

committee agenda



District Development Control Committee Tuesday, 3rd June, 2008

Place: Council Chamber, Civic Offices, High Street, Epping

Time: 7.30 pm

Democratic Services Officer: Simon Hill, The Office of the Chief Executive
Tel: 01992 564249 Email: shill@eppingforestdc.gov.uk

Members:

Councillors B Sandler (Chairman), M Colling (Vice-Chairman), K Chana, Mrs A Cooper, R Frankel, Mrs R Gadsby, A Green, Mrs A Haigh, J Hart, J Markham, R Morgan, P Turpin, H Ulkun, J Wyatt and Mrs L Wagland

A BRIEFING WILL BE HELD FOR THE CHAIRMAN, VICE-CHAIRMAN AND GROUP SPOKESPERSONS OF THE-COMMITTEE, AT 6.30 P.M. IN COMMITTEE ROOM 1 PRIOR TO THE MEETING

1. WEBCASTING INTRODUCTION

1. This meeting is to be webcast. Members are reminded of the need to activate their microphones before speaking.

2. The Chairman will read the following announcement:

“I would like to remind everyone present that this meeting will be broadcast live to the Internet and will be capable of repeated viewing and copies of the recording could be made available for those that request it.

If you are seated in the lower public seating area it is likely that the recording cameras will capture your image and this will result in the possibility that your image will become part of the broadcast.

This may infringe your human and data protection rights and if you wish to avoid this you should move to the upper public gallery”

2. ADVICE TO PUBLIC AND SPEAKERS AT COUNCIL PLANNING SUBCOMMITTEES (Pages 5 - 6)

General advice to people attending the meeting is attached.

3. MINUTES (Pages 7 - 10)

To confirm the minutes of the last meeting of the Committee held on 5 February 2008 (attached).

4. APOLOGIES FOR ABSENCE

5. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

(Assistant to the Chief Executive) To report the appointment of any substitute members for the meeting.

6. DECLARATIONS OF INTEREST

(Assistant to the Chief Executive) To declare interests in any item on this agenda.

7. THE THATCHED HOUSE HOTEL, HIGH STREET, EPPING – EPF/0451/08 (Pages 11 - 16)

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

8. PLANNING APPLICATION EPF/2358/07 – 92 CROOKED MILE, WALTHAM ABBEY (Pages 17 - 24)

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

9. CONFIRMATION OF TREE PRESERVATION ORDER TPO/EPF/02/08 – CENTRIC PARADE, LOUGHTON (Pages 25 - 28)

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

10. 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.

11. EXCLUSION OF PUBLIC AND PRESS

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

Agenda Item No	Subject	Exempt Information Paragraph Number
12	Compensation claim - Tree Preservation Order 30/90 at Bracken Drive, Chigwell	3 and 5

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.

12. COMPENSATION CLAIM - TREE PRESERVATION ORDER 30/90 AT BRACKEN DRIVE, CHIGWELL (Pages 29 - 34)

(Director of Planning and Economic Development) To consider a restricted report.

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.

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.

Sometimes members of the Council who have a prejudicial interest and would normally withdraw from the meeting might opt to exercise their right to address the meeting on an item and then withdraw.

Such members are required to speak from the public seating area and address the Sub-Committee before leaving.

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. At the discretion of the Chairman, speakers may clarify matters relating to their presentation and answer questions from Sub-Committee members.

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'

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: District Development Control Committee **Date:** 5 February 2008

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 8.45 pm

Members Present: B Sandler (Chairman), D Kelly (Vice-Chairman), K Chana, M Colling, R Frankel, Mrs A Haigh, J Knapman, J Markham, P McMillan, B Rolfe, Mrs P Smith, P Turpin and Mrs L Wagland

Other Councillors:

Apologies: J Hart and M Woollard

Officers Present: S G Hill (Senior Democratic Services Officer) and B Land (Assistant Head of Planning and Economic Development)

17. WEBCASTING INTRODUCTION

The Chairman made a short address to remind all present that the meeting would be broadcast on the Internet, and that the Council had adopted a protocol for the webcasting of its meetings. The Sub-Committee noted the Council's Protocol for Webcasting of Council and Other Meetings.

18. MINUTES

Resolved:

That the minutes of the meeting held on 4 December 2007 be taken as read and signed by the Chairman as a correct record.

19. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

It was noted that Councillor Rolfe had been appointed as substitute for Councillor Hart.

20. DECLARATIONS OF INTEREST

(a) Pursuant to the Councils Code of Member Conduct, Councillor R Frankel declared a pecuniary interest in item 7 (19 Heath Drive, Theydon Bois). The Councillor stated that he proposed to speak from the floor regarding the application but would withdraw from the meeting during the debate on that item.

