

Committee Agenda



**Webcast
Meeting**



**Epping Forest
District Council**

AREA PLANNING SUBCOMMITTEE SOUTH **Wednesday, 23rd July, 2008**

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

Room: Dining Hall

Time: 7.30 pm

Democratic Services Officer: Gary Woodhall - Office of the Chief Executive
Email: gwoodhall@eppingforestdc.gov.uk Tel: 01992 564470

Members:

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

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

WEBCASTING NOTICE

Please note: this meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Council's published policy and copies made available to those that request it.

Therefore by entering the Chamber and using the lower public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for web casting and/or training purposes. If members of the public do not wish to have their image captured they should sit in the upper council chamber public gallery area

If you have any queries regarding this, please contact the Senior Democratic Services Officer on 01992 564249.

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 - 8)

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

3. MINUTES (Pages 9 - 18)

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

4. APOLOGIES FOR ABSENCE

5. DECLARATIONS OF INTEREST

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

6. 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.

7. DEVELOPMENT CONTROL (Pages 19 - 74)

(Director 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.

8. DELEGATED DECISIONS

(Director 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 Paragraph Number	Information
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.

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.

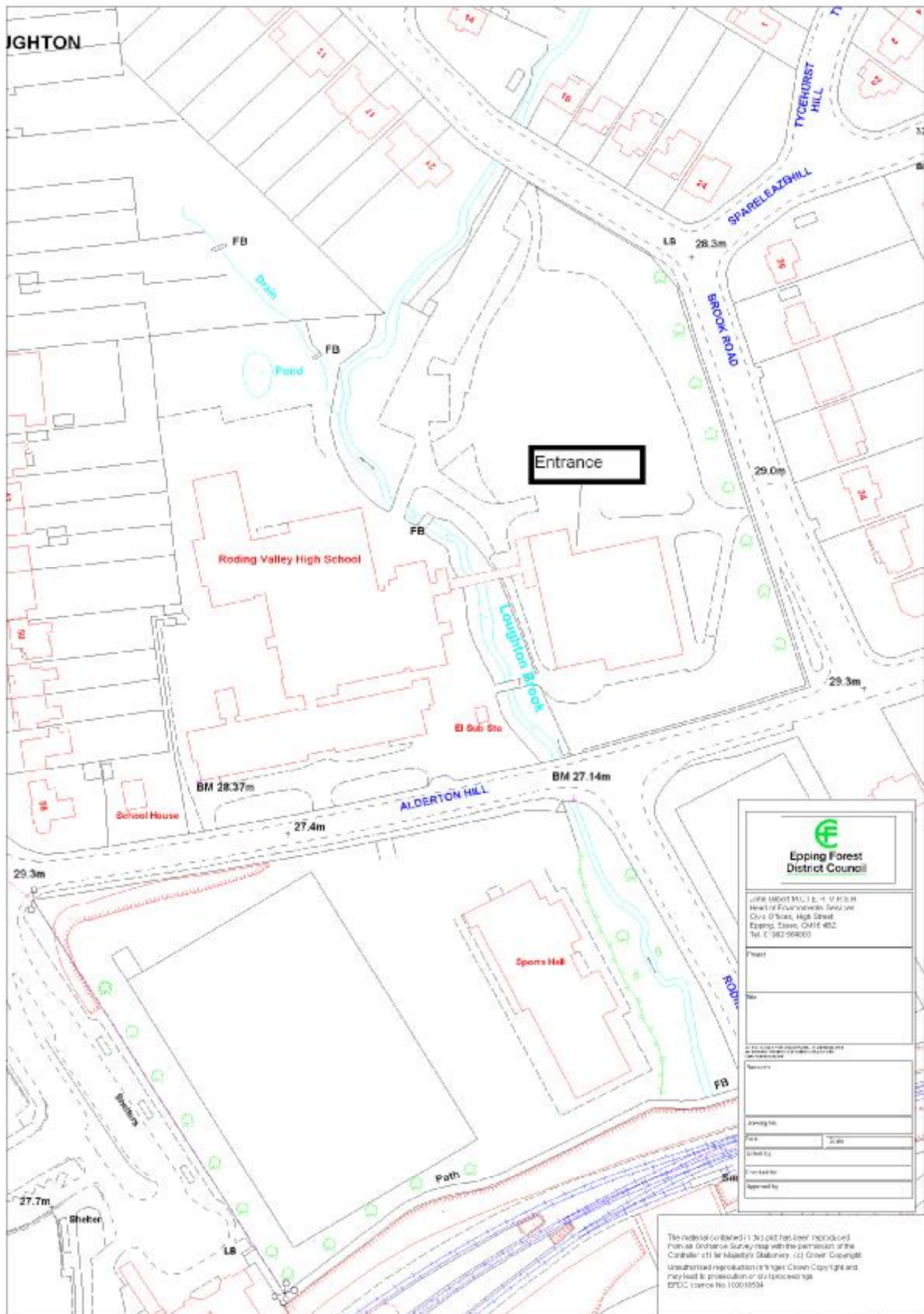
The order of speaking will be (1) Objector, (2) Parish/Town Council, then (3) Applicant or his/her agent. The Subcommittee will then debate the application and vote on either the recommendations of officers in the agenda or a proposal made by the Subcommittee. Should the Subcommittee propose to follow 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'

Area Plans Subcommittee South – Location Plan



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EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Subcommittee **Date:** 2 July 2008
South

Place: Roding Valley High School, Brook Road, Loughton, Essex **Time:** 7.30 - 8.50 pm

Members Present: J Hart (Chairman), R Barrett, D Bateman, K Chana, Miss R Cohen, M Cohen, D Dodeja, Mrs A Haigh, J Knapman, R Law, J Markham, G Mohindra, Mrs C Pond, Mrs P Richardson, B Sandler, P Spencer, Mrs J Sutcliffe and H Ulkun

Other Councillors: None

Apologies: Mrs L Wagland, K Angold-Stephens and Mrs S Clapp

Officers Present: N Richardson (Principal Planning Officer), G J Woodhall (Democratic Services Officer), S G Hill (Senior Democratic Services Officer) and M Jenkins (Democratic Services Assistant)

16. WEBCASTING

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.

17. WELCOME AND INTRODUCTION

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

18. MINUTES

RESOLVED:

That the minutes of the meeting held on 11 June 2008 be taken as read and signed by the Chairman as a correct record.

19. VICE-CHAIRMAN

Following the receipt of apologies for absence from the Vice-Chairman, the Chairman invited nominations from the Sub-Committee to appoint a Vice-Chairman for the duration of the meeting.

RESOLVED:

That Councillor M Cohen be appointed Vice-Chairman for the duration of the meeting.

20. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor Mrs J Sutcliffe declared a personal interest in the following item of the agenda, by virtue of being a member of the Parish Council. The Councillor had determined that her interest was not prejudicial and would remain in the meeting for the consideration of the application and voting thereon:

- TPO/EPF/08/08 – 224-230 Queens Road, Buckhurst Hill.

(b) Pursuant to the Council's Code of Member Conduct, Councillor M Cohen declared a personal interest in the following item of the agenda, by virtue of being the Portfolio Holder with responsibility for the Estates Section. The Councillor had determined that his interest was prejudicial and would leave the meeting for the consideration of the application and voting thereon:

- EPF/0730/08 – Langston Road Depot, Langston Road, Loughton.

(c) Pursuant to the Council's Code of Member Conduct, Councillors R Law and Mrs P Richardson declared a personal interest in the following item of the agenda, by virtue of being a member of the Town Council. The Councillors had determined that their interest was not prejudicial and would remain in the meeting for the consideration of the application and voting thereon:

- EPF/0730/08 – Langston Road Depot, Langston Road, Loughton.

