved, details of covered secure motorcycle and pedal cycle parking facilities shall be submitted to and approved by the Local Planning Authority. Such facilities shall be implemented in full prior to the first occupation of the development hereby approved.

- 9 The internal use of the rooms to the proposed flats, as shown on the approved plans, shall be used for these purposes only and for no other use unless otherwise agreed in writing by the Local Planning Authority.

Report Item no. 5

APPLICATION No:	EPF/0304/07
SITE ADDRESS:	45 High Road Loughton Essex IG10 4JQ
PARISH:	Loughton
WARD:	Loughton Forest
DESCRIPTION OF PROPOSAL:	Two storey rear extension and loft room and extension to garage at front.
DECISION:	GRANT

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development shall be carried out in accordance with the amended plans received on 24/4/07 unless otherwise agreed in writing with the Local Planning Authority.
- 3 Prior to first occupation of the building hereby approved the proposed window openings in the flank walls shall be fitted with obscured glass with night vents only, and shall be permanently retained in that condition.
- 4 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.
- 5 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting the Order) no windows other than any shown on the approved plan shall be formed at any time in the flank walls of the building hereby permitted without the prior written approval of the Local Planning Authority.

Report Item no. 6

APPLICATION No:	EPF/0442/07
SITE ADDRESS:	148 High Road Loughton Essex IG10 4BE
PARISH:	Loughton
WARD:	Loughton Forest
DESCRIPTION OF PROPOSAL:	Change of use to A2 use.
DECISION:	GRANT

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Prior to the first occupation of this premises for Class A2 use, details of a shop window display shall be submitted and agreed in writing by the Local Planning Authority. The details as agreed shall be implemented and retained thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Report Item no. 7

APPLICATION No:	EPF/0564/07
SITE ADDRESS:	Land adj, Oakley Court Hillyfields Loughton Essex IG10
PARISH:	Loughton
WARD:	Loughton Fairmead
DESCRIPTION OF PROPOSAL:	Construction of 4 no. two bedroom flats with parking. (Revised application)
DECISION:	GRANT

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 3 Prior to the commencement of development details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected before the occupation of any of the dwellings hereby approved and maintained in the agreed positions.
- 4 The development, including site clearance, must not commence until a tree protection plan, to include all the relevant details of tree protection has been submitted to the Local Planning Authority and approved in writing.

The statement must include a plan showing the area to be protected and fencing in accordance with the relevant British Standard (Trees in Relation to Construction-Recommendations; BS.5837:2005). It must also specify any other means needed to ensure that all of the trees to be retained will not be harmed during the development, including by damage to their root system, directly or indirectly.

The statement must explain how the protection will be implemented, including responsibility for site supervision, control and liaison with the LPA.

The trees must be protected in accordance with the agreed statement throughout the period of development, unless the Local Planning Authority has given its prior written consent to any variation.

- 5 The development, including site clearance, must not commence until a scheme of landscaping and a statement of the methods of its implementation have been submitted to the Local Planning Authority and approved in writing. The approved

scheme shall be implemented within the first planting season following the completion of the development hereby approved.

The scheme must include details of the proposed planting including a plan, details of species, stock sizes and numbers/densities where appropriate, and include a timetable for its implementation. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand, and in writing.

The statement must include details of all the means by which successful establishment of the scheme will be ensured, including preparation of the planting area, planting methods, watering, weeding, mulching, use of stakes and ties, plant protection and aftercare. It must also include details of the supervision of the planting and liaison with the Local Planning Authority.

The landscaping must be carried out in accordance with the agreed scheme and statement, unless the Local Planning Authority has given its prior written consent to any variation.

- 6 Prior to the commencement of the development details of the proposed surface materials for the parking area and access including turning area. shall be submitted to and approved in writing by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.
- 7 The parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents and visitors vehicles.

Report Item no. 8

APPLICATION No:	EPF/0621/07
SITE ADDRESS:	66 Wellfields Loughton Essex IG10 1NY
PARISH:	Loughton
WARD:	Loughton St Marys
DESCRIPTION OF PROPOSAL:	Extensions to front, side and rear and loft conversion with front and rear dormer windows. (Revised application)
DECISION:	DEFERRED

This item was deferred to seek deletion of part of the side ground floor extension and allow for a 1m gap to the side site boundary.

Report Item no. 9

APPLICATION No:	EPF/0629/07
SITE ADDRESS:	45 Spareleaze Hill Loughton Essex IG10 1BS
PARISH:	Loughton
WARD:	Loughton St Marys
DESCRIPTION OF PROPOSAL:	Demolition of existing detached house and construction of new dwelling. (Revised application)
DECISION:	REFUSE

REASONS FOR REFUSAL

- 1 This proposal, by reason of its scale and bulk, particularly its deep rearward projection and footprint compared with the adjoining residential properties, would appear visually overbearing and incongruous in relation to these properties, contrary to policy DBE1 of the adopted Local Plan and Alterations and H4 of the Replacement Structure Plan for Essex and Southend on Sea

Report Item no. 10

APPLICATION No:	EPF/0636/07
SITE ADDRESS:	2A The Uplands Loughton Essex IG10 1NH
PARISH:	Loughton
WARD:	Loughton St Marys
DESCRIPTION OF PROPOSAL:	Extension to existing bungalow and sub division to provide three apartments. (Revised application)
DECISION:	GRANT

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Prior to the commencement of development details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected before the occupation of any of the dwellings hereby approved and maintained in the agreed positions.
- 3 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.
- 4 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting the Order) no windows other than any shown on the approved plan shall be formed at any time in the flank walls of the building hereby permitted without the prior written approval of the Local Planning Authority.
- 5 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) have been submitted to an approved in writing by the Local Planning Authority, and these works shall be carried out as approved. These 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 vehicle artefacts and structures, including signs and lighting and functional services above and below ground. 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 No development shall take place, including site clearance or other preparatory work, until all details relevant to the implementation of hard and soft landscape works and tree planting, hereafter called the Landscape Method Statement, have been submitted to the LPA, and the development shall not commence until the Landscape Method Statement has been approved by the LPA in writing. All landscape works shall be undertaken in accordance with the approved details, unless the LPA has given its prior written consent to any variation.

The Landscape Method Statement shall include as appropriate, protection of the planting areas, where appropriate by fencing, during construction; preparation of the whole planting environment, particularly to provide adequate drainage; and the provision which is to be made for weed control, plant handling and protection, watering, mulching, and the staking, tying and protection of trees. The Landscape Method Statement shall also normally include provision for maintenance for the period of establishment, including weeding, watering and formative pruning, and the removal of stakes and ties. Provision shall be made for replacement of any plant, including replacements, that are removed, are uprooted, or which die or fail to thrive, for a period of five years from their planting, in the first available season and at the same place, with an equivalent plant, unless the LPA has given its prior written consent to any variation.

All hard and soft landscape works shall be completed prior to the occupation or use of any part of the development, unless the LPA has given its prior written consent to a programme of implementation. The hard and soft landscape works, including tree planting, shall be carried out strictly in accordance with any approved timetable.

The Landscape Method Statement shall state the provision which is to be made for supervision of the full programme of works, including site preparation, planting, subsequent management and replacement of failed plants.

- 7 Before the occupation or use of any phase or part of the development, whichever is the soonest, a Landscape Management Plan (LMP) shall be submitted to and approved by the LPA.

The LMP shall contain a statement of the long-term aims and objectives covering all elements of the implementation of the agreed landscape scheme and full details of all management and establishment operations over a five-year period, unless otherwise agreed in writing by the LPA. It shall also include details of the relevant management, and supervisory responsibilities.

The LMP shall also include provision for a review to be undertaken before the end of the five year period. A revised LMP shall be submitted for the agreement of the LPA before five years has expired. The revised details shall make similar provisions for the long term maintenance and management of the landscape scheme. The revised scheme shall also make provision for revision and updating.

The provisions of the LMP, and subsequent revisions shall be adhered to and any variation shall have been agreed beforehand in writing by the LPA. No trees, shrubs, hedges or other plants shall be removed for the duration of the Landscape Management Scheme or its revisions, without the prior written approval of the LPA. Any trees, shrubs, hedges or other plants being so removed shall be replaced in the first available planting season by an equivalent replacement or replacements to the satisfaction of the LPA. Management of the landscape scheme in accordance with the LMP or their agreed revisions shall not cease before the duration of the use of the development unless agreed in writing by the LPA.

- 8 Prior to the commencement of the development details of the proposed surface materials for the drive and parking areas shall be submitted to and approved in writing by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.

AREA PLANS SUB-COMMITTEE 'SOUTH'

20 June 2007

INDEX OF PLANNING APPLICATIONS/ENFORCEMENT CASES

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Report Item No: 1

APPLICATION No:	EPF/0824/07
SITE ADDRESS:	51 Manor Road Chigwell Essex IG7 5PL
PARISH:	Chigwell
WARD:	Grange Hill
APPLICANT:	Mr J Zeola
DESCRIPTION OF PROPOSAL:	TPO/EPF/10/74 - Cupressus x 7 - Fell.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The work authorised by this consent shall be carried out under the direct supervision of the Local Planning Authority, who shall receive in writing, 5 working days' notice of such works.
- 2 A replacement tree or trees, of a number, species, size and in a position as agreed in writing by the Local Planning Authority, shall be planted within one month of the implementation of the felling hereby agreed, unless varied with the written agreement of the Local Planning Authority. If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, dies or becomes seriously damaged or defective another tree 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.

Description of Proposal:

G2 & G3 . Monterey cypress x 7. Fell and replace.

Description of Site:

These seven trees form an imposing boundary screen between the applicant's property and 49 Manor Road to the west. Manor Road is characterised by mature trees and dense hedging screens. The largest trees within this 20m line stand approximately 13 metres tall and spread at least 4m into each property. They feature boldly as a highly visible landscape feature at this point in this affluent residential neighbourhood.

Relevant History:

TRE/EPF/0195/06 was granted permission for the removal of three Monterey cypresses primarily due to their poor health. They were suffering from a fungal leaf disease and were implicated in structural damage to the main property.

A condition was placed on the decision notice requiring replanting to be undertaken.

Relevant Policies:

LL9: The Council will not give consent to fell a tree protected by a Tree Preservation Order unless it is satisfied that this is necessary and justified.any such consent will be conditional upon appropriate replacement of the tree.

Issues and Considerations:

Introduction

The application is made on the basis that all the trees are in varying states ill health. They are said to display the leaf and branch death symptoms of the prevalent fungal infection; Coryneum Canker. The trees are also alleged to be causing damage by direct root action to the driveways of both properties and branch debris and contact damage to roof and gutters.

Considerations

It is suggested that the following questions need to be addressed:

1. What is the condition of the trees?
2. How great would be the loss to amenity in the felling of the trees?
3. How serious are the problems caused by the trees
4. What other factors must be considered

1. What is the condition of the trees?

Inspection of the trees clearly reveals that they all appear to be affected by Coryneum canker, which initially disfigures the general appearance of the tree as the leaves and twigs brown and die. There is no known reliable cure and ultimately the infection results in decline and death of the tree. This process can take in excess of ten years.

Although it is clear that the extent of infection varies from one tree to the next, it is inevitable that the healthier trees will eventually decline even following selective removal of the worst individuals.

2. How great would be the loss to amenity in the felling of the trees?

The trees are clearly viewed as a large group from Manor Road. As such, the amenity value would be considered high. Their removal, therefore would constitute a significant loss in greening to this area.

Originally, it is likely that the planting would have been designed as a formal boundary screen to be regularly trimmed at a manageable scale. In their current form some of this uniformity has been lost as certain individuals have dominated neighbours and crowded them out.