(b) Pursuant to the Councils Code of Member Conduct, All members of the Committee declared a personal interest in agenda item 8 (Thatched House, Epping) by virtue of the applicant being a District Councillor. All members of the Committee

stayed in the meeting save Councillor Rolfe (see (c) below) and took part in the debate on that item.

(c) Pursuant to the Councils Code of Member Conduct, Councillor B Rolfe declared a pecuniary interest in item 8 (Thatched House, Epping) and indicated that he proposed to leave the meeting for that item.

21. PLANNING APPLICATION EPF/2401/07 – 19 HEATH DRIVE, THEYDON BOIS – SECOND FLOOR EXTENSION

The committee considered a planning application for a second floor extension at 19 Heath Drive, Theydon Bois which had been referred to the Committee by Area Planning Subcommittee East. The building was locally listed, because of their “art-deco” design, being of special architectural value in the context of the surrounding residential houses. This had meant that officers had given the application particular attention including the design and its impact upon the building.

The Committee heard representations from an objector, the Local Parish Council, Councillor Frankel and the applicant. Following the representations, Councillor Frankel left the meeting.

The Committee considered on balance that the application was not detrimental to the street scene or to the building itself as the development would be partially hidden from the front. Some members did express a view that the number of such dwellings locally was few and that the granting of permission would set a precedent. This view however did not prevail and the application was granted subject to condition.

Resolved:

That planning application EPF/2401/07 at 19 Heath Drive, Theydon Bois be granted subject to the following conditions:

(1) The development hereby permitted must be begun not later than the expiration of three years beginning with the date of the grant notice; and

(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.

22. PLANNING APPLICATION EPF/2328/07 - THATCHED HOUSE, HIGH STREET, EPPING - ERECTION OF A SIDE EXTENSION

The Committee considered an application submitted on behalf of a Councillor which, pursuant to Section P4, Schedule A (j) of the Council’s Delegated Functions could not be dealt with under delegated action by officer.

The application was a revised scheme for a single storey side extension to an approved reception building at the Thatched House Hotel, Epping together with proposals for two bedrooms with wheelchair access.

The Committee noted that Hotel accommodation was provided at first floor level with limited car parking at the rear of the premises. The proposals, similar to those refused in 2006, would mean the loss of up to three further car parking spaces. The parking would not comply with current policy in that regard and members of the

Committee also considered that the proposals would result in a cramped appearance to the site. The Committee therefore refused the proposal.

Resolved:

That Planning application EPF/2328/07 for the erection of a side extension at the Thatched House Hotel, High Street, Epping be refused for the following reason:

- (1) The proposal would result in a cramped setting and in the loss of off-street parking and would lead to an insufficient number of spaces for the hotel, causing increased congestion. This is contrary to policy ST6A and DBE1 of the adopted Local Plan and Alterations.

23. NORTH WEALD REDOUBT (PART OF FORMER RADIO STATION SITE), NORTH WEALD – USE OF SECTION 106 CONTRIBUTIONS

The Committee considered a report seeking direction on the use of Section 106 contributions made in July 1998 for the North Weald Redoubt following the grant of planning permission at an adjoining development site at the former North Weald Radio Station.

The section 106 agreement required the payment of £30,000 to the District Council, to be used for the management and future maintenance of the North Weald Redoubt in accordance with a management strategy for its protection, landscaping, access and enhancement.

The strategy had been intended to secure the necessary funding for its future management and maintenance. The Management Strategy had never been completed and under the section 106 agreement the developers continued to own the Redoubt, subject to the maintenance and security provisions.

The Committee noted that the Council had been holding the £30,000 contribution for the management and future maintenance of the Redoubt for almost ten years, although none of this sum had been spent to date. The owners had suggested that, rather than seek the return of the money at this stage, the money should be used to appoint consultants to prepare a Conservation Management Plan for the Redoubt. An estimate to carry out this work had been received from a team of specialist consultants in the order of £40,000. The Committee were asked to consider a recommendation for £20,000 of the sum to be spent on the preparation of a detailed Conservation Management Plan, provided that the owners also contributed the necessary matched funding to enable consultants to be appointed to prepare the Plan.

The Committee were of the view that rather than spending the retained sum for the preparation of such a plan, the money would be better spent on enhancements to the site and that officers should be asked to consider further how the Conservation Management Plan might be prepared without recourse to allocating the funding to plan preparation by consultants. It was suggested that there were ways of preparing such a plan 'pro bono' or by way of a student programme or other innovative scheme. Officers were asked to come back to a future meeting with further proposals.

Resolved:

That the Committee receive a further report to a subsequent meeting on alternative proposals for the preparation of a Conservation Management Plan for North Weald Redoubt.

24. ANY OTHER BUSINESS

It was noted that there was no further business to be transacted at the meeting.