(d) Pursuant to the Council's Code of Member Conduct, Councillor D Dodeja declared a personal interest in the following item of the agenda, by virtue of being a member of the Parish Council. The Councillor had determined that his interest was prejudicial and would leave the meeting for the consideration of the application and voting thereon:

- EPF/0820/08 – 1 Albert Road, Buckhurst Hill.

(e) Pursuant to the Council's Code of Member Conduct, Councillor Mrs A Haigh declared a personal interest in the following item of the agenda, by virtue of being a member of the Buckhurst Hill Residents Society. The Councillor had determined that her interest was not prejudicial and would remain in the meeting for the consideration of the application and voting thereon:

- EPF/0820/08 – 1 Albert Road, Buckhurst Hill.

(f) Pursuant to the Council's Code of Member Conduct, Councillor P Spencer declared a personal interest in the following item of the agenda, by virtue of being a member of the Parish Council. The Councillor had determined that his interest was not prejudicial and would remain in the meeting for the consideration of the application and voting thereon:

- EPF/0820/08 – 1 Albert Road, Buckhurst Hill.

(g) Pursuant to the Council's Code of Member Conduct, Councillors K Chana, J Knapman and B Sandler declared a personal interest in the following items of the

agenda, by virtue of being a member of the Parish Council. The Councillors had determined that their interest was not prejudicial and would remain in the meeting for the consideration of the applications and voting thereon:

- EPF/0679/08 – 118 High Road, Chigwell; and
- EPF/0688/08 – Belmont Lodge, 392 Fencepiece Road, Chigwell.

(h) Pursuant to the Council's Code of Member Conduct, Councillor G Mohindra declared a personal interest in the following items of the agenda. The Councillor had determined that his interest was not prejudicial and would remain in the meeting for the consideration of the applications and voting thereon:

- EPF/0679/08 – 118 High Road, Chigwell; and
- EPF/0688/08 – Belmont Lodge, 392 Fencepiece Road, Chigwell.

(i) Pursuant to the Council's Code of Member Conduct, Councillor D Bateman declared a personal interest in the following item of the agenda, by virtue of living next door to the application. The Councillor had determined that his interest was prejudicial and would leave the meeting for the consideration of the application and voting thereon after exercising its right to speak for three minutes:

- EPF/0688/08 – Belmont Lodge, 392 Fencepiece Road, Chigwell.

21. ANY OTHER BUSINESS

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

22. CONFIRMATION OF TREE PRESERVATION ORDER EPF/08/08 - 224-230 QUEENS ROAD, BUCKHURST HILL

The Principal Planning Officer presented a report regarding the confirmation of a Tree Preservation Order at 224-230 Queens Road in Buckhurst Hill. The Sub-Committee were informed that Tree Preservation Order EPF/08/08 had been made to protect a beech tree at this site following the receipt of a planning application. Four objections had been received but these had been responded to by the Director of Planning & Economic Development as follows:

- it was a poor specimen and not very healthy – the tree had been analysed as a category 'B' tree with a life expectancy of 20 – 40 years;
- it was causing shading to the garden – this could be overcome by suitable pruning;
- it was not aesthetically pleasing – this was subjective but it had been unprofessionally lopped in the past; and
- it does not have public amenity value – it was considered that the tree made an important contribution to the visual amenity of the area.

As it was felt that the tree contributed considerably to the character of the landscape in this area, confirmation of the Order without modification had recommended for approval by the Sub-Committee.

RESOLVED:

That Tree Preservation Order EPF/08/08 be confirmed without modification.

23. DEVELOPMENT CONTROL

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

RESOLVED:

That the planning applications numbered 1 – 4 be determined as set out in the attached schedule to these minutes.

24. DELEGATED DECISIONS

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

CHAIRMAN

Report Item No: 1

APPLICATION No:	EPF/0730/08
SITE ADDRESS:	Langston Road Depot Southern side of Road beside T11 site Langston Road Loughton Essex IG10 3TH
PARISH:	Loughton
WARD:	Loughton Broadway
DESCRIPTION OF PROPOSAL:	Outline application for development of the site for B1 and/or B2 and/or B8 use.
DECISION:	Grant Permission (With Conditions)

CONDITIONS

1. Application for the approval of details reserved by this permission must be made not later than the expiration of three years from the date of this notice. The development hereby permitted must be begun not later than the expiration of two years from the date of the final approval of the details reserved by this permission or, in the case of approval on different dates, the final approval of the last matter approved.
2. The development hereby permitted shall be carried out in accordance with detailed plans and particulars which shall have previously been submitted to and approved by the Local Planning Authority, showing the layout of proposed development including the provision of garaging/visitors' car parking spaces/vehicles loading or unloading, and turning areas, and the siting, design, landscaping and external appearance of each of the buildings and the means of access thereto.
3. 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.
4. 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.
5. 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.

6. Prior to commencement of development, including demolition or site clearance works, a phased contaminated land investigation shall be undertaken to assess the presence of contaminants at the site in accordance with an agreed protocol as below. Should any contaminants be found in unacceptable concentrations, appropriate remediation works shall be carried out and a scheme for any necessary maintenance works adopted.

Prior to carrying out a phase 1 preliminary investigation, a protocol for the investigation shall be agreed in writing with the Local Planning Authority and the completed phase 1 investigation shall be submitted to the Local Planning Authority upon completion for approval.

Should a phase 2 main site investigation and risk assessment be necessary, a protocol for this investigation shall be submitted to and approved by the Local Planning Authority before commencing the study and the completed phase 2 investigation with remediation proposals shall be submitted to and approved by the Local Planning Authority prior to any remediation works being carried out.

Following remediation, a completion report and any necessary maintenance programme shall be submitted to the Local Planning Authority for approval prior to first occupation of the completed development.

7. No development or preliminary groundworks of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning authority.
8. No part of the proposed development shall be occupied until details of a Green Travel Plan containing a travel to work use and car parking management strategy of the development as a whole has been submitted to and approved in writing by the Local Planning Authority. The Plan shall comprise proposals to reduce car dependence and vehicle emissions and to establish and encourage the use of alternative transport modes for journeys to and from work and during working hours, including how to deter visitors arriving and departing by motorcar. Details of the proposals shall include measures to secure increases in car sharing, public transport use, cycling and walking, proposals for car parking restrictions and controls and details of on-site facilities to promote alternative modes of travel to the site. The plan shall contain relevant surveys, publicity and marketing; review and monitoring mechanisms shall identify targets, timescales and phasing programmes and on-site management responsibilities. The plan shall be implemented as approved and be subject to annual review for the first five years. This shall be carried out in conjunction with the Local Planning Authority.
9. No development hereby permitted shall take place until measures are in place to secure a contribution towards The Broadway Town Centre Enhancement Scheme (see informative).
10. No more than 20% of the development on the site shall be a use falling within Class B8 of the Use Classes Order (Amendment) 2005 unless otherwise agreed in writing by the Local Planning Authority.

Report Item No: 2

APPLICATION No:	EPF/0820/08
SITE ADDRESS:	1 Albert Road Buckhurst Hill Essex IG9 6EH
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill East
DESCRIPTION OF PROPOSAL:	Variation of planning approval EPF/1757/05 to increase roof height of front apartment block to contain 6 flats.
DECISION:	Refuse Permission

REASONS FOR REFUSAL

1. The proposal would be intrusive on the character of the area and detract from the appearance of the street scene, contrary to Policy DBE1 of the Adopted Local Plan and Alterations.

Report Item No: 3

APPLICATION No:	EPF/0679/08
SITE ADDRESS:	118 High Road Chigwell Essex IG7 5AR
PARISH:	Chigwell
WARD:	Chigwell Village
DESCRIPTION OF PROPOSAL:	Demolition of an existing dwelling and erection of 10 x 2 bedroom flats and 2 x 3 bedroom penthouses including associated car parking, access and landscaping.
DECISION:	Refuse Permission

REASONS FOR REFUSAL

1. The proposed design, because of its top-heavy proportion of roof that results in a bulky appearance of the building, would be detrimental to the appearance of this development on the street scene, contrary to policy DBE1 of the Adopted Local Plan and Alterations.
2. The proposed windows on the upper floors on the southern elevations would result in undue overlooking and loss of privacy, detrimental to the living conditions of the occupier of the adjacent residential property at 120 High Road, Chigwell, contrary to Policy DBE9 of the Adopted Local Plan and Alterations.