The appearance of the crowns are generally poor and deteriorating to the point where the greening value will soon be lost . The resulting unappealing sight of extensive dead brown wood makes a strong argument to fell the trees as soon as possible to allow more suitable planting to establish and compensate for the loss in amenity.

3. How serious are the problems caused by the trees?

The size and branch spread of the tree closest to the houses presents problems of actionable nuisance to the neighbouring property. Branches oversail the roofline and come into contact with the flank wall and cause wear and tear to the fabric of the building.

It is very likely that the damage occurring to both driveways beneath the trees is to some extent due to the presence of roots from these trees.

It must be said that both areas of damage may be remedied by branch and root pruning in the short term. If the trees were of good health it would be a weak argument to base felling on these reasons alone.

4. What other factors should be considered?

The requirement to replant suitable trees at, or as close to, the original location of the felled tree would go some way towards compensating for the loss of this significant group landscape feature. Advantages of returning to a native hedgerow boundary treatment are manifold and include the improved continuity for the area, ease of management, improved security, and more variety of colour from leaves, flowers and bark throughout the seasons.

Conclusion

This case rests on the fact that the trees are in decline and will become exempt from planning control in time. Added to this are the problems of nuisance both from roots and branches to a neighbouring property.

It is recommended to grant permission to this application on the grounds that the problems suffered by the trees justify their removal and therefore accord with Local Plan Landscape Policy LL9.

A condition requiring suitable replacements will not compensate for the scale of the lost amenity but will ensure the presence of native landscaping at this location into the future.

SUMMARY OF REPRESENTATIONS:

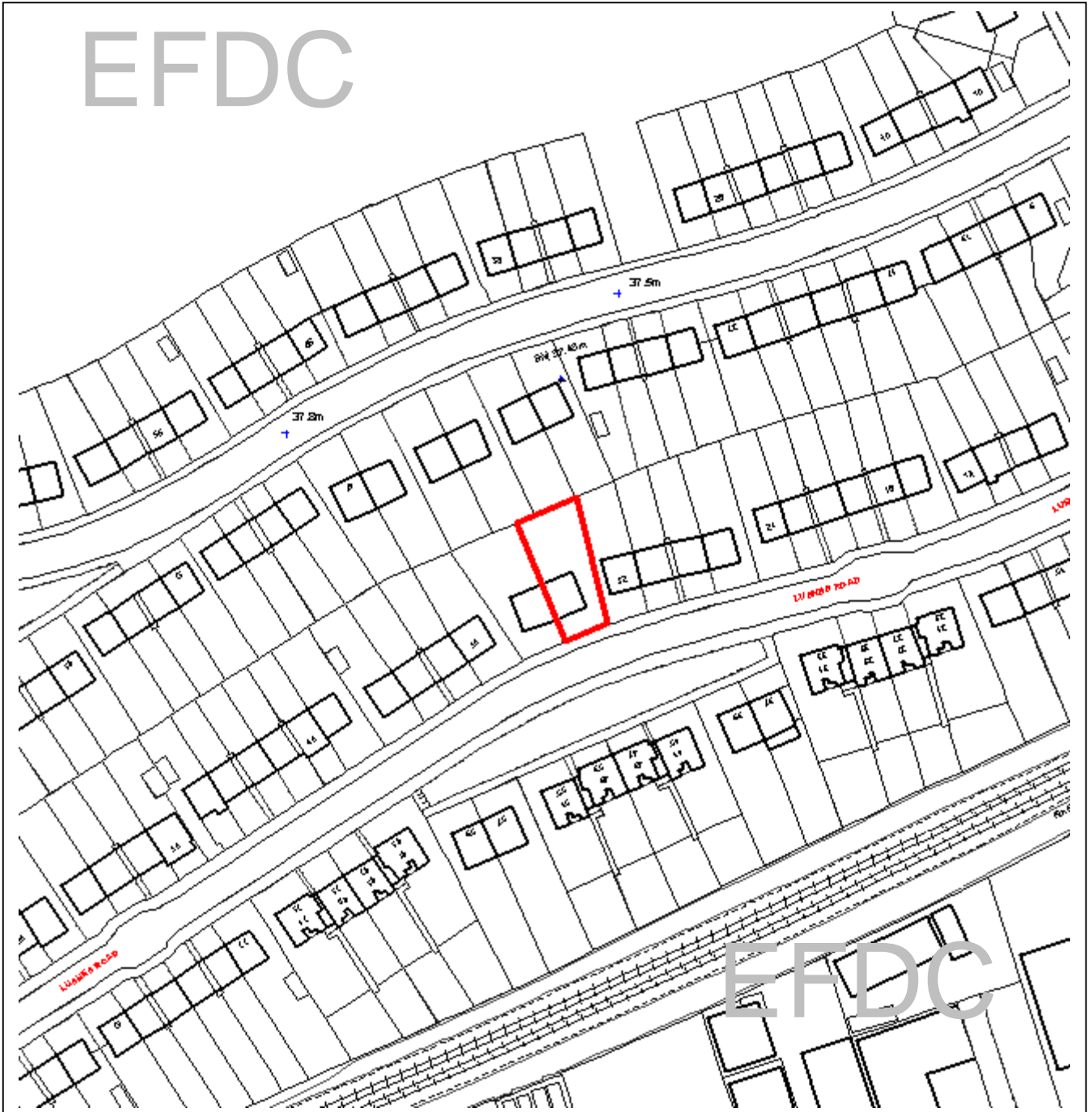
Chigwell Parish Council made no objection.



Epping Forest District Council

Area Planning Sub-Committee

EFDC



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Agenda Item Number:	1
Application Number:	EPF/0824/07
Site Name:	51 Manor Road, Chigwell
Scale of Plot:	1/1250

Report Item No: 2

APPLICATION No:	EPF/0535/07
SITE ADDRESS:	1 Chigwell Park Drive Chigwell Essex IG7 5BD
PARISH:	Chigwell
WARD:	Chigwell Village
APPLICANT:	Mr Pat Robbins
DESCRIPTION OF PROPOSAL:	Demolition of existing garage and the construction of a new side and rear extension to residential bungalow.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.

Description of Proposal:

This application seeks planning permission for the demolition of the detached garage at the side and the construction of a single storey extension to the rear and side. The side extension would be approximately 3.65 metres in width, reducing in width by one metre towards the rear of the property. The side extension would be set off the side boundary of the property by approximately 1.2 metres at the front, reducing to approximately 0.7 metre due to the shape of the site. The proposed rear extension would have a depth of approximately 4 metres. The proposed extension would have a maximum height of 6.6 metres, approximately 0.9 metre higher than the ridge of the main dwelling.

Description of Site:

The application property is a detached bungalow located in Chigwell Park Drive, close to its junction with Coolgardie Avenue. The bungalow has a detached garage to the side. To the east of the property is the rear garden and house at no. 2 Coolgardie Avenue. Chigwell Park Drive is on a slope, which decreases from east to west across the site, this results in the houses in Coolgardie Avenue being set at a higher level than the application property and the houses in Chigwell Park Drive to the west of the site being set at a lower level. The two houses to the west of the application property are both detached bungalows and the houses further down the road are two storey in height.

Relevant History:

None.

Policies Applied:

Adopted Local Plan

DBE9 – Residential Amenity

DBE10 - Extensions to Dwellings

Issues and Considerations:

The main issues in this case are:

1. the impacts of the proposed development on the amenities of the occupiers of neighbouring dwellings; and
2. the impacts of the proposed development on the character and appearance of the area.

Impact on Neighbours

With regard to the impact of the proposed development on the amenities of the occupiers of neighbouring dwellings, the proposed extension would be located approximately 13 metres from the nearest part of the rear of 2 Coolgardie Avenue. The nearest window to a habitable room would be approximately 15 metres from the extension and would face towards the end corner of the extension. Having regard to this distance and the height of the extension at this point it is not considered that there would be a material loss of light or outlook to the occupiers of this property. The proposed rear extension would be located approximately 3.3 metres from the boundary and a further metre from the neighbouring dwelling. The Council's local plan indicates that single storey rear extensions of three metres are likely to be acceptable. In this instance, having regard to the separation of the extension from the neighbouring dwelling, it is not considered that the proposed extension would result in an unacceptable loss of amenity to the occupiers of the neighbouring dwelling.

Visual Amenity

Turning to the impact of the proposed extension on the character and appearance of the area, it is considered that having regard to the position of the dwelling in the street, adjacent to the rear garden of 2 Coolgardie Avenue, the design of the extension and the mix of property designs within the locality, the proposed extension would not be detrimental to the visual amenity of the locality. The character of residential properties are mixed, and the nearest property to the east (2 Coolgardie Avenue) is a two storey house. It is considered that, due to the change in levels along the street, the proposed increase in the maximum height of the dwelling would not result in the property appearing overly prominent. The design of the new roof is in keeping with the current bungalow. The new ridge line may be higher but it allows for the roof slope to be at the same pitch as the rest of the bungalow and is it not dominant from the road, the Parish Council objection in this case is not supported by Officers.

Conclusion

In light of the above appraisal, it is considered that the proposed extension would not result in a material loss of amenity to the occupiers of neighbouring dwellings and would not be harmful to the character and appearance of the area. Accordingly, it is recommended that planning permission be granted.

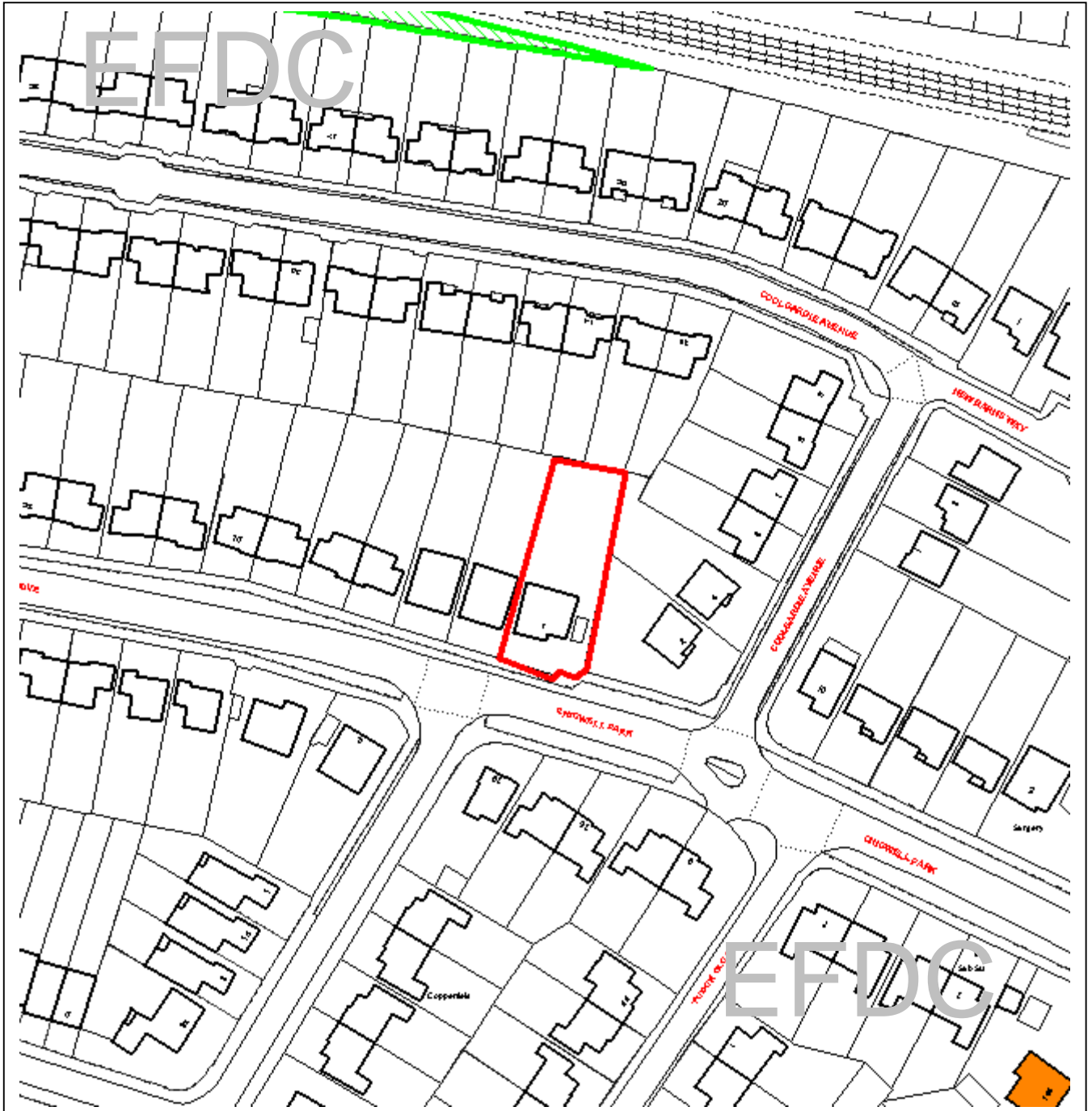
SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL: Objection. Due to design and roof being out of proportion.