CHAIRMAN

Report to District Development Control Committee



**Epping Forest
District Council**

Date of meeting: 3 June 2008

Subject: The Thatched House Hotel, High Street, Epping – EPF/0451/08

Responsible Officer: Lindsay Trevillian

Democratic Services Officer: Simon Hill

Recommendations/Decisions Required:

That planning permission be refused for the following reason:

The proposal would result in a cramped development and the loss of off-street parking that would lead to an insufficient number of spaces for the hotel causing increased congestion. This is contrary to policies DBE1 and ST6A of the adopted Local Plan and Alterations

Report:

This application is before this Committee since it is an application that is submitted on behalf of a Councillor (Pursuant to Section P4, Schedule A (j) of the Council's Delegated Functions).

Description of Proposal:

The application is a revised scheme for a single storey side extension to a reception building for 'The Thatched House Hotel'. It should be noted that planning permission was approved for the reception building (EPF/1892/05) however to date no works have been carried out.

The side extension is to comprise of a one bedroom suite which will incorporate wheelchair access. The extension which is to be located on the south eastern side of the reception building is to have a width of 5 metres by a depth of 6.4 metres.

Room for one vehicle space is to be provided next to the proposed extension and 3 bicycle and 3 motorcycle spaces have been provided to the rear of the site next to the vehicle entrance that leads onto Hemnall Street.

Description of Site:

The subject site is located on the south eastern side of the High Street approximately 50 metres south west of Grove Lane. Although the site fronts onto the High Street, it runs right through to Hemnall Street which is located at the rear of the site.

The Thatched House Hotel is a Grade Two Listed Building and the whole of the site is located within the Epping Town Conservation Area. The hotel itself, which comprises of 12 suites is located on the first floor of the building whilst a separate A3 use (Prezzo) is located on the ground floor. The front elevation of the building is situated within the key frontage area of the Epping town centre. To the rear of the Hotel is a large building known as 'Hemnall Mews'. This is a residential flat development that was approved in 2002 and revised in 2005.

Relevant History:

EPF/1035/02- Partial demolition of hotel and erection of 14 dwelling units- approved.

EPF/1943/04- Creation of loft bedrooms within existing roof space- approved

LB/EPF/1944/04- Grade II Listed Building application for creation of loft bedroom within existing and approved (LB/EPF/1019/04) roof space including new dormer windows- refused.

EPF/478/05- Partial demolition of the rear of Thatched House Hotel and the erection of 14 No. new apartments with basement parking, (revised application).- approved.

EPF/1892/05- Erection of new reception area- approved.

EPF/1213/06- Single storey side extension to approved reception for two proposed bedrooms with wheelchair access. (Revised application)- Refused.

EPF/1307/07- Erection of side extension to reception area for 2 no. bedrooms with wheelchair access. (Revised application)- Withdrawn.

EPF/2328/07 - Erection of side extension to reception area for 2 no. bedrooms with wheelchair access. (Revised application)- Refused

Policies Applied:

CP7A- Urban Form and quality

HC6- Character, appearance and setting of conservation area

HC7- Development within a Conservation Area

HC12- Development affecting the setting of a listed building

TC3- Town centre function

DBE1- Design of new buildings

DBE2- Impact on surrounding properties

DBE9- Impact upon amenity

ST4A- Road Safety

ST6A- Vehicle Parking

Issues and Considerations:

It should be noted that the previous application EPF/2328/07 was refused as Council considered that a single storey side extension that comprised two 1 bedroomed suites would be a cramped overdevelopment of the site that would cause the loss of off street parking which would therefore result in an insufficient number of parking spaces for the existing hotel.

The only difference between the previous scheme that was refused and the proposed scheme is that the applicant has reduced the size of the extension to only incorporate 1 bedroom suite instead of 2.

It was considered that the design of the previous extension that was refused was acceptable in terms of its design and appearance in terms of the setting of the listed building and the Epping Town Conservation Area. Once again it is considered that the proposed development is acceptable in terms of its form, bulk and scale and that it would not cause material detriment or appear as a visually intrusive feature within the surrounding area. The application was also referred to Council heritage officer who advised that he had no objections in relation to the design of the appearance of the proposed development.

Therefore the main issue to be addressed is whether or not the revised scheme has overcome Council's initial concern relating to the lack of off street car parking due to the construction of the development.

As the revised scheme has reduced the size of the extension and subsequently there is only 1 hotel suite instead of 2, there is now room for one off street car parking place to the side of the extension.

However the new extension will still result in a loss of 2 parking spaces, leaving the hotel with approximately 6 spaces close to the rear Hemnall Street site entrance. In light of guidance within the 'Vehicle Parking Standards', (*Essex Planning Officers Association, 2001*), the requirement for parking provision is 1 space per bedroom (guest or staff). The hotel accommodation will be increased to 13 rooms as a result of this extension and on this basis parking is still considered to be inadequate.