Report Item No: 4

APPLICATION No:	EPF/0688/08
SITE ADDRESS:	Belmont Lodge 392 Fencepiece Road Chigwell Essex IG7 5DY
PARISH:	Chigwell
WARD:	Grange Hill
DESCRIPTION OF PROPOSAL:	Proposed extension and alterations.
DECISION:	Refuse Permission

REASONS FOR REFUSAL

1. The kitchen extension by virtue of its siting would result in loss of amenity to the occupiers of adjacent residential property by reason of noise, smell and odours, contrary to Policy DBE9 of the Adopted Local Plan and Alterations
2. The proposed kitchen extension would reduce parking on the site to well below the maximum requirement of the Council's Adopted Parking Standards and therefore result in on-street parking, to the detriment of highway safety, contrary to policy ST4 and ST6 of the Adopted Local Plan and Alterations

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AREA PLANS SUB-COMMITTEE SOUTH

23 JULY 2008

INDEX OF PLANNING APPLICATIONS/ENFORCEMENT CASES

ITEM	REFERENCE	SITE LOCATION	RECOMMENDATION	PAGE
1.	EPF/1112/08	189 Oak Cottage, High Road, Chigwell	GRANT	
2.	EPF/0943/08	45 Queen's Road, Buckhurst Hill	GRANT	
3.	EPF/1032/08	Daiglen School, 68 Palmerston Road, Buckhurst Hill	GRANT	
4.	EPF/1053/08	3 Langfords, Buckhurst Hill	GRANT	
5.	EPF/0981/08	54 Manor Road, Chigwell	GRANT	
6.	EPF/0894/08	7 Stradbroke Drive, Chigwell	REFUSE	
7.	EPF/0900/08	12-30, Church Hill, Loughton	GRANT	
8.	EPF/0967/08	236 High Road, Loughton	GRANT	
9.	EPF/1122/08	Station Dry Cleaners, Loughton Station, Station Approach, Loughton	GRANT	
10.	EPF/1153/08	Greengates, 24/26 Albion Hill, Loughton	GRANT	

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Report Item No: 1

APPLICATION No:	EPF/1112/08
SITE ADDRESS:	189 Oak Cottage High Road Chigwell Essex IG7 5AS
PARISH:	Chigwell
WARD:	Chigwell Village
APPLICANT:	Ellis Rich
DESCRIPTION OF PROPOSAL:	TPO/EPF/05/96/T5 Lime - fell and replace
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 All work authorised by this consent shall be undertaken in a manner consistent with British Standard 3998 (1989) (or with any similar replacement Standard).
- 2 The works hereby authorised shall not be undertaken after a period of three years from the date of this consent has expired.
- 3 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.

This application is before committee since all applications to fell preserved trees are outside the scope of delegated powers.

Description of Proposal:

T1. Lime. Fell and replace.

Description of Site:

This 18m tall tree is located in the rear garden of this listed period detached house, close to a detached garage building. The tree contributes significantly as part of the backdrop of mature landscape features within the curtilage of this property.

Relevant History:

EPF/0034/07 was submitted to introduce decking and refurbish a garage, which will involve construction activities close to the tree. Provision had been made for retention of the tree in the formation of the new structure. Several applications have been withdrawn but it is clear that there remains an intention to redesign the rear garden and the area around the subject tree, in particular.

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:

The application is made on the basis that the tree is claimed to be in decline due to possible fire damage with subsequent development of root and basal stem decay, visible at the base of the tree. A report produced in support of the proposals observed extensive stem damage from the root collar to 1.2m up the trunk. Visible signs of dieback in the upper crown and a lack of new growth around pruning points add weight to the claim that the tree is in ill health.

The issue is whether or not the tree's removal is justified and necessary due to the threat of it falling onto the house.

1. Tree condition and pruning history

a) Crown

The tree has undergone previous management and has re-established a crown, which is now showing areas of low vigour and branch dieback. One branch is in excess of 100mm in diameter.

b) Stem

The stem and main crown break show signs of damage on east and west sides. Wound wood has formed weakly around the areas of decay at the base of the stem and further up the stem.

2. Life expectancy

It is clear that the tree is decayed and showing signs of stress. The safe life expectancy has been substantially reduced. Lime as a species is known to be poor at restricting the spread of decay once established and this will also impact on the future of the tree's stability.

3. Loss to amenity in the felling of the tree

The tree stands in the rear garden, and therefore cannot be seen clearly from the High Road. Its height allows views of the top of the crown from above the roofline of the house. It is visible from a public footpath and the end of the residential cul de sac; New Barns Way. Its removal will be a minimal loss in terms of public landscape amenity from the High Road but a more noticeable loss when viewed from the path and New Barns Way, should permission be granted to fell it.

4. Other considerations

An alternative to felling would be to severely prune the crown. This would serve to reduce the sail area of the tree, which would lessen the chance of the tree falling onto the garage and decking

area. Set against this option is the loss of amenity suffered. The tree would no longer be visible from the street and would be significantly diminished in landscape value when viewed from the south.

Conclusion

Although the tree has some public value, it is considered that in this case the balance falls in favour of removing a failing tree before it becomes unsafe and replacing it with a healthy young tree, which will provide long term amenity value to the area. Priority must be given to safety concerns, which cannot be discounted or satisfactorily eliminated by pruning.

It is recommended to grant permission to this application on the grounds that the evidence of decay raises the level of risk posed by the tree to a point that justifies the need to remove it. The proposal therefore accords with Local Plan Landscape Policy LL9.

A condition requiring the replacement of this tree and a condition requiring prior notice of the works to remove it must be attached to the decision notice in the event of members agreeing to allow the felling.