Epping Forest District Council

Area Planning Sub-Committee



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Agenda Item Number:	2
Application Number:	EPF/0535/07
Site Name:	1 Chigwell Park Drive, Chigwell
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/0728/07
SITE ADDRESS:	The Manor House Gravel Lane Chigwell Essex IG7 6DA
PARISH:	Chigwell
WARD:	Chigwell Row
APPLICANT:	Mr M Brett
DESCRIPTION OF PROPOSAL:	Change of use of existing annexe for use as a separate dwelling
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Notwithstanding the submitted details, prior to the first occupation of the barn by persons unrelated to the occupiers of The Manor House, details of boundary treatment shall be submitted to the Local Planning Authority for approval in writing and the boundary treatment shall be erected in accordance with the approved details.

Description of Proposal:

This application seeks planning permission for the change of use of the ancillary barn on the site to use as a separate dwelling. When planning permission was granted for the refurbishment of the barn, it was subject to a planning condition requiring that the barn be occupied only as ancillary accommodation to the Manor House. No operational development is proposed through this application, although refurbishment works to the barn were granted planning permission and listed building consent earlier this year.

In addition to the planning condition requiring that the barn only be occupied as ancillary accommodation, a **Section 52 legal agreement** was also entered into by the applicant and the District Council. In addition to the proposed change of use, the applicant also seeks the revocation of this legal agreement. There are two parts to the agreement which are as follows:

- (1) *that the said barn when converted and refurbished shall be used as ancillary accommodation to the existing dwelling and shall not be occupied as a separate unit of accommodation from the existing main dwelling house known as The Old Manor House; and*

(2) that the said ancillary accommodation shall not be sold away or otherwise alienated from The Old Manor House aforesaid.

Accordingly, it is considered to be appropriate for the Area Committee to consider both requests simultaneously.

Description of Site:

The application site comprises “The Manor House”, constructed with the benefit of a 1976 planning permission (that required its occupation by an agricultural worker) and a number of barns to the North. The larger of the barns was converted for use as ancillary accommodation to “The Manor House” with the benefit of planning permission granted in 1986. The barn, which dates to the early 17th century, is grade II listed. In September last year a certificate of lawful development was granted for the occupation of “The Manor House” by persons not employed within agriculture.

Relevant History:

EPF/0624/76. Reception of one no. agricultural workers dwelling for calf unit stockman. Approved 24/05/76.

EPF/0969/85. Refurbishment of barn, and conversion to use ancillary to dwelling. Approved 23/12/1986.

EPF/0094/86. Listed Building application for internal works to provide mezzanine floor for barn. Approved 16/02/87.

EPF/1417/06. Certificate of lawful development for existing use as dwelling without compliance with agricultural workers occupancy condition on EPF/624/79. Approved 11/09/06.

EPF/0174/07. Internal Alterations to barn and conversion of garage/store room to habitable space with new glass doors and insertion of velux windows. Approved 15/03/2007.

EPF/0175/07. Grade II listed building application for internal alterations to barn and conversion of garage/store room to habitable space with new glass doors and insertion of velux windows. Approved 15/03/2007.

Policies Applied:

Local Plan and Alterations

HC12 – Development affecting the setting of listed buildings

GB8A – Change of use or adaptation of buildings

GB9A – Residential Conversions

DBE9 – Neighbouring Amenity

Issues and Considerations:

The main issues in this case are:

1. the acceptability of the change of use in policy terms;
2. the impacts of the change of use on the amenities of the occupiers of neighbouring dwellings (including The Manor House),

3. the level of amenity for the occupiers of the barn;
4. the impacts of the change of use on the character and appearance of the area; and
5. any impact of the change of use on the listed building.

Planning Policy

Policies GB8A of the Local Plan Alterations state that the change of use to buildings within the green belt will be acceptable where: the building is capable of conversion without major or complete reconstruction and is in keeping with its surroundings; the use would not have a greater impact on the green belt than the present use; the use and associated traffic generation would not be harmful to the countryside; works within the last ten years were not completed with a view to securing a use other than that for which they were carried out; the use would not have a significant adverse impact on the viability and viability of a town centre or village shop. Policy GB9A allows residential conversions if GB8A is met and re-use for business purposes would be unsuitable, or the conversion would be a subordinate part of a scheme for business re-use, or the conversion would be for the purposes of agriculture, horticulture or forestry.

If a conversion of a building to residential use is considered to be acceptable, local plan policy does not differentiate between separate and ancillary dwellings. This indicates that if a residential conversion is considered to be acceptable, then whether it would be ancillary or not would not affect its acceptability in terms of Green Belt policy. However, policy GB9A also states that conversions for residential use must not require such changes to buildings that their surroundings, external appearance, character and fabric could be unsympathetically or adversely affected. The use of the barn as a separate dwelling to The Manor House, would require the erection of boundary treatment (wall, fence, hedge etc) to ensure an adequate level of privacy for the occupiers of both dwellings. However, subject to an acceptable design, it is not considered that such boundary treatments would be unacceptable in principle, due to its location within the site.

It is to be noted that when permission was granted in 1985 for a conversion, there would have been no local plan policy permitting the re-use of an existing building and the creation of new dwellings in the countryside whether by new-build or conversion would have been contrary to Green Belt policy. Hence the restraint imposed by the section 52 legal agreement.

Impact on Neighbouring Dwellings

Due to the location of the site, the main property to be affected would be The Manor House. The present relationship between the two buildings would result in a material loss of privacy to the occupiers of both properties, if they were to be occupied by unrelated parties. However, it is considered that this concern could be addressed by the imposition of a planning condition requiring a boundary to be erected between the two properties.

Amenity of the Occupiers of the Barn

With regard to the amenity of the occupiers of the barn, it is considered that the barn would have adequate living space. Subject to the provision of boundary treatment, it is considered that the occupiers of the barn would have an adequate level of privacy.

An indicative plan of the location of boundary treatment has been submitted and it is considered that this would ensure sufficient privacy and amenity space for the occupiers of the barn.

Impact on Character and Appearance of Area

Subject to the matter of the boundary treatment that has been discussed previously, it is not considered that the proposal would adversely affect the character and appearance of the area.

Impact on Listed Building

Subject to the sensitive design of the boundary treatment between the dwellings, it is not considered that the proposal would adversely affect the setting of the Grade II listed building.

Conclusion

In light of the above appraisal, it is considered that the occupation of the barn as a separate dwelling would not conflict with Local Plan policy. There would be no material harm to the amenities of the occupiers of neighbouring dwellings, the occupiers of the barn would have an acceptable level of amenity and there would be no harm to the character and appearance of the area/surrounding Green Belt or setting of the listed barn. Accordingly, it is recommended that planning permission be granted.

It is also considered reasonable for the Committee to also authorise the revocation of the Section 52 legal agreement signed on 23rd December 1986.

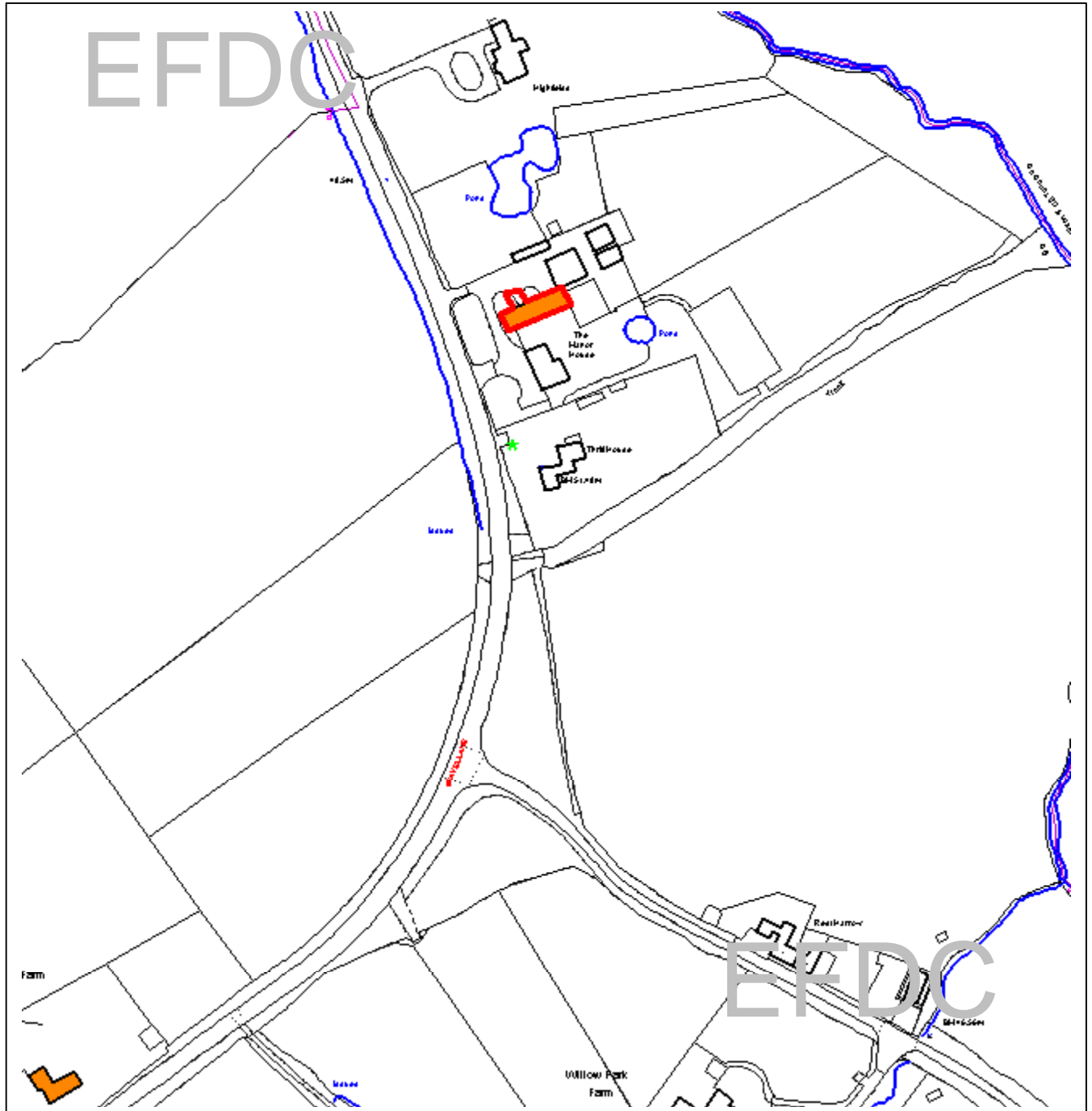
SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL. No objection.