Also, like the previous scheme that was refused, it is considered that the proposed bicycle and motorcycle storage will not make up for the loss of off street parking.

In addition to the above, nearby 'Clarks International' objected to the previous application on the grounds of congestion to the rear of the site, in particular with regard to the large vehicles associated with refuse collection and the servicing of the hotel. The proposed extension will exacerbate this situation.

Conclusion:

In conclusion it is considered that the whilst the design of the building is acceptable in itself, the revised scheme is still considered to result in an increase in congestion in the vicinity and would provide inadequate off street parking. It is therefore recommended that the application be refused for the reasons outlined above.

SUMMARY OF REPRESENTATIONS:

Epping Town Council: The committee objects to the application for the following reason:

Committee objects to this application because the extension is overdevelopment of the site. Committee also expresses concern at the loss of parking on the site which is at a premium for this kind of facility.

Neighbours: One objection was received from:

CLARKE INTERNATIONAL - (Responded to all submissions). Overdevelopment of this area resulting in serious access and parking issues.

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Epping Forest District Council

District Development Control Committee



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Report to District Development Control Committee

Date of meeting: 3 June 2008

Subject: Planning Application EPF/2358/07 – 92 Crooked Mile, Waltham Abbey



**Epping Forest
District Council**

**Officer contact for further information: Jill Shingler
Committee Secretary: S Hill Ext 4249**

Recommendation

That Planning Application EPF/2358/07 for the erection of a two storey side extension to create annexe accommodation for two family members, at 92 Crooked Mile, Waltham Abbey, be granted subject to the following conditions:

- 1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.**
- 2. The proposed extension shall only be used as ancillary accommodation for the existing dwellinghouse and shall not be occupied as a unit separately from the dwelling known as 92 Crooked Mile.**
- 3. Materials to be used for the external finishes of the proposed extension shall match those of the existing building.**
- 4. A flood risk assessment shall be submitted to and approved by the LPA 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 extension hereby approved and shall be adequately maintained in accordance with a management plan to be submitted concurrently with the assessment.**

Report Detail

(Director of Planning and Economic development) This application is before the Committee since it is an application that is submitted on behalf of a Councillor (pursuant to Section P4, Schedule A(j) of the Council's Delegated Functions).

Description of Proposal:

This application is for the erection of a two storey side extension to create annexe accommodation for use by two family members. The development essentially creates two self contained flats each with a living room, bedroom, en suite bathroom and kitchen accessed via a separate front door to the main dwelling, .Although an

interlinking internal door is indicated at ground floor between the proposed living room and the lounge of the main house, the layout of the development allows for independent living.

The proposal involves the removal of an existing single storey extension and its replacement with a 7m wide two storey addition and second front porch. The extension is designed to match the existing dwelling.

Description of Site:

Number 92 Crooked Mile is a 4 bed detached two-storey house located at the corner of Crooked Mile and Hereward Close within the residential area of Waltham Abbey. The site has a large side garden and only a small rear yard area. There is a detached garage at the rear with garaging for two cars with access off the turning area within Hereward Close. To the front of the site is a watercourse and there is a large Willow tree within the front garden area.

An electricity sub station abuts the rear garden to the southeast. The adjacent house to the north, 96 Crooked Mile, faces towards the site.

Relevant History:

EPF/740/06 Proposed dwelling house. Refused.
EPF/1225/06 Proposed dwelling house. Refused.
EPF/1621/06 Proposed dwelling house. Refused
EPF/2481/06 Extension and change of use to residential and learning disability home. Withdrawn for additional information.
EPF/448/07 Two storey side extension and change of use from residential to mixed use of residential and learning disability home. Refused.

Policies Applied:

Local Plan and Local Plan Alterations
CP1 – CP7 sustainable development objectives
DBE9 Amenity provision
DBE10 Residential extensions
ST1 Location of development
ST4 Road safety
ST6 vehicle parking
U2A, U2B, U3A, U3B Flooding and sustainable drainage.
NC4 protection of established habitat.

Issues and Considerations:

The site is within the urban area of Waltham Abbey and the main considerations in the determination of this application are the size and design of the development and its impact on the visual amenity of the area, the amenities of neighbours and parking and highway safety.

Concern has been raised that the proposed use is really either a care home, as previously refused or as two flats, rather than an annexe. Whilst it is understood why

there are concerns of this nature, the application is for a residential extension for use as an Annexe for two family members and must be assessed on this basis. Conditions can be attached to prevent the annexe being utilised by non-family members or sold or let separately from the main dwelling if this is considered appropriate. The applicant has stated that the intended occupants are his two daughters with learning disabilities, one of whom is presently living in an elderly care home that is inappropriate for her age. The supporting statement makes it clear that it is not envisaged that permanent outside care staff will be required in the near future.