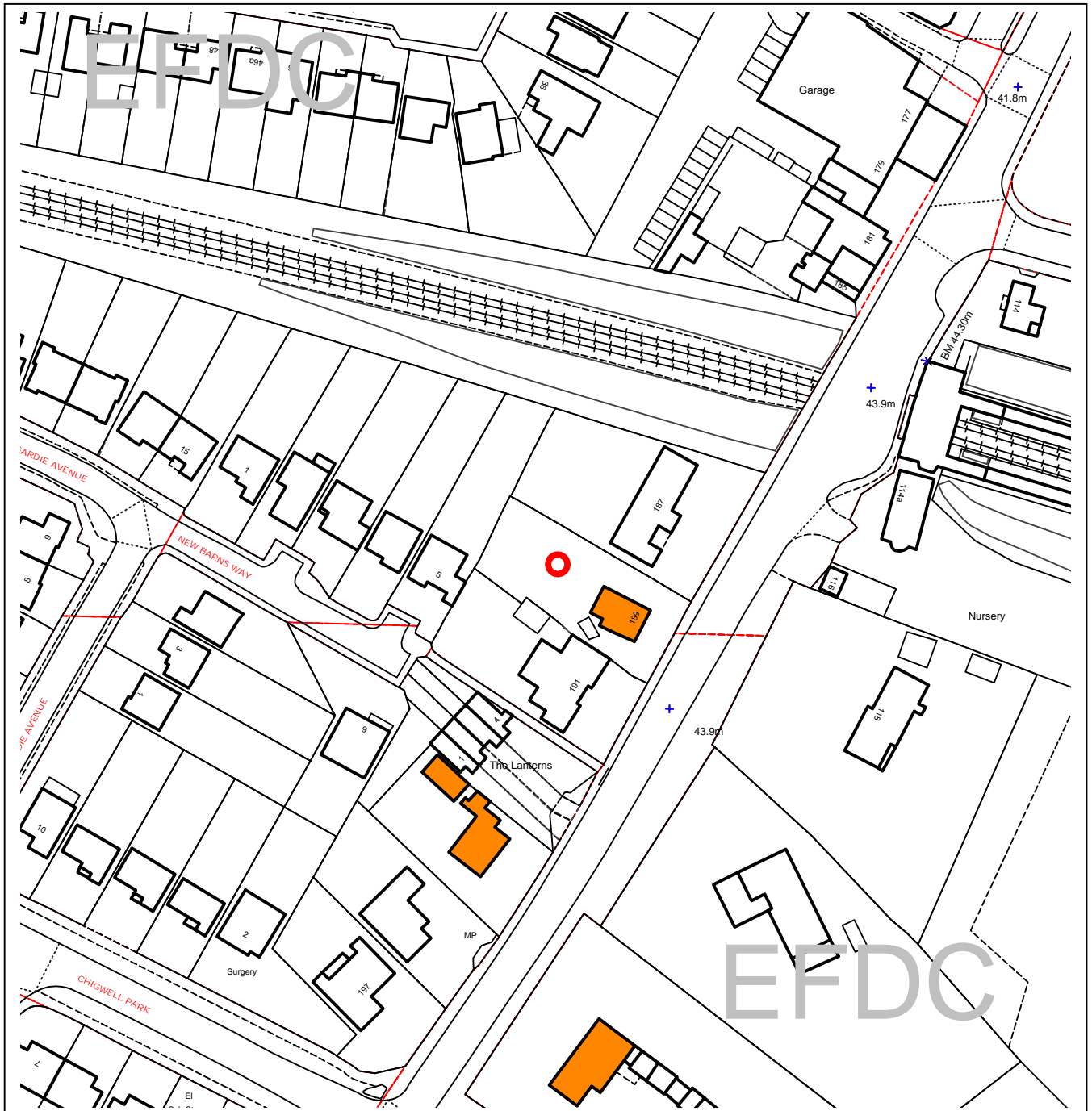
SUMMARY OF REPRESENTATIONS

Chigwell Parish Council's comments will be presented verbally at the committee meeting.



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	1
Application Number:	EPF/1112/08
Site Name:	189 Oak Cottage, High Road, Chigwell, IG7 5AS
Scale of Plot:	1/1250

Report Item No: 2

APPLICATION No:	EPF/0943/08
SITE ADDRESS:	45 Queen's Road Buckhurst Hill Essex IG9 5BU
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
APPLICANT:	Stokes & Stokes Ltd
DESCRIPTION OF PROPOSAL:	First floor front extension, detached two storey rear extension for redevelopment to form 2 self contained flats and ground floor rear office accommodation. (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 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.
- 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 Prior to the commencement of the development details of the proposed surface materials for the parking areas and 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.
- 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 development hereby permitted without the prior written approval of the Local Planning Authority.
- 6 Before the flats and extension hereby permitted are occupied, written details shall be provided to the Local Planning Authority concerning the mitigation of noise from the extract flue affecting the residential property. The sound insulation should ensure that the occupiers are provided with reasonable resting/sleeping conditions with reference to British Standard BS8233: 1999 - Sound insulation and noise reduction for buildings - Code of practice.

Details of any proposed sound insulation shall be submitted to and agreed in writing by the Local Planning Authority and installed before any of the proposed residential development is occupied.

- 7 Equipment shall be installed to suppress and disperse cooking/food preparation fumes and smell to a minimum. The equipment shall be effectively operated and maintained for so long as the use continues. Details of the equipment shall be submitted to, and approved by, the Local Planning Authority and the equipment shall be installed and be in full working order to the satisfaction of the Local Planning Authority prior to the commencement of use.

This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions).

Description of proposal:

First floor extension to No 45, measuring 4m x 12.5m by 4.5m high with a hipped roof, forming 1 flat, and a detached two storey dwelling and office, measuring 10.7 x 11.2 by 7m high with a pitched gable ended roof. The building will have a first floor terrace on the southern elevation. Vehicular access to the rear of 45 Queens Road would be maintained. 3 parking spaces would be provided.

The scheme has now been revised to integrate the extraction system for the ground floor hot food take away.

Description of Site:

A terraced two storey shop unit, with a flat on the first floor, next to Waitrose Supermarket. The site has a large rear service yard which is accessed from Back Lane. There are a number of outbuildings used for the shop units in this yard.

Relevant History:

EPF/1213/76 Rear extension approved

Policies Applied:

CP1, 3, 6 & 7 Core Policies re sustainable development
H1A, H2A, H3A, H4A Housing Provision
DBE 1, 2 Design of new buildings
ST4 & 6 Highways & Parking
DBE 6 Parking
DBE 8 Amenity Space
DBE 9 Amenity for neighbours
TC1 Town Centre

Issues and Considerations:

The main issues in this application are:

1. Context
2. Design
3. Sustainability
4. Neighbours Amenity
5. Town Centre
6. Parking
7. Viability of the Town Centre

It should be noted that the original scheme was refused by Committee in April 2008 as the scheme did not provide for the retention of the extraction system for the ground floor hot food take away.

1. Building in Context

- The service yard is a minimum of 11m wide and about 24m deep.
- This scheme has two separate elements with the extension and the new building.
- The extension will be built on top of an existing flat roof and would infill a gap at the first floor between the first floor and Waitrose. There is no merit in retaining this gap, and the scheme will see a positive benefit in removing a flat roof from the street scene.
- The extension will be in character with both the current building and the street scene of the area.
- The new build will be erected at the rear of the service yard and will consist of a ground floor office and a first floor flat.
- This is a fairly unusual site as the rear service area opens onto a road which is not residential in character and mainly consists of car parking and other service areas.
- Whilst it is the case that this is a backland development this is a plot where the erection of the new building will not have an adverse effect on the character and appearance of the area, and indeed will have a positive and enhancing effect on the unattractive rear service area of the site.
- It is therefore considered that the building is not out of keeping with the other properties within this diverse road and this is not a cramped or overly restricted site and can easily and comfortably accommodate a building of this size.

2. Design

- The scheme for the detached building is of an acceptable design, sitting comfortably on the plot, and is not out of place within this streetscape.
- The extension is well designed and integrates well into the existing building.
- The materials can be conditioned to be appropriate to the area.

3. Sustainability & Urban Development

- This is previously developed land. In both Policy CP6, 7 and PPG3 priority is given to the reuse of previously developed land in urban areas, but this should not be at the expense of the quality of the local environment and unsympathetic change.
- It is considered that this is a good quality and sympathetic scheme.

4. Amenity & Impact on Neighbours

- The extension will have no adverse effect on any neighbour.
- The new building will have no adverse impact in term of visual impact or overshadowing of any neighbouring property.

- There is the potential for overlooking of the rear elevations of No 45 and No 47, but a 2m high screen is proposed for the terrace area which would prevent any overlooking.
- The potential does exist for cooking smells and odours to affect the development from the existing ground floor hot food unit. However the extraction system is already in place and Environmental Health have not received any complaints about this use, including the existing residential first floor flat. Therefore it is considered unlikely that the existing use will have any adverse effect on the proposed use.
- It is also the case that the scheme will need to comply with both Building and Environmental Health regulations and both these departments have raised no objections to this scheme.

5. Town Centre

- This scheme will have a positive effect on the vitality of the town centre and the introduction of an office on the site is welcomed in employment terms. The retail units will remain and there is no harm caused by this scheme to the town centre.

6. Parking

- The scheme provides off street parking in line with current parking standards.
- It is accepted that this is the minimum that would be accepted on this site, but it is also the case that the site is practically on top of excellent public transport links from local buses.
- The site already has a vehicle access onto England's Lane, and the two proposed accesses would not cause negative safety impact.