Epping Forest District Council

Area Planning Sub-Committee



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Agenda Item Number:	3
Application Number:	EPF/0728/07
Site Name:	The Manor House, Gravel Lane, Chigwell
Scale of Plot:	1/2500

Report Item No: 4

APPLICATION No:	EPF/0804/07
SITE ADDRESS:	27 Chigwell Park Drive Chigwell Essex IG7 5BD
PARISH:	Chigwell
WARD:	Chigwell Village
APPLICANT:	Harmider Walia
DESCRIPTION OF PROPOSAL:	Two storey side extension.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Prior to first occupation of the building hereby approved the proposed window openings in the flank wall shall be fitted with obscured glass and have fixed frames, and shall be permanently retained in that condition.
- 3 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.
- 4 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting the Order) no windows other than any shown on the approved plan shall be formed at any time in the flank walls of the building hereby permitted without the prior written approval of the Local Planning Authority.

Description of Proposal:

Permission is being sought for a two storey side extension. This would be 2.5m wide and 8m deep and would replace an existing single storey side garage.

Description of Site:

Two storey semi-detached dwelling located on the northern side of Chigwell Park Drive. Houses in this road are of similar appearance and are part of this residential estate.

Relevant History:

None

Policies Applied:

DBE9 and DBE10 – Residential Development Policies

Issues and Considerations:

The main issues here relate to the potential impact on the neighbouring properties and with regards to the design.

The neighbouring dwelling, No. 29, has an existing two storey side extension almost identical to this proposal. The proposed extension would not extend beyond the rear wall of the neighbouring property and would have no detrimental impact on the amenities of this neighbour.

As such complies with Local Plan policy DBE9.

The proposed two storey side extension would continue the ridgeline and first floor over the existing flat-roofed single storey side garage. The front would project to the level of the existing bay windows and would match this in design, and this extension would not be out of keeping with the appearance of the original property.

The extension would be just 720mm from the boundary. It has been normal practise to require a 1m separation from the boundary, particularly at first floor level, but policy DBE10 does not specifically state this distance; it has generally been good practise that has been generally supported on appeal. The issue is therefore whether this separation would harm the street scene. Officers consider that the proposed extension is virtually the same as that built no.29, adjacent to the position of the proposed extension, and there are a number of similar examples in this road.

Given the presence of similar two storey side extensions in Chigwell Park Drive, many of which have less than 1m set back from the boundary, this proposal would not be detrimental to the character or appearance of the street scene. The proposal complies with policy DBE10.

Conclusion:

The Parish Council comments have been carefully noted but a one metre set back in this case would upset the rhythm created by the first floor window alignment and design. The terracing effect has been addressed and there would still be a separation gap in keeping with the street scene. The planning application is therefore recommended for approval.

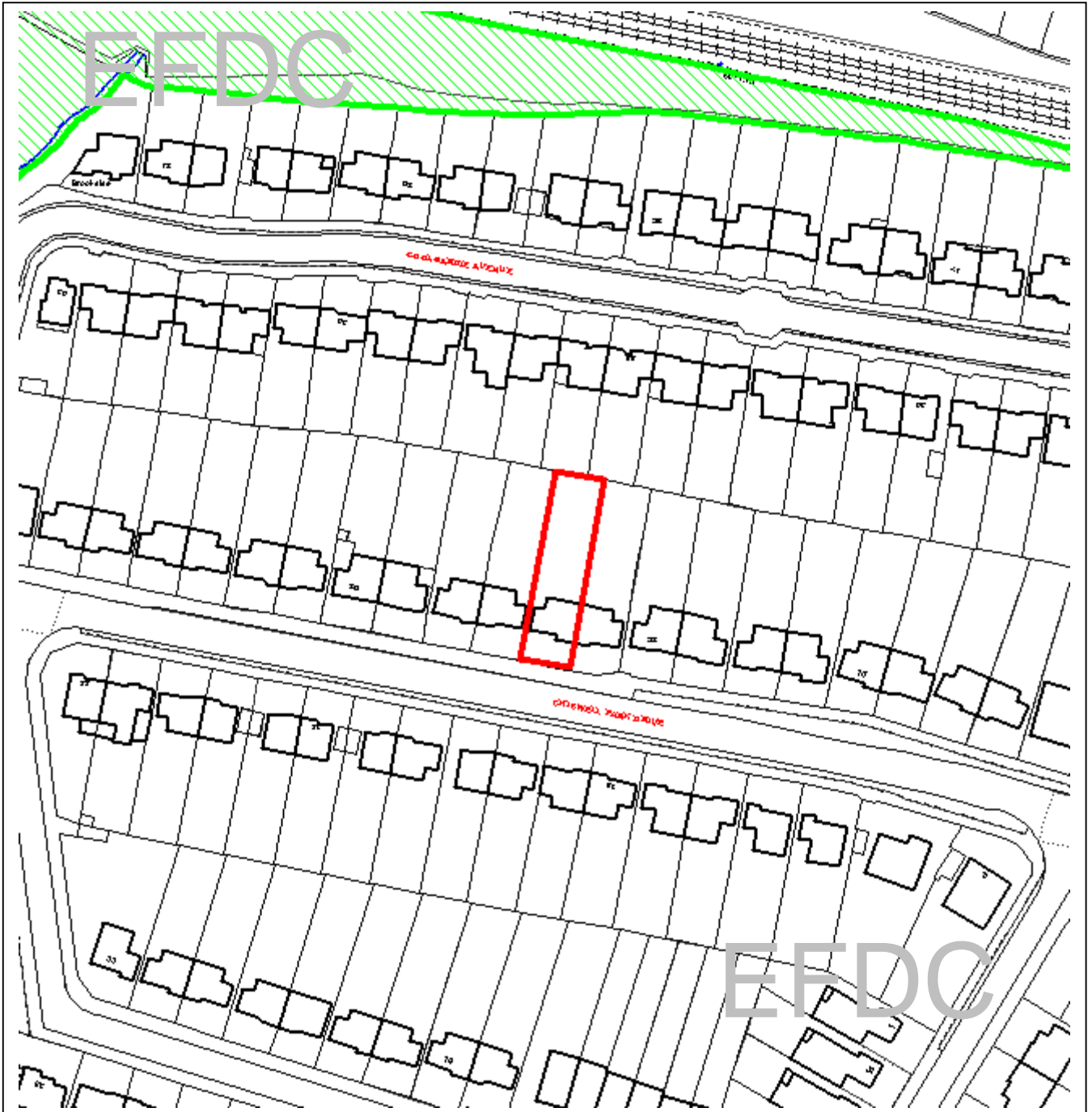
SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL – Objects on the grounds that the proposal creates a terracing effect and is, therefore, detrimental to the street scene. However, if the design of the proposal was set back one metre at first floor level the council would be minded to withdraw its objection.



Epping Forest District Council

Area Planning Sub-Committee



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Agenda Item Number:	4
Application Number:	EPF/0804/07
Site Name:	27 Chigwell Park Drive, Chigwell
Scale of Plot:	1/1250

Report Item No: 5

APPLICATION No:	EPF/0511/07
SITE ADDRESS:	18 Hill Top Close Loughton Essex IG10 1PY
PARISH:	Loughton
WARD:	Loughton St Johns
APPLICANT:	Mr & Mrs Rooney
DESCRIPTION OF PROPOSAL:	First floor extension above existing garage.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Prior to first occupation of the building hereby approved the proposed window openings in the first floor flank shall be fitted with obscured glass and have fixed frames, and shall be permanently retained in that condition.
- 3 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting the Order) no windows other than any shown on the approved plan shall be formed at any time in the flank walls of the building hereby permitted without the prior written approval of the Local Planning Authority.
- 4 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.

Description of Proposal:

First floor side extension, on the east flank, measuring 2.6m x 11.2m, by 2.5m high, with a hipped roof.

Description of Site:

A two-storey detached house on a rectangular plot. The area largely consists of two storey detached houses of similar but varying appearance.

Relevant History:

Nil

Policies Applied:

DBE 9 Excessive Loss of amenities for neighbours

DBE 10 Design of residential extensions

Issues and Considerations:

The main issues in this application are the effects of this development on the:

1. Street Scene
2. Design
3. Amenities of neighbouring properties

Impact on Street Scene

- The scheme will see a 0.9m setback of the first floor front elevation, with the hipped roof being considerably lower than the existing ridgeline.
- The current 1m gap to the side boundary with No 19 will remain.
- The new extension is a logical continuation of the existing property and the set back of the first floor and the lower ridge height reduces the impact of this scheme and bulk to ensure it is subordinate to the main house.
- The rear element would not come further forward than the rear extensions at No 19.
- The Town Council have expressed particular concern over the scheme being out of proportion to the existing property.
- It is a fairly deep extension, but it is the same length as the current ground floor extensions. Furthermore, when viewed from the street, the scheme is modest and the extent of the flank wall shall be greatly hidden from public view by the presence of the adjacent house, no.17.
- There is no harmful impact on the street scene as a result of this scheme.

Design

- The extension integrates well into the existing property.
- The low height of the roof slope design is acceptable and the flat top will not be visible in the street scene.
- The materials will match.

Residential Amenity

- The works would not have any further adverse impact on overlooking to any neighbouring properties than already exists.
- There will be no appreciable loss of sun or daylight to any neighbour.

Conclusion

For the reasons above, this application is an acceptable scheme. It is therefore recommended for approval.