Design and impact on visual amenity.

The proposed extension has been designed to match the existing dwelling; the eaves, roofline, materials and window style match the existing dwelling. The resulting house is some 20m in width, which is larger than most other dwellings in the vicinity, but it sits within a plot that is about 32 metres wide. The site is not comparable to any of the surrounding dwellings; it has a large side garden and very little rear garden. The proposed addition, because of the inclusion of a second front porch, will give the house the appearance of a pair of semi detached houses; this is considered appropriate to this location. The development will not be overly prominent in the street scene and is considered acceptable in terms of design and visual amenity.

Impact on adjacent residents.

The scheme has been designed to ensure that there is no direct overlooking of the private amenity areas of the surrounding properties and to minimise loss of light and overshadowing. Whilst it is accepted that the surrounding residents may be concerned about the increase in volume it is unlikely that the building itself will result in a significant loss of amenity to neighbours. As has already been stated the proposed use is as a residential annexe and the use will be as a single family home. As such the use should not result in any undue noise or disturbance, or harm to residential amenity. Whilst more people may occupy the dwelling, because of the increase in size, this is no different to any other residential extension, which may allow a larger family to occupy a site.

Parking and Highway safety

The site is within the urban area of Waltham Abbey in a relatively sustainable location with good access to shops and facilities. There is an existing double garage at the site that is to be retained. As the use is as a single family dwelling, there is no requirement for the provision of any additional parking within the site. Whilst the scheme may result in some additional traffic movements, as there may be more visitors to the premises, the level is unlikely to be different to any large family house and it is not considered that the proposal will result in harm to highway safety. The application drawing indicates a parking space within the cul-de-sac turning area in Hereward Close, but this is not within the applicants' ownership or control and has not been included in the officers' assessment of the scheme.

Flooding

The site is within flood risk zone 1, (that is an area identified by the Environment Agency to have a low flood risk and as the development proposed is a household extension there is no requirement to consult with the Environment Agency). The Council is aware however that the site has flooded in the past. Advice from Land

Drainage is that on site surface water storage may be required and a condition can be added requiring details of sustainable drainage to be agreed to prevent increased risk of flooding elsewhere.

Water Voles.

A neighbour has raised concern that there may be water voles at the site as there are burrows within the bank of the adjacent watercourse. Water Voles are a protected species. An Officer from Essex Wildlife has confirmed that the burrows may be those of water voles. Following discussions with Natural England, they confirmed that there is no requirement to formally consult them unless the proposed works would actually affect the burrows. As the actual works are about 6m from the watercourse it is not considered that there will be any significant impact on the burrows and therefore no planning conditions are required. Other legislation exists to protect the voles. The applicant's agent has been made aware of the possible presence of water voles adjacent to the development and the need to be aware of the legal requirements.

Other issues

Neighbours have raised concern over loss of view, damage to electricity cables and harm from tree planting, and ambiguity between the plans and statement.

Loss of view is not a concern that is significant in planning terms and would not amount to a reason for refusal.

There may be cables under the site, this is not a planning issue but would need to be addressed by the developer before starting work.

The supporting statement suggests that additional planting can be provided at the site, this is not however shown on the plans and, as there is no direct overlooking as a result of the development, planting will not need to be required by condition. As mentioned by neighbours there is some ambiguity between the plans and statement, this has been raised with the applicant's agent and is a result of the many amendments that have taken place with this application prior to resubmission, in particular the reference to a turning head was an earlier amendment that was later deleted. There is no intention to provide a new access to the site.

Conclusion.

In conclusion the development now proposed is considered to be in accordance with the adopted policies of the Local Plan which seek to make the best use of urban land, without causing harm to the environment. The use of the annexe can be controlled by condition to prevent use as separate dwellings, which would cause an unacceptable loss of privacy to the existing dwelling and potential highway and parking problems. The design is appropriate to the dwelling and the street scene and the scheme will not cause significant harm to the residential amenity of adjacent residents. The proposals are therefore in accordance with the adopted policies of the Local Plan and Local Plan Alterations and are recommended for approval.

SUMMARY OF REPRESENTATIONS

TOWN COUNCIL – No Observations as all Members have a personal interest.

1 HEReward CLOSE – Strongly object. This is for two self contained annexes which could be used as separate dwellings. Even if conditioned to family members it will lead to all additional activity associated with having three dwellings instead of 1, which will lead to inconvenience to us and other residents. Inadequate parking, loss of space within turning area, inadequate on street parking at present. Condition would be difficult to monitor and enforce, the annexes could be used as separate flats. Why can't existing rooms within house be used for the daughters? Site area appears to include land in ownership of the Council or the Environment Agency.