7. Town Centre

- The revised scheme retains the existing extraction system and will therefore maintain the existing use for the ground floor hot food take away.
- There will be no adverse impact on the viability and vitality of the Town Centre.

8. Other Matters

The Parish Council has raised the issue of access to the extension. This is provided by an existing access from Queens Road. This is not an unusual arrangement and would be subject to building regulations regarding means of escape from the building. This is not a sustainable reason for refusal.

Conclusion

Whilst the new building is a backland scheme it is one which has been carefully designed to be in keeping with the area and avoid an adverse impact on the amenities of the neighbours or the town centre. The revised scheme has overcome the previous reasons for refusal. The recommendation is therefore for approval.

SUMMARY OF REPRESENTATIONS

PARISH COUNCIL – Object, 1) backland development, 2) new flat is situated above the shop and only has one entrance and exit



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	2
Application Number:	EPF/0943/08
Site Name:	45 Queen's Road, Buckhurst Hill IG9 5BU
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/1032/08
SITE ADDRESS:	Daiglen School 68 Palmerston Road Buckhurst Hill Essex IG9 5L
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
APPLICANT:	Mrs Mary Bradfield
DESCRIPTION OF PROPOSAL:	First floor rear elevation extension for IT room.
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 development hereby permitted without the prior written approval of the Local Planning Authority.

This application is before this Committee since it is an application for commercial development and the recommendation differs from more than one expression of objection (Pursuant to Section P4, Schedule A (f) of the Council's Delegated Functions).

Description of proposal:

First floor rear extension, measuring 8m x 4.8m by 9.5m high with a hipped roof, on the south elevation, for use as an IT Room.

Description of Site:

A private school on the south side of Palmerston Road, on a rectangular plot which backs onto Westbury Lane. The site has a detached two storey block which is a former dwelling house, a

purpose built two storey block on the west flank, and a single storey covered area in the rear playground area. There is a TPO tree in the front garden, which would not be affected by this scheme.

Relevant History:

Various relating to the school use of the site

Policies Applied:

DBE 1 & 2 Design of New Buildings
DBE 9 Effect on neighbours

Issues and Considerations:

The main issues in this application are the

1. Impact of the scheme on the street scene
2. Impact of the scheme on design
3. Impact on the amenities of neighbouring properties

1. Street Scene

- This scheme will be built on the rear elevation of the school and will not be visible from Palmerston Road. Whilst it will be partially visible from Westbury Lane it will be read as part of the existing building.
- This is a clearly subordinate and well designed extension on an already much altered building, and will be erected on the top of an existing ground floor extension.
- There is no harm caused to the character and appearance of the street scene or the building as a result of this scheme.

2. Design

- The scheme has been carefully designed to integrate well with this distinctive building and is acceptable and logical.
- Materials will match.

3. Amenity

- The main neighbour that will be affected is No 66 Palmerston Road, which is a small block of flats to the immediate east of the site.
- This block of flats is lower than No 68, the application site, due to the fall of ground across the site to the east.
- The extension is set back from the existing main side elevation by 2.4m, and a further 1m to the site boundary. It will not come further forward than the existing rear elevations, and will be 2m lower than the main ridgeline in height. There are no windows in the side elevation at the first floor.
- Therefore there will be no overlooking of No 66, no significant loss of light or sunlight, and the scheme will not be visually overbearing for this neighbour.
- There will be no further adverse noise caused by use of this room to any neighbour.
- With regard to the concerns of No 49 Westbury Lane, the new extension will be a minimum of 20m from their rear elevation at an angle, well within the tolerances laid out in the Essex Design Guide. Due to this distance and the angle between the two properties there will be no adverse loss of privacy to No 49.

Conclusion

This is a modest scheme to provide further modern facilities and causes no harm to amenity of any neighbour or the character and appearance of the street scene. The recommendation is for approval.

SUMMARY OF REPRESENTATIONS

PARISH COUNCIL – No objection

49 WESTBURY LANE – object, windows of the rear extension will affect our privacy in our bedrooms.

66A PALMERSTON ROAD – Object, loss of light to my garden, brick wall is unsightly, additional noise, loss of privacy



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	3
Application Number:	EPF/1032/08
Site Name:	Daiglen School, 68 Palmerston Road, Buckhurst Hill, IG9 5L
Scale of Plot:	1/1250

Report Item No: 4

APPLICATION No:	EPF/1053/08
SITE ADDRESS:	3 Langfords Buckhurst Hill Essex IG9 5LS
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
APPLICANT:	Trustees of Rachel Beecham
DESCRIPTION OF PROPOSAL:	Retention of a garage conversion.
RECOMMENDED DECISION:	Grant Permission

CONDITIONS

None

This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions).

Description of Proposal:

Retention of a garage conversion. The garage is located at the west side of the property, the garage door being replaced with a new shallow bay window and false roof to the front, but the footprint remaining the same as the garage, which was approved in 1989 in EPF/0180/89.

Description of Site:

White rendered detached bungalow in a cul-de-sac of mainly bungalows.

Relevant History:

EPF/0180/89	Double garage	Approved
EPF/1321/89	Single storey front and side extension	Approved

Policies Applied:

Local Plan:

Policy DBE9 – Excessive loss of amenity to neighbouring properties

Policy DBE 10 – Design of Residential Extensions

Issues and Considerations:

The principal issues to consider with this application are design considerations and issues of residential amenity.

1. Design Considerations

The work has been completed, and the new false roof and bay window to the front match the bay window of the lounge and the materials in the walls and roof of the main house very well. As such, the conversion fits in very well with the appearance of the property and wider streetscene.

2. Residential Amenity

The original condition restricting the use of the garage to garaging of private motor vehicles was added in 1989 in EPF/180/89. Since this time the Council has moved from minimum parking to maximum parking standards. There would remain adequate space for at least 2 cars to be parked in front of the house and clear of the highway, in accordance with current standards.

The condition was added to protect the amenities of the area by reason of noise and general disturbance. It is considered that in terms of current Council policy and with regard to recent planning approvals that the noise disturbance caused by cars parking on driveways of detached dwellings is not sufficient as to require restriction through the planning process.

The comments made by the neighbour opposite that the property is being neglected and that the road is not being maintained by the Council do not directly relate to the application for retention of the garage conversion. These issues can be dealt with through other means than the planning process.

Conclusion

It is considered that there is no special requirement to restrict use of this particular garage to the parking of vehicles in this location, the physical changes complement well the existing property and the streetscene and the application is recommended for approval.