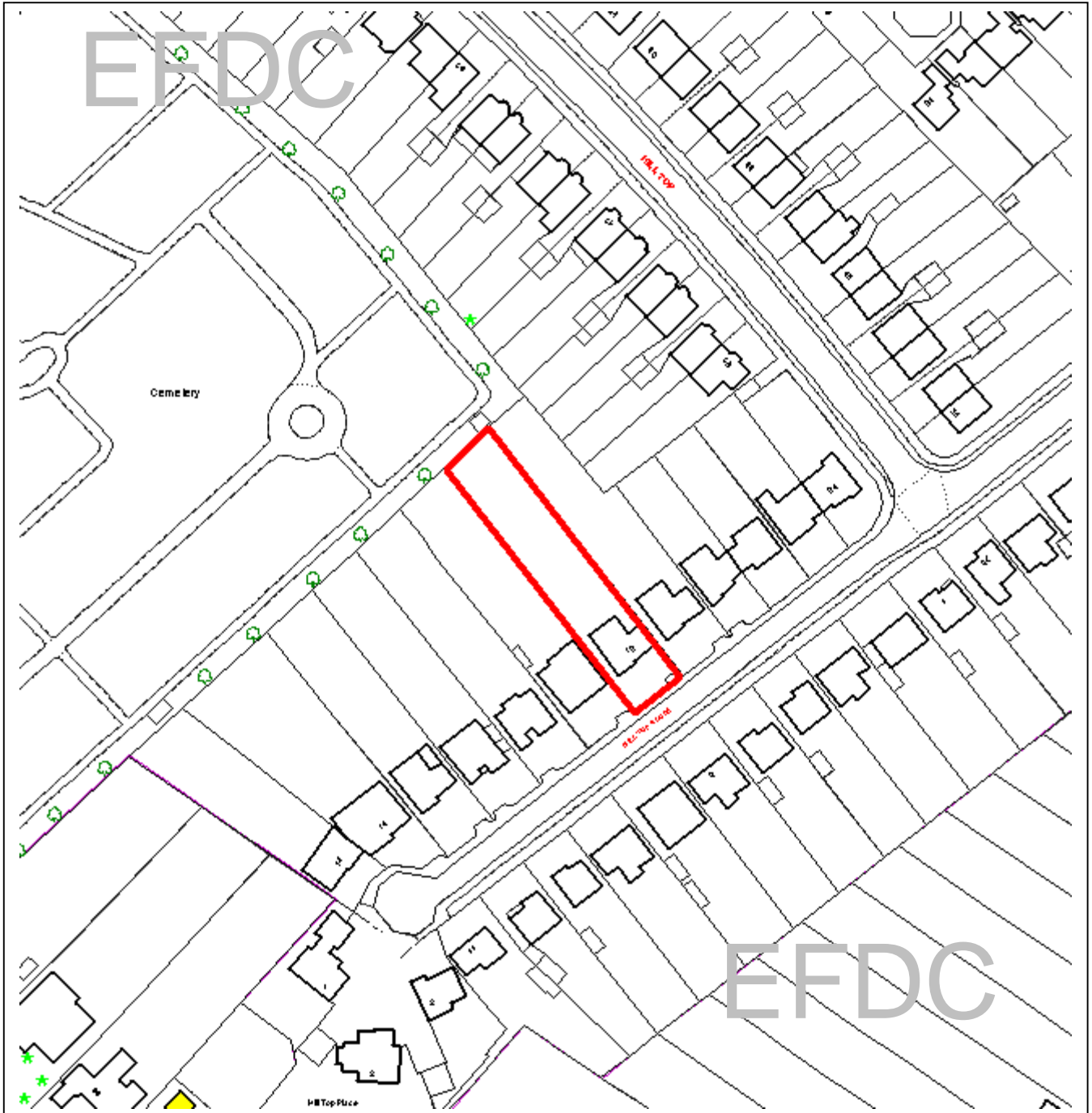
SUMMARY OF REPRESENTATIONS RECEIVED

TOWN COUNCIL – OBJECT, contrary to Policy DBE 9 (i) and DBE 10 (a) due to the side extension being out of proportion to the existing property.



Epping Forest District Council

Area Planning Sub-Committee



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Agenda Item Number:	5
Application Number:	EPF/0511/07
Site Name:	18 Hill Top Close, Loughton
Scale of Plot:	1/1250

Report Item No: 6

APPLICATION No:	EPF/0621/07
SITE ADDRESS:	66 Wellfields Loughton Essex IG10 1NY
PARISH:	Loughton
WARD:	Loughton St Marys
APPLICANT:	Mr K Singh
DESCRIPTION OF PROPOSAL:	Extensions to front, side and rear and loft conversion with front and rear dormer windows. (Revised application)
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 3 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting the Order) no windows other than any shown on the approved plan shall be formed at any time in the flank walls of the building hereby permitted without the prior written approval of the Local Planning Authority.
- 4 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting that Order) no enclosure or balcony shall be formed at any time on the roof of the extension hereby approved without the prior written approval of the Local Planning Authority.

This item was deferred from the previous Area Plans Sub-Committee South meeting on 23rd May 2007 , following a request by the Committee that officers seek an amendment to the scheme to remove the ground floor side extension.

This request has been carefully considered by the applicant, but he declines to alter the plans because it will involve removing this part of his house that currently is in this position and he does not wish this to be disruptive to him or his immediate neighbour.

Accordingly, the application is returned for Member consideration in the same form as previously. The position of the house already on the boundary was not highlighted at the previous meeting, despite reference to it in the report below. Accordingly, the application is returned for Member consideration in the same form as previously.

Description of Proposal:

This application seeks planning permission for a first floor side extension, a two storey rear extension and a loft conversion including the insertion of three dormer windows in the rear roof slope, one in the front roof slope and a number of roof lights. The proposed side extension would be approximately 3.4 metres in width and would be set off the side boundary of the site by one metre. The rear extension would be approximately 5.3 metres deep across the full width of the ground floor of the dwelling and would be set off the sides of the dwelling at first floor. Adjacent to the adjoining dwelling, the first floor rear extension would have a depth of approximately 1.75 metres.

Planning permission was granted for a similar development in February this year. Following an amendment to that scheme, the existing ground floor projection at the side of the dwelling was pulled off the side boundary of the site by 1 metre. This application seeks permission for the ground floor element of the extension to remain in its existing position, i.e. abutting the side boundary of the site. There is also a small additional dormer on the rear roof elevation.

Description of Site:

The application property is a semi detached dwelling located in Wellfields, Loughton. The locality is characterised by large semi detached houses. The application property has a large garden to the rear and a hard standing to the front that provides off street parking for a number of vehicles.

Relevant History:

EPF/1088/86. Single storey front and side extensions. Approved 12/9/86.

EPF/1020/04. Outline application for the demolition of dwelling at no 66 Wellfields and erection of 8 no new dwellings together with construction of an estate road. Refused.

EPF/2467/06. Extensions to front, side and rear and loft conversion with front and rear dormer windows. Approved 07/02/07.

Policies Applied:

Adopted Local Plan

DBE9 – Residential Amenity

DBE10 - Extensions to Dwellings

Issues and Considerations:

The main issues to be considered are the impact of the proposed development on the amenities of the occupiers of neighbouring dwellings and on the character and appearance of the area.

Members will recall that planning permission has been granted for the majority of the development sought here and therefore this report concentrates on the addition to this, namely the appearance

and impact of the rear roof elevation with the proposed additional dormer and the side extension on the ground floor being moved slightly over.

The ground floor side extension will move over towards the side boundary shared with no. 68 Wellfields by 0.25m. A gap to the boundary will be retained and a lean-to pitch roof will ensure a good design finish to the street scene.

The rear dormer is behind this on the rear elevation and part of a proposed first floor that will be set 1m from the same boundary. The dormer will project only 1.4m, well short of the main proposed rear roof addition and proposed ground floor. The dormer is well designed and in keeping with the rest of the proposed additions. There will be no undue harm caused to the amenities of the residents living adjacent at no. 68.

The comments made by the Town Council were as per the last planning application and officers do not consider this small change to the planning proposal amounts to the overall extensions to this property being tantamount to overdevelopment. In respect of comments from no.57, the additional change to the ground floor side extension is so small as to not affect the street scene and this is a reasonably wide road where the free flow of traffic and vehicle movements to and from neighbouring property will not be unduly affected.

Conclusion

In light of the above appraisal, it is considered that the revision to the scheme following the previous permission would not result in any material loss of amenity to the occupiers of neighbouring dwellings or to the character and appearance of the area. It is, therefore, recommended that planning permission be granted.

SUMMARY OF REPRESENTATIONS:

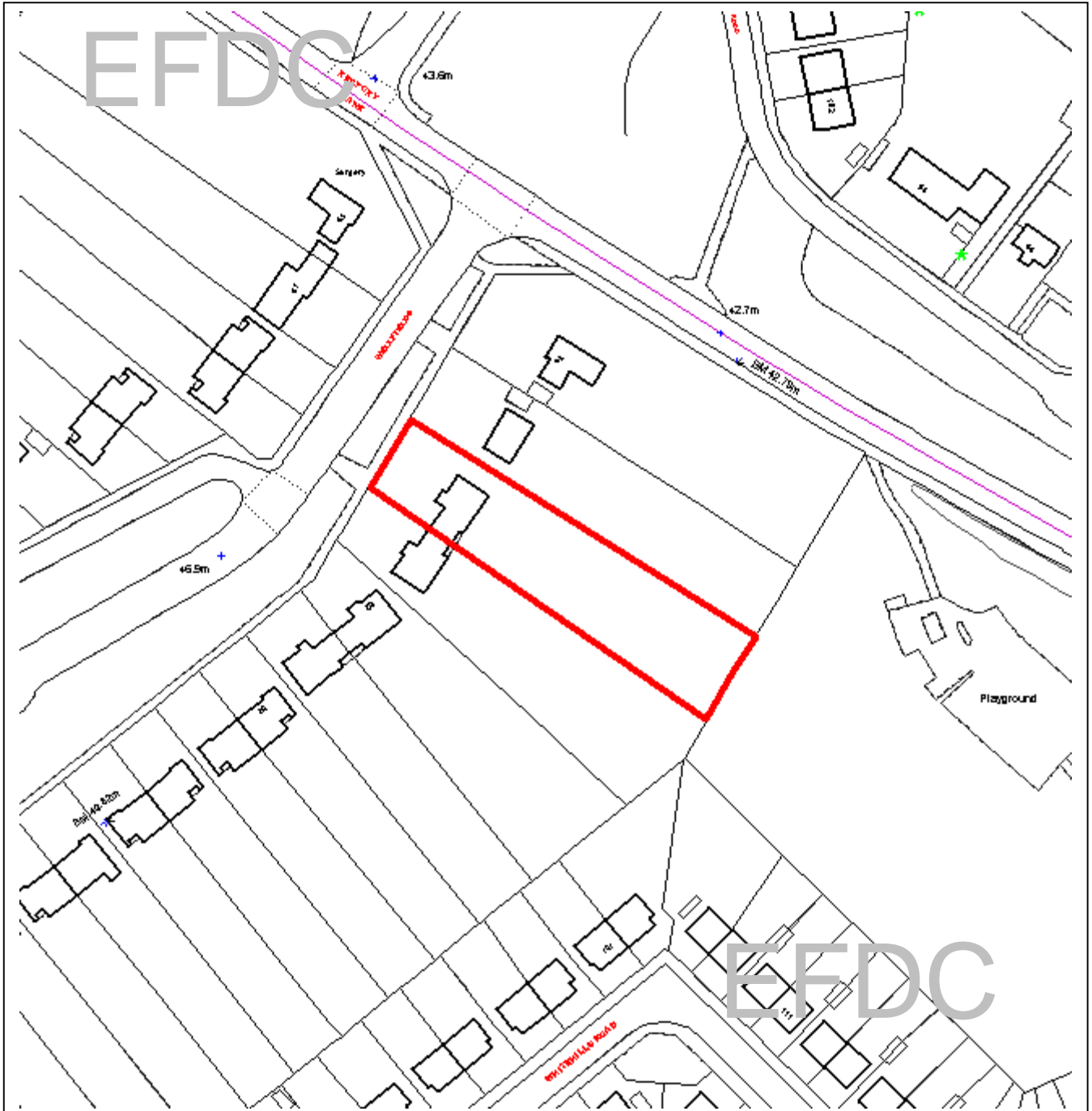
TOWN COUNCIL - Objection. The proposal would be an overdevelopment of the site contrary to Policy DBE10(a) of the Local Plan.

57 WELLFIELDS - Objection. The extension will not fit in with the appearance of other houses in the street, the house will appear bulky and out of scale. The dust and noise from the development will adversely affect our quality of life. The presence of builders and their vehicles and skips will impede access to and from our property and will lead to congestion of the road and public footpath, raising road safety concerns.