2 HEReward CLOSE – Object. Appears to be house with two self contained flats at the side with their own front door. The application and the plans suggest a "care unit", both a care unit and additional residential use of the site has been previously refused. The land is designated residential and therefore a care unit would be inappropriate to this area. No allocated parking spaces on the site, at least three are needed. The only space shown is in the turning head that should be kept clear; there is no direct access to the site. There is inadequate on street parking in Hereward Close. Our back gardens constantly get waterlogged. New buildings should be at least 7m from the sub station due to problems of background hum. Statement refers to day room which is not shown on plans. Loss of privacy to 96 Crooked Mile. Tree planting would affect light.

3 HEReward CLOSE – Object. If full care is needed as stated then there will be more vehicles in a small residential area with inadequate parking spaces. Plans state extension reduced and turning area head provided, where is the access to this turning area? Flooding still high risk. The development will cause noise pollution. Lack of privacy. Inadequate parking, unsightly, overbearing, out of character with neighbouring properties. Amazed the Council accepted the very sparse details submitted.

4 HEReward CLOSE – Object too large, overbearing, out of scale and inappropriate for this area. The plans show two self contained flats, but also says they are care units. The large flats are self contained and have no allocated parking. Care unit implies staff are needed again therefore own access and parking are required to prevent problems in the close. There are two large power cables running through the garden which could cause major power problems to the area if damaged.

6 HEReward CLOSE – The building would block our view... the flats require parking spaces; there are no allocated parking spaces for residents. The building is already the size of no's 2/3/4 Hereward Close added together for 3 families. The building has been agreed before as being over extended.

7 HEReward CLOSE – Inadequate parking will cause additional problems in the close. Development will enable property to be sold for profit leaving behind the makings of a Hotel/Hostel type business which would devastate parking around the area.

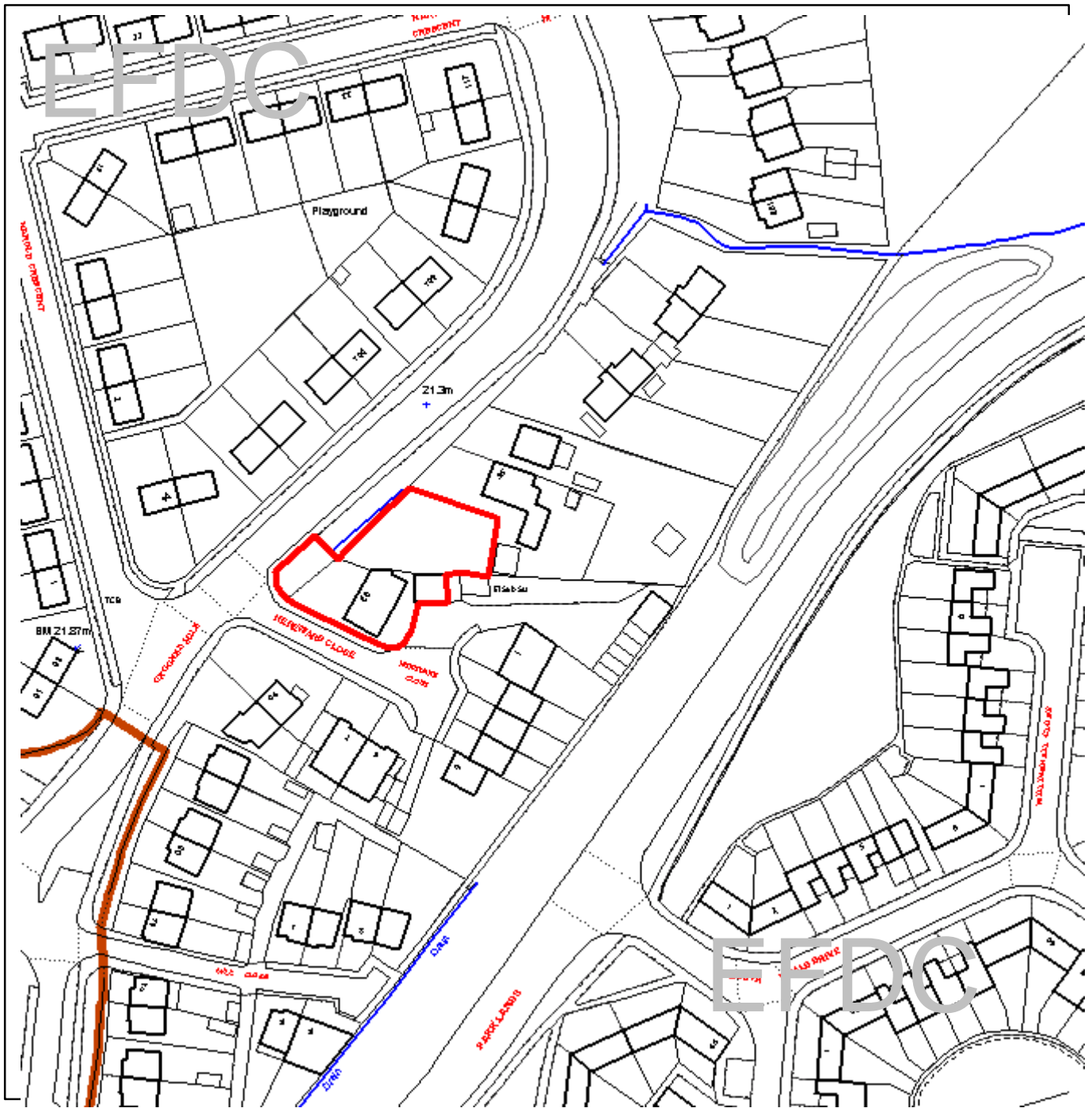
90 CROOKED MILE – House has already been extensively enlarged. The proposed property is too overbearing, creating its own terrace, out of character and scale with the area. Proposal shows 2 self contained flats but plans refer to care home and statement says full time care is needed. There is no provision for carers, are they needed 24/7, there is no parking on site. The scheme will cause parking and access problems in Hereward Close.