SUMMARY OF REPRESENTATIONS

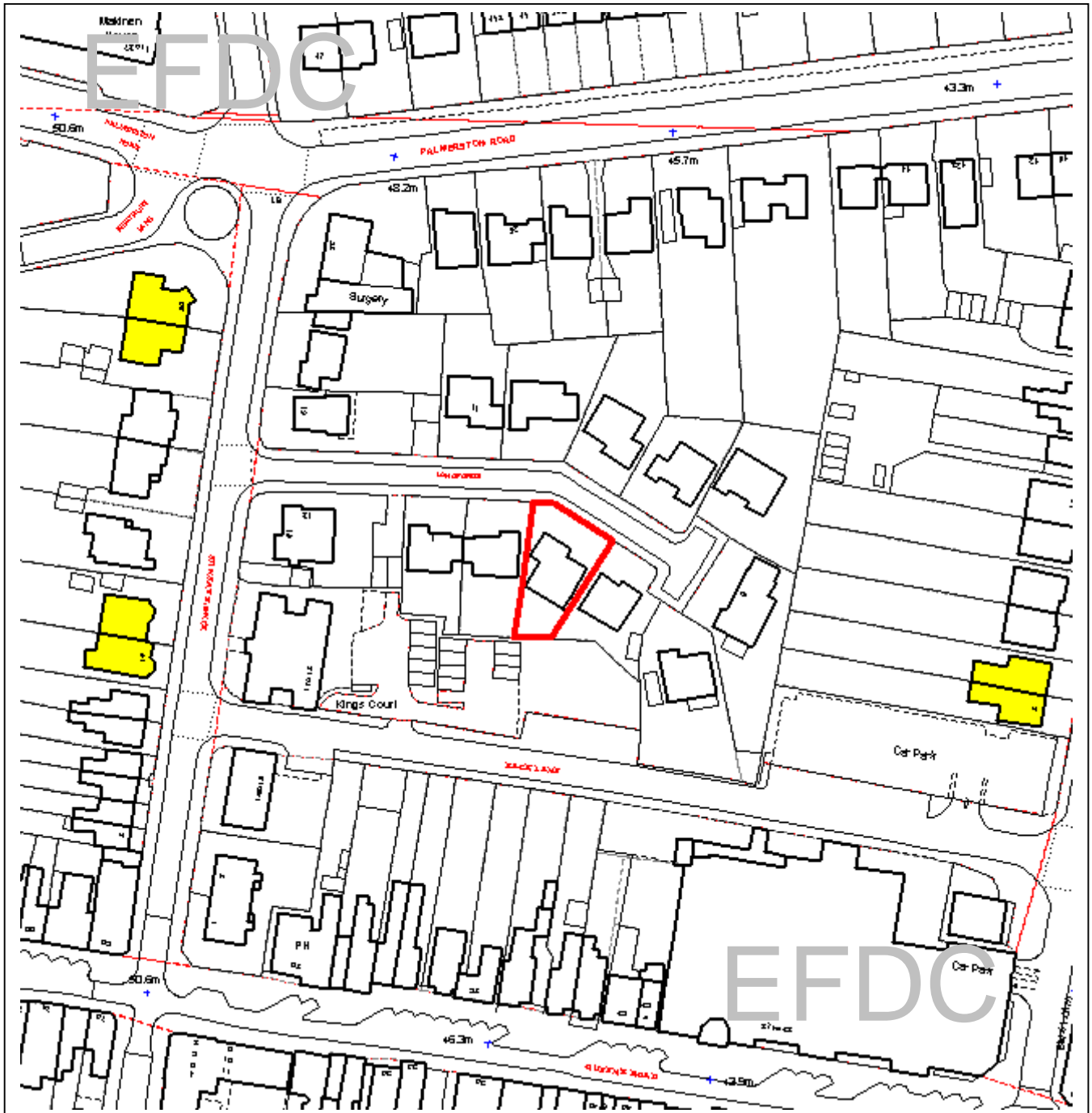
BUCKHURST HILL PARISH COUNCIL: Object to loss of garage; conversion to living accommodation without permission which sets a precedent by giving retrospective permission.

NEIGHBOURS: 9 LANGFORDS, BUCKHURST HILL; the property is being neglected and the road is not being maintained by the Council.



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	4
Application Number:	EPF/1053/08
Site Name:	3 Langfords, Buckhurst Hill, IG9 5LS
Scale of Plot:	1/1250

Report Item No: 5

APPLICATION No:	EPF/0981/08
SITE ADDRESS:	54 Manor Road Chigwell Essex IG7 5PG
PARISH:	Chigwell
WARD:	Chigwell Village Grange Hill
APPLICANT:	Mr & Mrs G & C Georgiou
DESCRIPTION OF PROPOSAL:	First floor side and two storey rear extensions, and extension to 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 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 development hereby permitted without the prior written approval of the Local Planning Authority.
- 4 No tree, shrub, or hedge which are shown as being retained on the approved plans shall be cut down, uprooted, wilfully damaged or destroyed, cut back in any way or removed other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. All tree works approved shall be carried out in accordance with British Standard Recommendations for Tree Work (B.S.3998: 1989).

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

If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, or 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.

- 5 The proposed balcony screen shall be erected in accordance with the detail shown on the approved plan, unless otherwise agreed by the local planning authority. The screen shall be retained thereafter.

This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions).

Description of proposal:

Ground floor side extension, measuring 1m x 11m x 3.5m high on the west flank of the existing garage, a first floor extension over the garage measuring 5.5m x 11m by a total of 7m high with a gable end roof, and a two storey rear/side extension on the east flank, measuring 4.4m x 9m by 8m high with a hipped roof and a first floor balcony with side screen.

Description of Site:

A two-storey detached house on a rectangular plot. The road has a mix of styles of large detached two storey houses. The site backs onto Chigwell Golf Course. There are TPO trees to the north and west on other properties. The western boundary is screened by a line of mature Leylandi (which are not protected). The front boundary to Manor Road has a 2m high rendered wall and two sets of gates.

Relevant History:

Numerous including:

EPF/0587/89	New Garage and conversion of existing garage	approved
EPF/1231/89	New Garage and conversion of existing garage	approved
EPF/1749/89	Retention of front boundary wall	approved
EPF/0473/93	Single storey rear extension for swimming pool	approved

Policies Applied:

DBE 9 Excessive Loss of amenities for neighbours
DBE 10 Design of residential extensions
LL10 Protected Trees

Issues and Considerations:

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

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

1. Impact on Street Scene

- This building has been substantially extended over the years, to the side and rear, to its current form. The side extensions comprise of a two-storey wing on the site of the previous garage and a single storey garage to within 1m of the western boundary.
- This scheme would see first floor accommodation erected over the garage, and a ground floor infill to the boundary. A 1m gap would remain to the boundary at the first floor, and the front elevation would be set back by some 1.8m from the existing front elevation of the adjacent part of the dwelling.
- This would be a substantial scheme and the objection of the Parish Council would appear to relate to this element of the scheme.
- Officers have some sympathy with the view of the Parish Council that this extension causes harm to the building and street scene.
- However, it is the case that this property has a two storey wing of a different design to the main building and this part of the scheme would be built adjacent to the new wing and would be read as an integral part of the wing. Indeed it has been designed to replicate many elements of the wing and would thus be read as a logical extension to that element.
- It is sufficiently separated from the main part of the building that it would not harm the pleasing façade of this part of the structure.
- It is also the case that this scheme is relatively screened from the street by the substantial front wall and gates, and from the neighbours to the west by the mature tree line on that boundary.
- The extension will also not be overly visible from persons using Manor Road due to the above boundary treatment, its set back from the front boundary of a minimum of 11m, and its location towards the crest of the hill.
- Therefore all of the above elements must be weighed, and on balance the side element of the scheme does not create sufficient harm to the existing building, which is already of a diverse appearance, or the street scene, in which the existing building and the extension will both be well screened, to justify a refusal on these grounds.
- The rear extension will not be visible from the street, but will be visible from the golf course. However this will be on the less sensitive rear elevation, and integrates well with the rather mixed appearances of the rear of the property.
- Therefore the scheme does not cause any significant harm to the character and appearance of the dwelling or the street scene.

2. Design

- The extensions integrate well into the existing property and its extensions, and are logical and in keeping with the disparate elements of the existing property.
- Design is acceptable.
- Materials will match.

3. Residential Amenity

- There will be no adverse loss of light or sunlight to any neighbouring property.
- The scheme would not be overbearing when viewed from the neighbouring property of No 56 Manor Road.
- The new balcony will be screened from No 56 by a brick wall and there will be no adverse overlooking as a result of the scheme. It also has the advantage of removing the overlooking that exists from the current rear first floor balcony.
- The side elevation to No 56 will be 3m from the boundary, and will not come forward of the existing rear elevations of No 54. The design is such that a monolithic appearance on this flank is avoided, and the effect will not be overbearing to the neighbour.
- Due to the screening on the western boundary there will be no negative impact on the neighbours to the west (No 48 & 50 Forest Lane).

4. Trees

- The Tree Officer has commented that the scheme will not cause any harm to the protected trees in neighbouring properties subject to the relevant conditions.