Epping Forest District Council

Area Planning Sub-Committee



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Agenda Item Number:	6
Application Number:	EPF/0621/07
Site Name:	66 Wellfields, Loughton
Scale of Plot:	1/1250

Report Item No: 7

APPLICATION No:	EPF/0669/07
SITE ADDRESS:	38 & 40 Station Road Loughton Essex IG10 4NX
PARISH:	Loughton
WARD:	Loughton St Marys
APPLICANT:	Mr Vinod Patel
DESCRIPTION OF PROPOSAL:	Extension to approved first floor plans and addition of a conservatory to the rear of the ground floor extension.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Prior to the commencement of development details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected before the occupation of any of the dwellings hereby approved and maintained in the agreed positions.
- 3 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.
- 4 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting the Order) no windows other than any shown on the approved plan shall be formed at any time in the flank walls of the building hereby permitted without the prior written approval of the Local Planning Authority.
- 5 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority and these facilities installed prior to the commencement of any building works on site, and shall be used to clean vehicles leaving the site.
- 6 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting that Order) no enclosure or balcony shall be formed at any time on the roof of the extension hereby approved without the prior written approval of the Local Planning Authority.
- 7 Before the commencement of the development or any works on site, details of the landscaping of the site, including retention of trees and other natural features, shall

be submitted in writing for the approval of the Local Planning Authority, and shall be carried out as approved.

- 8 Prior to the commencement of the development details of the proposed surface materials for the driveway shall be submitted to and approved in writing by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.
- 9 The parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents (staff) and visitors vehicles.
- 10 A flood risk assessment 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 programme. The approved measures shall be undertaken prior to the first occupation of the building hereby approved and shall be adequately maintained in accordance with a management plan to be submitted concurrently with the assessment.
- 11 All construction/demolition works and ancillary operations (which includes deliveries and other commercial vehicles to and from the site) which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 12 The existing unused accesses to the site shall be closed, and the footway restored to the standards required by the Local Planning Authority.
- 13 Measures shall be taken to ensure that no surface water drains onto the highway.
- 14 The new vehicle access shall be 5.0 metres wide and shall be formed by way of a dropped kerb vehicle crossing.
- 15 No gates shall be erected unless they are positioned 4.8 metres from the edge of the carriageway.
- 16 Prior to the commencement of the development, details of a secure covered bicycle and motorbike parking area shall be submitted to and approved in writing by the Local Planning Authority (LPA) . The parking area shall be provided in accordance with these details prior to the first use of the development hereby permitted and shall remain on site thereafter, unless the LPA gives its written consent to any variation.

Description of Proposal:

Extension to first floor approved plans, measuring 3m x 6.2m by 3.4m, with a hipped roof on the rear/south flank, and a conservatory measuring 8m x 6.8m by 3.6m high with a pitched roof on the rear elevation.

Description of Site:

An existing residential care home on the eastern side of Station Road, consisting of two residential properties linked together. The eastern boundary with Roding Valley School has a mature tree line. The rest of the street consists of residential dwelling of various types and styles and shops at the northern end of the road where it joins the High Road. The premises either side are single dwellings.

Relevant History:

EPF/01977/06 Demolition of No 40 and erection of replacement care home and extensions – Granted.

Policies Applied:

DBE 9 Amenity
DBE 10 Street Scene

Issues and Considerations:

The main issues in this application are the effect on:

1. The Street Scene and Context
2. Design
3. The Amenities of the neighbouring properties

Street scene and context

- The new first floor rear extension will be a continuation of that approved on the last planning permission. It will not be visible from the street, and provides 1 more bedroom.
- This extension will not be outside the proposed rear wing building line and is central to the proposed resultant building.
- The proposed conservatory will also not be visible from the street although it is part of the more visual significant part of the scheme.
- Therefore there will be no harm caused to the street scene as a result of this scheme.
- The first floor extension causes no issues regarding the objections of overdevelopment as it is contained within the approved bulk of the structure at the rear of the scheme.
- The conservatory, however, does extend the spread of the building into the rear garden, and it is a substantial structure. However, this is to allow the residents of the home to be able to enjoy the amenities of the garden area in the winter months and to improve the quality of their lives, as well as allowing the less mobile and restricted residents an access to the garden areas in the summer.
- There is a significant area of garden to the rear of the site and a significant gap is left to the rear boundary (9.5m) from the conservatory, which is also positioned some 8m from the northern boundary. A large area of garden is left to the south. However, it is the case that the building will extend further to the rear than a conventional, single-family house.
- This is also a structure largely constructed of glass and is single storey; therefore it would not have an adverse impact on the scale and size of the overall development.

Design

- The first floor extension is well designed and integrates into the rear first floor projection.
- The use of a hipped roof reduces its impact, and will not look out of place.

- Materials will match.
- The conservatory is of a standard commercial design type, but it is appropriate to this type of building and will cause no harm.

Neighbouring Amenity

- There will be no loss of light or sunlight to any neighbour as a result of this scheme.
- The rear extension will not be readily visible to No 42 due to the stepped design of the scheme on this flank, and would have no impact whatsoever on the 45° rule of thumb.
- There would be some minor overlooking of No 42's far rear garden, but this is already overlooked and would not justify a refusal.
- The rear garden at No 36 would not be overlooked from the conservatory due to its height and the existing boundary screening between the properties (a wooden fence and shrubs/trees).
- The scheme would have no further impact on the outlook from No 42, and would not be excessive on that of No 36.

Other Matters

- The house to be replaced, at no.40 has a rear garden that continues around the back of the current care home site at no.38. A lawful development certificate has been issued for an outbuilding to be built at the bottom of the rear garden of no.40 and a new lawful development application has just been submitted for another outbuilding in that part of the rear garden behind the care-home and proposed position of the conservatory. These will need to be built before the demolition of the house in order to comply with the certificate. Should this planning application be taken up, there is little doubt that these outbuildings will form more buildings on the site and are therefore brought to this Committee's attention.

Conclusion

These changes to the original scheme are not excessive and relate well to the function of the building. They cause no harm to the street scene, or the neighbours and are appropriately designed. The site is sufficiently large enough to accommodate these works without an adverse impact being created. Members may wish to consider the addition of the conservatory to an already large extension coupled with the likely outbuildings approved (and likely to be approved in the other case) in respect of the overall built development on this site.

The recommendation is for approval.

SUMMARY OF REPRESENTATIONS

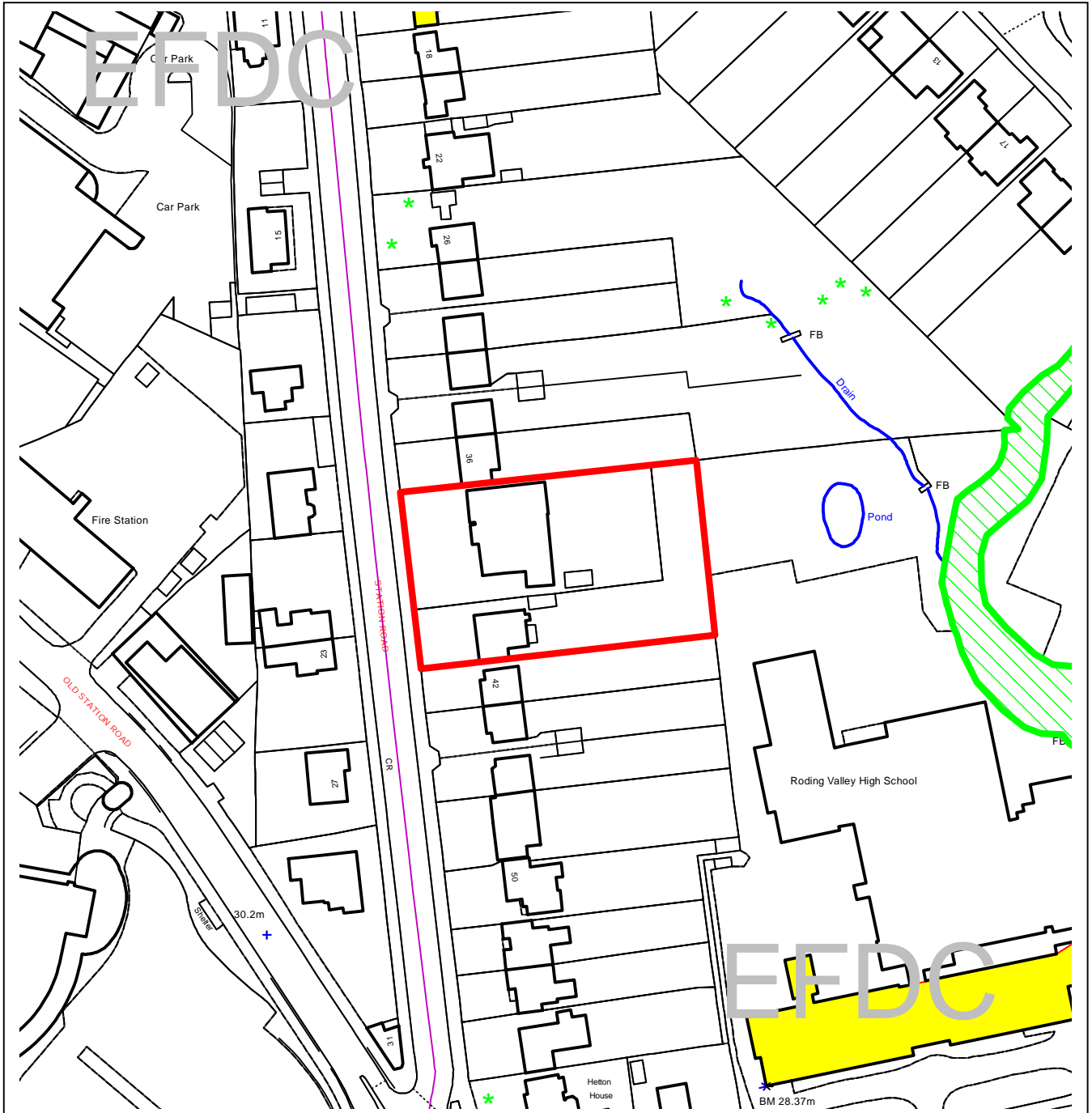
TOWN COUNCIL – OBJECT as it is contrary to Policies DBE 9(i), DBE 10 (ii) and (a) of the local plan as it is an overdevelopment of the site.

42 STATION ROAD – OBJECT, original plans were an overdevelopment of the site, and this bedroom may contravene the 45° rule and will certainly overlook our property to some degree. The works will be seen by and overlook the neighbouring properties.



Epping Forest District Council

Area Planning Sub-Committee



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Agenda Item Number:	7
Application Number:	EPF/0621/07
Site Name:	38 & 40 Station Road, Loughton
Scale of Plot:	1/1250

Report Item No: 8

APPLICATION No:	EPF/0765/07
SITE ADDRESS:	12A Alderton Close Loughton Essex IG10 3HQ
PARISH:	Loughton
WARD:	Loughton Alderton Loughton St Marys
APPLICANT:	Mr A Hare
DESCRIPTION OF PROPOSAL:	Part single storey, part two storey extensions on three sides including conservatory.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Prior to the commencement of development details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected before the occupation of any of the dwellings hereby approved and maintained in the agreed positions.
- 3 Prior to first occupation of the building hereby approved the proposed window openings in flank walls shall be fitted with obscured glass and have fixed frames, and shall be permanently retained in that condition.
- 4 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.
- 5 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting the Order) no windows other than any shown on the approved plan shall be formed at any time in the flank walls of the building hereby permitted without the prior written approval of the Local Planning Authority.
- 6 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority and these facilities installed prior to the commencement of any building works on site, and shall be used to clean vehicles leaving the site.
- 7 The development, including site clearance, must not commence until a tree protection plan, to include all the relevant details of tree protection has been

submitted to the Local Planning Authority and approved in writing.

The statement must include a plan showing the area to be protected and fencing in accordance with the relevant British Standard (Trees in Relation to Construction-Recommendations; BS.5837:2005). It must also specify any other means needed to ensure that all of the trees to be retained will not be harmed during the development, including by damage to their root system, directly or indirectly.

The statement must explain how the protection will be implemented, including responsibility for site supervision, control and liaison with the LPA.