96 CROOKED MILE – The application contradicts itself and previous planning application. House is big enough for his daughters as it stands. Do daughters need full time care or not? Plans indicate two self contained flats with separate front door. If no impact on neighbours why is dense tree screening needed? Tree planting proposed would damage our driveway and possibly our foundations and cause further loss of light. There is no designated parking space in Hereward Close. Plan suggests a care home; such a business use would be unsuitable as in last application. If turning point will be added as suggested this will indicate that the brook would have to be breached, as currently no driveway in garden... Proposal will cause disruption in Hereward Close during construction. How will plant access the site without creating temporary bridge over the brook and risk damaging it? There are large power cables in the garden which could cause major power loss to surrounding area if damaged or rerouted. Proposal will house more than 5 people and lead to parking problems in the future. Too large will block light to number 96. Believe existing property is 5 bed not 3 bed. There are two large mains cables running adjacent to the house along the rear patio, which need to be investigated before development. Need to see accurate dimensions on the plans to comment further.



Epping Forest District Council

District Development Control Committee



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Agenda Item Number:	8
Application Number:	EPF/2358/07
Site Name:	92 Crooked Mile, Waltham Abbey
Scale of Plot:	1/1250

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Report to District Development Control Committee

Date of meeting: 3 June 2008

**Subject: Confirmation of Tree Preservation Order
TPO/EPF/02/08 – Centric Parade, Loughton**



**Officer contact for further information: Christopher Neilan
Committee Secretary: S Hill Ext 4249**

Recommendations

That Tree Preservation Order TPO/EPF/0208 be confirmed without modification.

Report Detail

Background

1. Tree Preservation Order EPF/02/08 became effective on 24 January 2008 (Plan attached). It was made to protect 3 Robinia trees standing at Centric Parade, Loughton. The reason for the order was to prevent further loss of trees as a result of the highway improvements to the High Street and Centric Parade and to ensure long-term retention of the three remaining trees.

Objection

2. An objection was received on 18 February 2008 on behalf of the owners of premises at 188-192 High Road. In response to a query regarding the grounds of the appeal a letter of clarification was received 10 April, but the grounds of the objection were not changed. The objection requests that the order as a whole is not confirmed and that it is thereby allowed to lapse.
3. The basis of the objection is as follows, falling into two categories:
 1. Physical nuisance: the tenants of the retail units fronting the High Road object to the leaves and seeds from the trees, which enter the shop and cause a nuisance, particularly in the autumn; and
 2. Commercial losses, the retail unit tenants reporting that the branches and leaves of the trees, being very dense in the summer, obscure their shop signage. They feel that this affects the commercial visibility of their premises.