Conclusion

This scheme has no adverse impact on the existing building or the street scene, is of an acceptable design and will have no adverse impact on the amenities of the neighbouring properties. For the reasons above this application is an acceptable scheme. It is therefore recommended for approval.

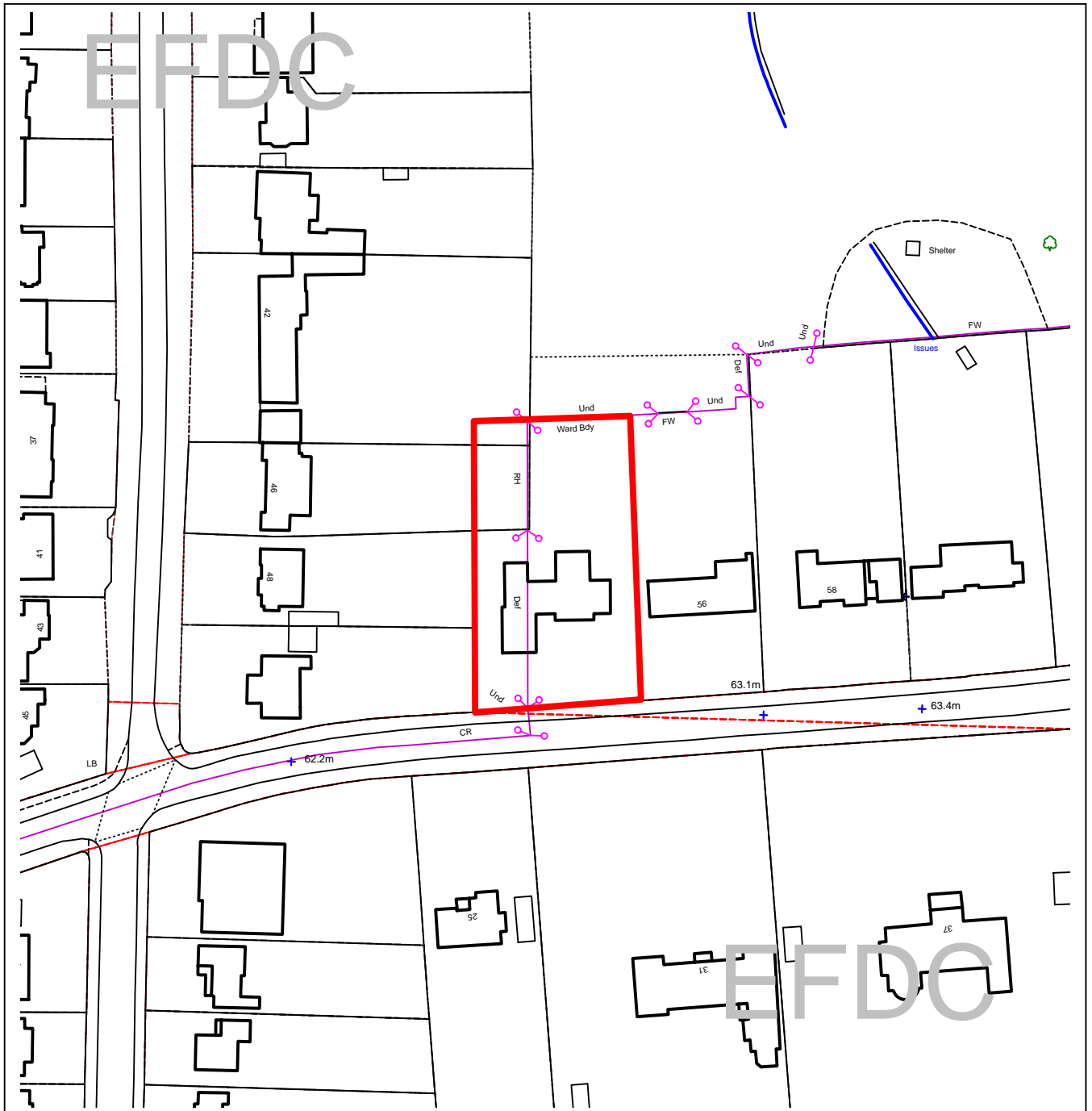
SUMMARY OF REPRESENTATIONS

PARISH COUNCIL – Object, side extension exacerbates the incoherence inherent in the appearance of the building and therefore the street scene. It gives the appearance of three separate dwellings and therefore a total lack of coherence is created.



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	5
Application Number:	EPF/0981/08
Site Name:	54 Manor Road, Chigwell, IG7 5PG
Scale of Plot:	1/1250

Report Item No: 6

APPLICATION No:	EPF/0894/08
SITE ADDRESS:	7 Stradbroke Drive Chigwell Essex IG7 5QU
PARISH:	Chigwell
WARD:	Grange Hill
APPLICANT:	Bansal Building Ltd
DESCRIPTION OF PROPOSAL:	Proposed demolition of existing property and erection of new five bedroom detached dwelling.
RECOMMENDED DECISION:	Refuse Permission

REASON FOR REFUSAL

- 1 The design of the proposed forward projection of the building with flat roofs and parapet to the front elevation would have an incongruous appearance, both in relation to the dwelling and the wider street scene and would be detrimental to visual amenities, contrary to policy DBE1 of the adopted Local Plan and Alterations.

This application is before this Committee since it has been 'called in' by Councillor Knapman (Pursuant to Section P4, Schedule A (h) of the Council's Delegated Functions).

Description of Proposal:

Demolition of existing property and erection of new, two-storey five bedroom detached dwelling, with accommodation being proposed within the basement and the roof space.

The proposal is very similar to one which was refused planning permission in February this year, the main difference is that the height of the dwelling has been reduced by approximately 400mm, to a maximum height of 9.6 metres.

Description of Site:

The application property is a detached dwelling located in Stradbroke Drive. There are a variety of dwelling designs within the vicinity of the site. Opposite the site there are a couple of dwellings that appear to have been recently constructed. One of the immediate neighbouring dwellings has the first floor contained partly within the roof space.

There are several trees on the site, some of which are protected by TPO's.

Relevant History:

EPF/2345/07. Demolition of existing property and erection of new five bedroom detached dwelling. Refused 11/02/08.

EPF/0808/08. Proposed demolition of existing property and erection of new five bedroom detached dwelling. (Revised application). Approved 12/06/08.

Policies Applied:

Adopted Local Plan and Alterations.

H3 - Criteria for assessing other sites outside the Green Belt

DBE1 - Design of New Buildings

DBE2/9 - Impact of New Development

DBE6 - Residential Car parking

DBE8 - Private amenity Space

LL10 - Retention of Site Landscaping

ST4 – Road Safety

ST6 - Vehicle Parking

Issues and Considerations:

The main issues in this case are:

1. The impact of the new dwelling on the amenities enjoyed by the occupiers of neighbouring dwelling.
2. The level of amenity that would be enjoyed by the occupiers of the new dwelling.
3. The impact of the new dwelling on the character and appearance of the area.
4. The impact of the development on trees within and adjacent to the site; and:
5. Highway considerations.

1. Impact on the amenities enjoyed by the occupiers of neighbouring dwellings

Having regard to the location of the proposed dwelling in relation to neighbouring dwellings, it is not considered that there would be a material loss of light or outlook. It is, however, noted that the rear section of the dwelling would project beyond the rear elevations of neighbouring dwellings and the windows in the sides of this section would result in material overlooking of neighbouring gardens. It is, however, considered that this may be addressed by a planning condition requiring that these windows be obscure glazed.

2. Level of amenity of the proposed dwelling

All habitable rooms within the proposed dwelling would have an acceptable level of amenity. The proposed study on the ground floor would receive limited light and outlook as it would only have a side window. However, a study is not a habitable room and as such does not require a high level of amenity. Furthermore, it is shown that it would receive borrowed light from the rooms on either side.