The trees must be protected in accordance with the agreed statement throughout the period of development, unless the Local Planning Authority has given its prior written consent to any variation.

- 8 Prior to the commencement of the development details of the proposed surface materials for the driveway. shall be submitted to and approved in writing by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.

Description of Proposal:

- Single storey extension on the south elevation, measuring 4.98m x 1.03m by 3.4m high with a hipped roof,
- a two storey rear extension on the south elevation, measuring 5.26m x 3.08m by 7.3m with a hipped roof,
- a two storey side extension on the west elevation measuring 15m x 5.8m by 7.5m high with a hipped roof,
- a conservatory on the west flank of the previous extension measuring 6.5m x 4.3m by 4.6m with a hipped roof,
- a first floor extension on the north elevation measuring 2.3m x 5.8m by 3m high.

Description of Site:

A two-storey detached house on a square plot, which was formerly the rear garden of 59 Alderton Hill, which is a large detached property, north of the site. The ground slopes down slightly to the west and south towards The Lindens. Access to the site is via Alderton Close to the east. There are a number of mature trees in the main garden area.

Relevant History:

EPF/1914/88	Detached house with access to Alderton Close	approved
EPF/1700/04	Outline application for detached house	refused
EPF/0421/05	Detached two storey house	refused
Appeal re above		dismissed

Policies Applied:

DBE 9 Excessive Loss of amenities for neighbours
DBE 10 Design of residential extensions
STC 4 and 6 Highway Safety
LL10 Preserved Trees

Issues and Considerations:

The main issues in this application:

1. Street scene and context
2. Design
3. Impact on Neighbours
4. Highways
5. Trees

It should be noted that the 2005 scheme to erect a further detached house to the side of this property was refused and the subsequent appeal dismissed. Much of the Inspector's conclusions are relevant in this case and will be referred to below.

Impact on Street Scene & Context

- The plot measures 33m x 47m.
- This scheme will see a significant increase in the size and bulk of the building on the site and will incorporate land (in the ownership of the applicant) to the west of the property into the site. This land has had applications for a further detached building refused in the last few years, due to this portion of the plot not being sufficient to accommodate a further detached dwelling and being out of character with the area.
- There is no increase in the ridge height of the building, and the main increase in the spread of the building is to the west.
- Gaps to the boundaries will remain, with the minimum gap (on the eastern boundary) being some 3.5m.
- A major issue in this case is whether the plot forms part of the Alderton Hill pattern of development or the Alderton Close pattern. The Inspector was firmly of the opinion that "the appeal site and 12A form part of the wider area of detached dwellings set in the large gardens of Alderton Hill. The appeal proposal should thus respect and reflect the spacious layout that these properties enjoy". He then concluded that another detached house on a separate plot would not respect the character of the area.
- In this application the existing property is being extended and will result in a larger building more akin to those found in Alderton Hill, than those in Alderton Close.
- Due to the size of the plot, and its location as part of the Alderton Hill pattern of development, it is clear that the extensions do not result in either overdevelopment of the plot or a cramped appearance of the dwelling.
- On the contrary, this scheme results in a property more in keeping with the character and appearance of the large detached houses in Alderton Hill.
- Therefore the scheme is acceptable and causes no harm to the character and appearance of the area.

Design

- Whilst it is accepted that the scheme is a significant increase on to the existing building the works integrate well into the building and are acceptable.
- Materials will match.

Impact on Neighbours

- The resultant house will be no closer to the neighbour to the east in smaller, end-of-terrace house at 12 Alderton Close. The main change towards this boundary will be the addition of a 3m deep two storey extension, but it will be far enough away to not cause serious loss of amenity or overshadowing.
- The houses to the rear in The Lindens are further away but face towards the back elevation. The Planning Inspector concluded that the previous proposal for a house in terms of distance to the boundary and the existing boundary treatments would not result in any adverse overlooking. The proposed additions on the rear would bring the house closer, but the separation distance will still be 30m+ and includes vegetation screening.
- There will be negligible overlooking of the rear garden of 57 Alderton Hill, and the boundary treatment and existing screening are suitable on this boundary.
- There will be no significant loss of light or sunlight to the rear gardens of Alderton Close from the two storey rear extension.
- Whilst the building is increased in bulk, the outlook from Alderton Close will not be significantly affected, and the distance and screening from The Lindens will reduce any impact to any acceptable level.

Highways

- The appeal was also refused due to the sub standard access into Alderton Close, which would be intensified by the erection of another dwelling unit and possible doubling of traffic movement, causing a highway hazard. Paragraphs 10 & 11 of the Inspectors letter relate specifically to this. Whilst the access is sub-standard, with no increased dwellings on the site, the extensions of an existing house are unlikely to generate the same traffic movement. This will still remain as 1 single family home and an objection on this ground would not be sustained as there is no evidence that the proposal will intensify the use of the access to the site. It is therefore not contrary to policy ST4.

Trees

- The Tree Section have raised no objection to this scheme subject to the imposition of the relevant conditions. The oak tree referred to by one of the objectors is on the north-western side of the site, away from the house, extensions and access. A tree protection condition will ensure its safety during construction.

Other Matters

- The issue of construction vehicles and material deliveries has been raised by objectors and given access to the site is from a cul-de-sac, it is reasonable in this case to impose control on hours of construction limited to the British Standard.

Conclusion

This is a significant scheme of extensions. However, it is not out of character with the area or out of scale on the plot, and causes no adverse harm to the amenity of the neighbours. The trees on the site can be safeguarded, and the highway issue would not justify a refusal. Therefore, this application is recommended for approval.

SUMMARY OF REPRESENTATIONS RECEIVED

TOWN COUNCIL – No objection

12 ALDERTON CLOSE – OBJECT, size of extensions are enormous, extensions will bring it closer to boundaries of the site, overshadowing us and having excessive visual impact, inadequate vehicle access with a detrimental impact on our property, plans are inaccurate and could damage the Oak tree

14 ALDERTON CLOSE – OBJECT, construction traffic will be disruptive and dangerous, will alter the spacious character of the area and cramp the site, will generate multiple rental incomes leading to excessive traffic, Planning Inspectorate already found the access was sub standard and increased danger to pedestrians.

8 THE LINDENS – OBJECT, will be an invasion of our privacy, as we will be overlooked.

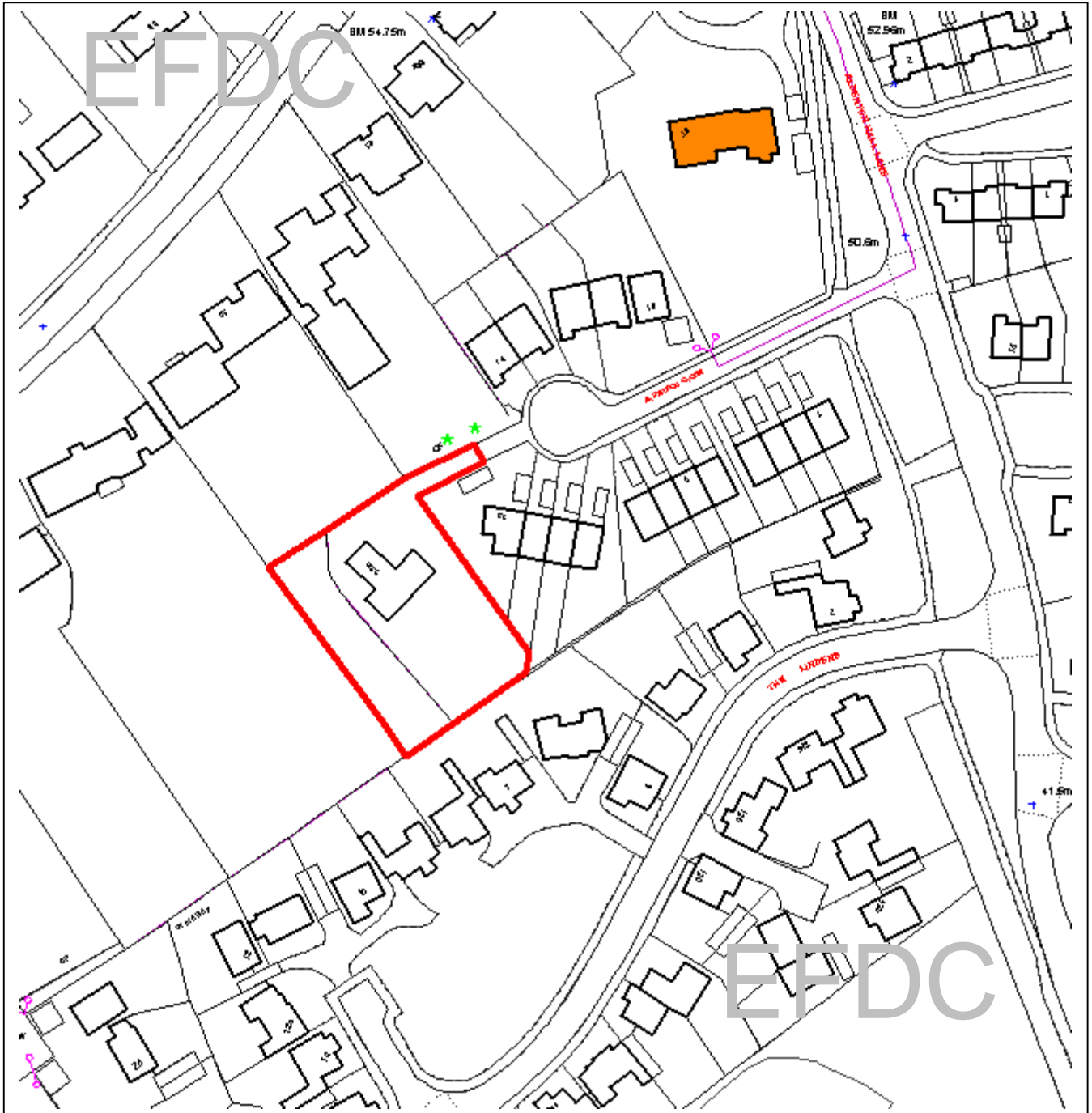
7 THE LINDENS – OBJECT, house far too big to be in keeping with the surrounding area, machinery and access will be difficult, noise and upheaval, point 10 & 11 of the appeal decision still apply.

57 ALDERTON HILL – OBJECT, will double the size of the property in 59 Alderton Hill rear garden, will overlook my property, latest in an attempt to erect properties over the rear half of their back garden, huge extension to the existing property little different to the erection of a separate property? Para 11 of the Inspectors decision still applies.



Epping Forest District Council

Area Planning Sub-Committee



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Agenda Item Number:	8
Application Number:	EPF/0765/07
Site Name:	12A, Alderton Close, Loughton
Scale of Plot:	1/1250

Report Item No: 9

APPLICATION No:	EPF/0839/07
SITE ADDRESS:	34 Lushes Road Loughton Essex IG10 3QB
PARISH:	Loughton
WARD:	Loughton Alderton
APPLICANT:	Mr John Carlin & Mrs S Carlin
DESCRIPTION OF PROPOSAL:	Two storey side extension.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.
- 3 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting the Order) no windows other than any shown on the approved plan shall be formed at any time in the flank walls of the building hereby permitted without the prior written approval of the Local Planning Authority.

Description of Proposal:

Two- storey side extension, on the east flank, measuring a maximum of 3.1m x 8.5m, by 7.5m high, with a hip end roof.

Description of Site:

A two-storey semi detached house on a rectangular plot, but the area largely consists of terraced two storey houses of similar appearance, with the occasional semi detached pair.