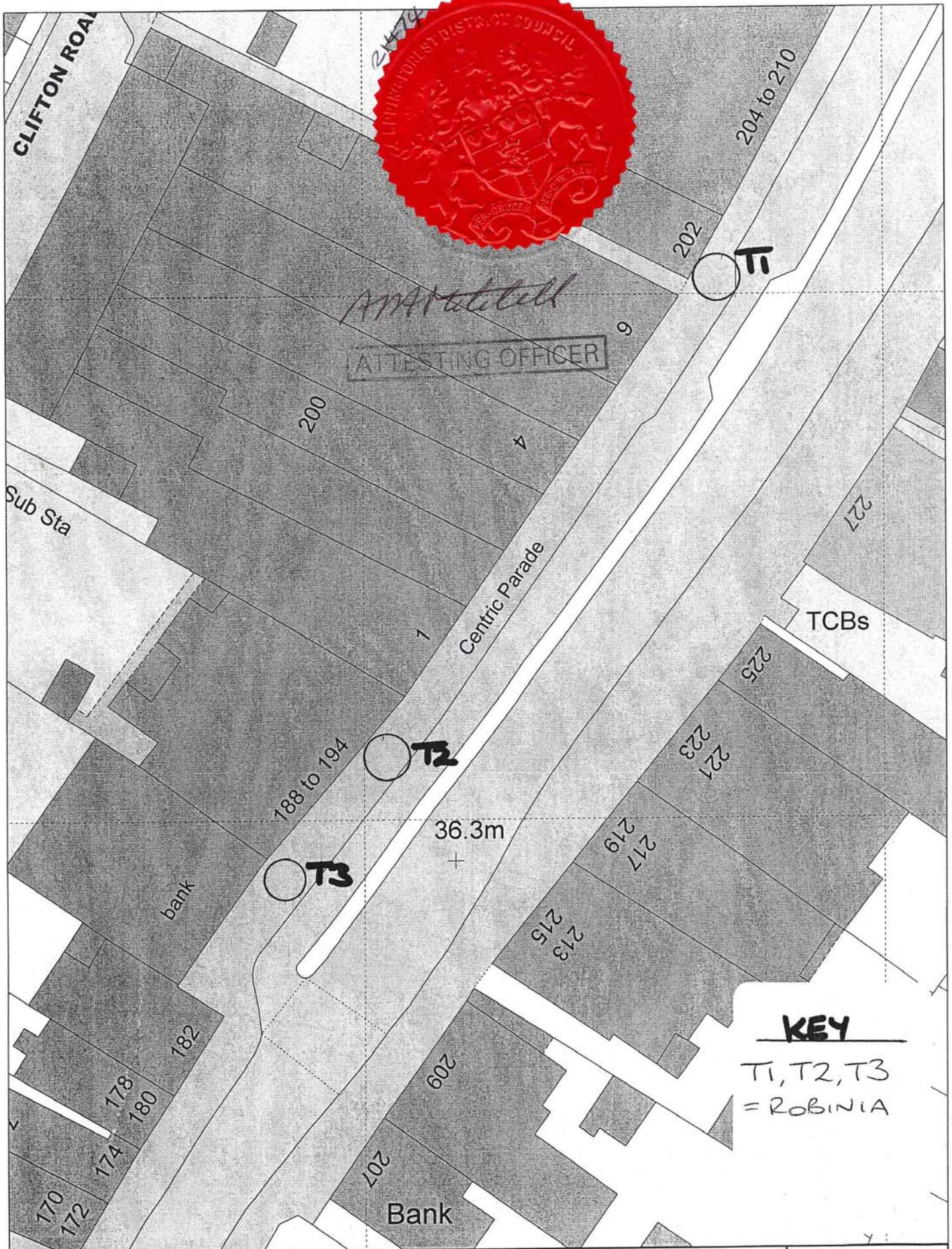
In the original letter of the 18th it is also pointed out that the trees are of poor quality. As a result the objector feels that the Local Planning Authority is unable to demonstrate that a reasonable degree of public benefit would accrue from the retention of the trees and accordingly the confirmation of the order would be contrary to Section 198(6) of The Town and Country Planning Act of 1990.

Issues and Considerations

- 4.** In respect of commercial losses the losses are un-quantified and in fact liable to be small. They also need to be set against the general benefit to the public, and indeed to the commercial viability of the centre of Loughton that accrues from an attractive and well-treed environment. There is good evidence to show that town centres that are well treed and attractive are more likely to be well used and therefore the shops are likely to be more viable. Permission could, in any event, be given for minor pruning of the trees, such that any harm could be mitigated.
- 5.** In relation to the condition of the trees if it were accepted that S 198(6) (a) applies (i.e. that removal of one or more trees were required as being dead, dying or dangerous) then if the order were to be confirmed it would be possible for the Planning Authority to insist on a replacement under S 206 (1) (b). It is recognised that not all are in first class condition. However, it is an acceptable objective for a Tree Preservation Order to be made to secure replacement planting. In other words the Tree Preservation Order is still valid if its main intention is to ensure that even if the current trees were removed that they would be replaced. It is considered that the importance of these trees is such that should the owners choose to remove them then it would be essential for the Planning Authority to be able to insist on a replacement, which would continue to give the same benefits to the public in general.

Conclusion

- 6.** That because of the importance of there being a well treed environment in the High Street and the general benefits of trees in public locations, priority should be given to tree retention in this instance. Tree Preservation Order TPO/EPF/02/08 should therefore be confirmed without modification.



Epping Forest District Council
 Planning Services
 Civic Offices
 High Street
 Epping CM16 4BZ

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 HIGH ROAD,
 LOUGHTON,
 TPOLEP/1.

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