Relevant History:

Nil

Policies Applied:

DBE 9 Excessive Loss of amenities for neighbours
DBE 10 Design of residential extensions

Issues and Considerations:

The main issues in this application are the effects of this development on the:

1. Street Scene
2. Design
3. Amenities of neighbouring properties

Impact on Street Scene

- The scheme will see a 0.6m setback of the first floor front elevation, with the hipped roof being lower than the existing ridgeline.
- The flank wall will come to within 0.4m of the site boundary at the front of the property, a distance that increases to the rear of the site due to the topography of the plot.
- The new extension is a logical continuation of the existing property and the set back of the first floor and the lower ridge height reduces the impact of this scheme and ensures it is subordinate to the main house.
- The Town Council have expressed particular concern over the siting of the side extension on the shared plot boundary with 32 Lushes Road.
- However, in a road of predominantly long terraced houses, the visual separation between houses is obviously less evident and the visual impact on the character of the street scene will not be unduly harmed.
- It is also the case that similar extensions have been granted in this part of the estate area recently.
- The specifics of the site mean that it does not cause harm to the street scene or the existing visual gaps.

Design

- The extension integrates well into the existing property.
- Design is acceptable.
- Materials will match.

Residential Amenity

- The works would not have any further adverse impact on overlooking to any neighbouring properties than already exists.
- There will be no appreciable loss of sun or daylight to any neighbour.
- Due to its orientation it would not be overbearing to No 32 Lushes Road.
- A large elderflower shrub will be removed, which currently dominates this side area to roof level, but it is too large in this location and the council's Tree and Landscaping Officer raises no objection on this point.

Conclusions

The Town Council objections have been noted, but building to the boundary will not harm street scene of predominantly terraced houses. This application is an acceptable scheme and is therefore recommended for approval.

SUMMARY OF REPRESENTATIONS

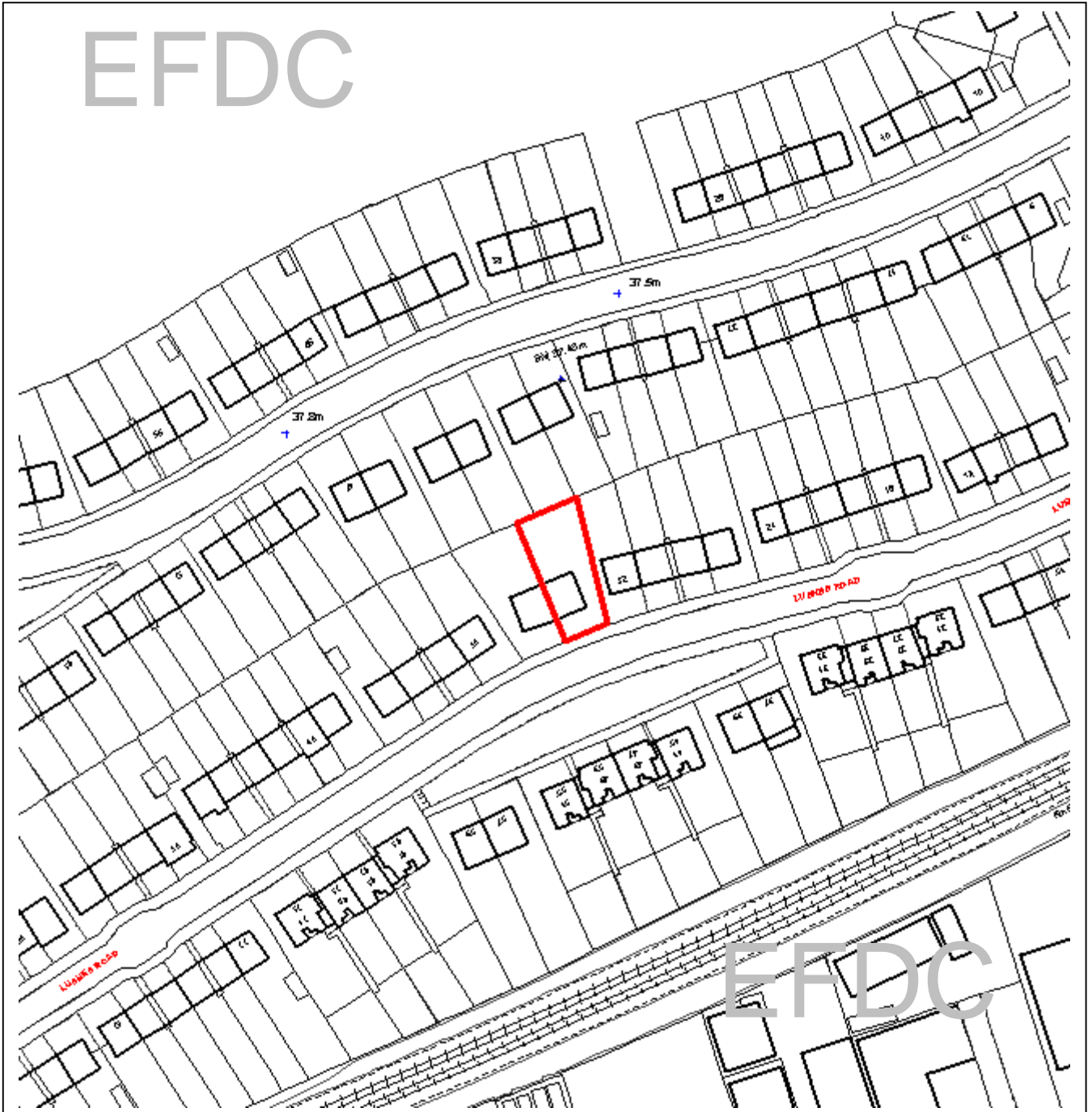
TOWN COUNCIL – OBJECT, contrary to Policy DBE 10 (i) due to the second floor being built to the boundary with a potential of a terracing effect.



Epping Forest District Council

Area Planning Sub-Committee

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Agenda Item Number:	9
Application Number:	EPF/0839/07
Site Name:	34 Lushes Road, Loughton
Scale of Plot:	1/1250

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Report to Area plans Sub-Committee South

Date of meeting: South – 20 June 2007

Subject: Coriander Restaurant, 40 Victoria Road, Buckhurst Hill,

**Officer contact for further information: Don Andrew (case officer, 01992 – 564530) and
Stephan Solon (01992 – 564103)**

Democratic Services Officer: Zoe Folley 01992 564532

Recommendation:

- (1) That, having regard to the provisions of the Development Plan and to all other material considerations, the Head of Legal Administration and Estates be authorised to issue a discontinuance notice under Regulation 8 of the Town and Country (Control of Advertisements) Regulations 2007 in relation to Coriander Restaurant, 40 Victoria Road, Buckhurst Hill,
- (2) That the notice require the following steps to be taken within three of the date of the notice taking effect:
 - (a) the discontinuance of the display of the advertisement comprising the illuminated box sign fixed to the north flank wall of the premises together with the removal of any fixtures, fittings used in conjunction with the advertisement.
- (3) the Head of Legal Administration and Estates be authorised to vary or withdraw the notice and to issue further notices if it becomes necessary to do this in order to remedy the breach of planning control.
- (4) That, in the event that the discontinuance notice not being complied with, the Head of Legal, Administration and Estates, subject to being satisfied as to the evidence, and the expediency of such action, commence criminal and/or civil proceedings to secure compliance with the requirements of the notice.

Background Information

Notification of Members

1. Members were notified of the intended action in the Weekly List dated 4 May 2007 and no comments have been received.

Description of Property to which the Discontinuance Notice Will Apply

2. The property is in an urban area, is not in a conservation area and is not listed. There are no preserved trees on the property. It comprises of a detached single storey premises located on the eastern side of Victoria Road, Buckhurst Hill. It is located at the front of Buckhurst Hill underground Station, within a square enclave affording vehicle access and exit to the station car park on either side. Council records indicate that the lawful use of the premises is as a restaurant. The illuminated box sign is located on the northern flank wall of the restaurant.

Description of Advertisement

3. An illuminated box sign 750mm x 4215mm has been erected on north flank wall of the premises . It has a depth of approximately 200mm and comprises a metal box containing lighting that illuminates a display of black and white lettering on a purple background. It has deemed consent under class 13 of Part 1 Schedule 3 to the Town and Country Planning (Control of Advertisements) Regulations 2007

Evidence of When the Advertisement was first displayed

4. There is no evidence of when the advertisement was first displayed but It is understood to have been displayed for more than 10 years, having regard to the condition of the sign and council records.

Relevant Planning and Enforcement History

19.07.05 A complaint was received that an illuminated sign was causing a nuisance and investigation revealed that all signs at the premises were unauthorised.

22.07.05. A site inspection was conducted and photographs taken of the unauthorised advertisements.

15.08.05 Letter sent to owner of the land requesting he make an application to continue the display.

Following correspondence regarding the signage, including requests to remove it, throughout 2006, an application for express consent to continue the display was received on 7.02.07.

07.02.07 Application for express consent received, Ref EPF/0271/07 A

03.04.07 The Council refused advertisement consent for the following reason:

“The proposed advertisement, because of its position, size, design, and appearance on the flank wall of a prominent location on Victoria Road, represents an intrusive display, out of scale and character with this and surrounding properties, detrimental to the visual amenity of the locality, and would also be contrary to Policy DBE13 of this Councils Local plan and Alterations.”

10.04.07 Owner requested to remove the advertisement within two months and give written confirmation the request will be complied with within 28 days. No reply received.

16.05.07 Site inspection revealed that the advertisement is still being displayed.

Reasons For Issuing The Discontinuance Notice

Relevant Planning Policy

Local Plan

DBE13 Advertisements

Assessment of the Display

5. The main issue raised by the display is its impact on amenity.

The sign projects above and beyond the wall it is fixed to. It also projects above part of the roof of the restaurant. Because of its size and poor relationship to the building it is fixed to, the illuminated box sign is considered an intrusive display and out of scale and character with the surrounding properties and detrimental to the visual amenity of the locality. Accordingly it is contrary to policy DBE13 of the Epping Forest District Local Plan, adopted January 1998.

Human Rights Considerations

6. The issue of a discontinuance notice in this case would amount to interference with the rights of the advertiser and the owner/occupier of the land given the First Article of the First Protocol of the European Convention of Human Rights. The First Article of the First Protocol states persons are entitled to the peaceful enjoyment of their possessions. Their right to a qualified right interference with right by a public authority is permitted in accordance with the law as necessary for the protection of the rights and freedoms of others and the general interest. Accordingly, there is a fair balance to be struck between individual's rights, the public interests protected by the planning system and those of other persons.

7. In this case it is considered that since the display of the advertisement causes clear harm to the amenities of the locality the balance falls against the rights of the advertiser and owner/occupier. The Council has attempted on a number of occasions to gain the cooperation of the advertiser and owner/occupier to remedy the harm to the harm caused, as detailed above, but no cooperation was given. It is therefore necessary to issue the enforcement notice. The requirement of the notice to discontinue the display is considered to be the minimum necessary step to remedy the harm caused and to therefore be proportionate.

Conclusions

Having regard to the harm caused by the display and since the owner has not complied with requests to remove it; it is expedient to take enforcement action to secure the discontinuance of the display.

List of Background Papers used to compile this report

1. Photographs obtained from site visit.
2. Letter sent to owner of the land to make a planning application 15.08.05.
3. Letter from owner's agent .20.10.05.
4. Letter to agent and owner 24.10.05
5. Letter from agent 09.05.06
6. Letter sent to agent & owner 24.05.06
7. Letter from agent 26.05.06
8. Letter to agent 08.08.06
9. Letter from agent 06.09.06
10. Letter to agent 13.09.06
11. Letter to owner 15.10. 06
12. Fax from agent 21.01.07
13. Councils decision letter refusing express consent dated 03.04.07, Ref EPF/0271/07 A

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