3. The impact on the character and appearance of the area

The reduction in the height of the dwelling is considered to be sufficient to address the previous concerns regarding the impact in relation to neighbouring dwellings. Whilst the proposed dwelling would be higher than existing and higher than both immediate neighbours, due to the irregular

pattern of development and building heights with Stradbroke Drive, it is not considered that this would be harmful to the character of the area.

Notwithstanding this, the forward projection and resultant parapet roof at the front of the dwelling that was a concern with the planning application refused in February this year are present on this planning application. The dwelling would project considerably nearer to the street than the existing and neighbouring properties. It is considered that the front elevation would have a bulky and dominant appearance within the street scene, which would be out of keeping with neighbouring dwellings and detrimental to the appearance of the street scene.

4. Impact on trees

The Council's Tree Officer is satisfied that the proposed development would not result in any material harm to the protected trees on the site, subject to planning conditions requiring tree protection during development and the removal of the excavated material from the creation of the basement from the site.

5. Highways

The existing site access would be retained and it is considered that this would be adequate.

Conclusion

In light of the above appraisal, it is considered that proposed dwelling would not be harmful to the amenities of the occupiers of neighbouring dwellings. However, it is considered that the design of the proposed forward projection of the building with its flat roofs and parapet would have an incongruous appearance that would be detrimental to the character and appearance of the area. For this reason, it is recommended that planning permission be refused.

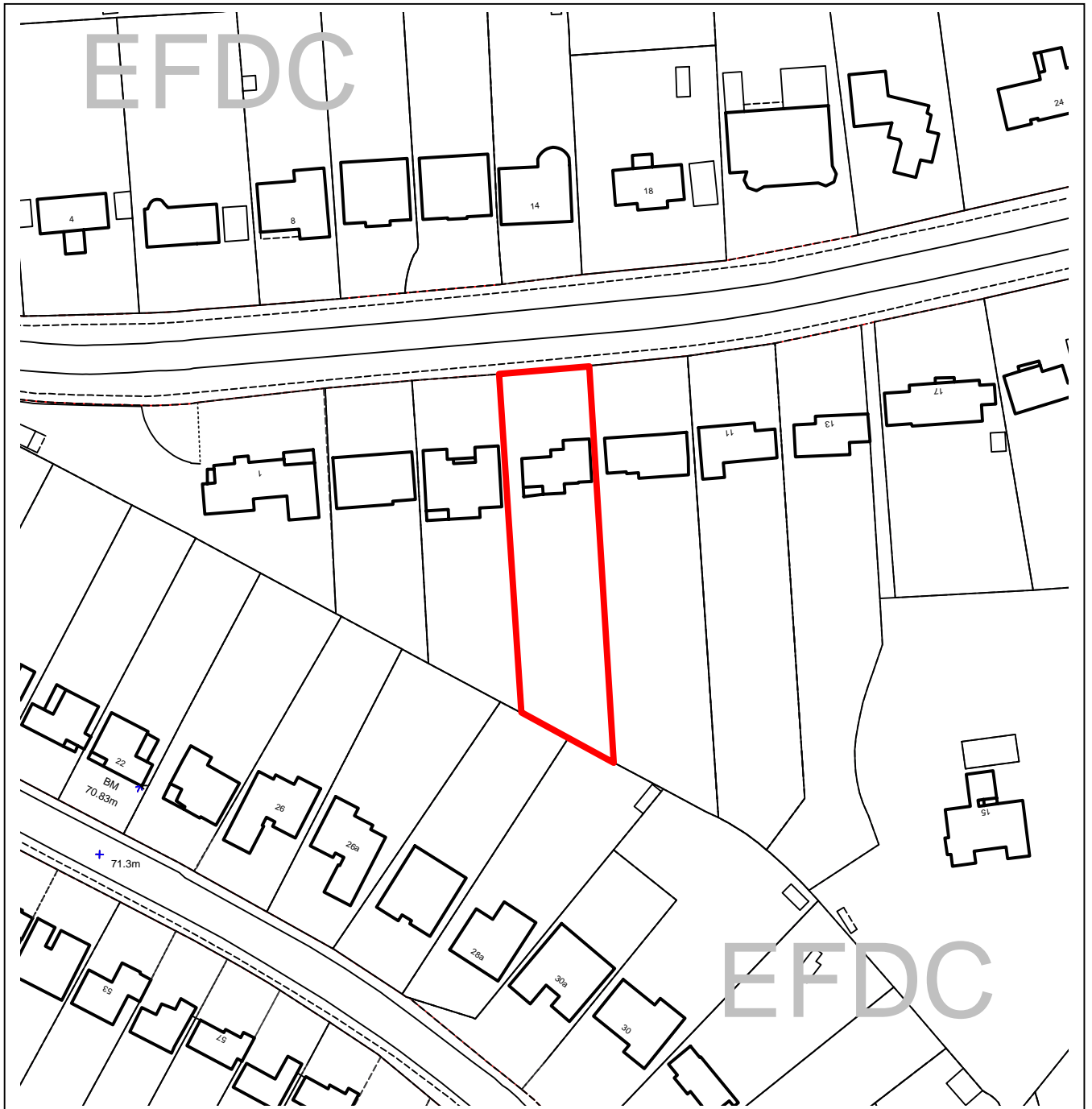
SUMMARY OF REPRESENTATIONS:

CHIGWELL PARISH COUNCIL. No objection.



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	6
Application Number:	EPF/0894/08
Site Name:	7 Stradbroke Drive, Chigwell, IG7 5QU
Scale of Plot:	1/1250

Report Item No: 7

APPLICATION No:	EPF/0900/08
SITE ADDRESS:	12-30, Church Hill Loughton Essex IG10 1LA
PARISH:	Loughton
WARD:	Loughton St Johns
APPLICANT:	Chappell Estates Ltd
DESCRIPTION OF PROPOSAL:	Demolition of existing buildings and erection of three linked blocks of three storeys with accommodation at roof level. The development comprises 24 apartments, 3 retail units and 27 car parking spaces, cycles parking and amenity area. (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 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.
- 4 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.
- 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.

- 6 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) 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.
- 7 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.

- 8 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.

- 9 No development shall take place until a schedule of landscape maintenance for a minimum period of five years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.
- 10 A Transport Information and Marketing Scheme for sustainable transport, approved by Essex County Council, to include vouchers for 12 months free bus travel within an applicable zone (covering the relevant zone as set out by the local operator and Essex County Council) for each eligible member of every residential household, valid for exchange during the first 6 months following occupation of the individual dwelling, shall be provided and implemented. Details of the uptake of the vouchers are to be provided to Essex County Council's Travel Plan Team on a 6 monthly basis as indicated in Policy F32 Essex Road Passenger Transport Strategy 2006-2011.
- 11 Access to the development hereby approved shall be provided in accordance with the approved plan '1', unless otherwise agreed by the Local Planning Authority.
- 12 Prior to the first use of the new access, the existing accesses into the site shall be permanently closed in accordance with details submitted to the Local Planning authority and approved in writing.
- 13 Prior to the first occupation of the development hereby approved, the car parking area detailed on the approved plan '1' shall be hard surfaced, sealed and marked out in parking bays. The car parking area shall be retained in this form at all times. The car park shall not be used for any purpose other than the parking of vehicles that are related to the use of the development.
- 14 Prior to the commencement of the development details shall be submitted to and approved in writing by the Local Planning Authority, showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in entirety before the access is first used and shall be retained thereafter.
- 15 Prior to commencement of development, including demolition or site clearance works, a phased contaminated land investigation shall be undertaken to assess the presence of contaminants at the site in accordance with an agreed protocol as below. Should any contaminants be found in unacceptable concentrations, appropriate remediation works shall be carried out and a scheme for any necessary maintenance works adopted.

Prior to carrying out a phase 1 preliminary investigation, a protocol for the investigation shall be agreed in writing with the Local Planning Authority and the completed phase 1 investigation shall be submitted to the Local Planning Authority upon completion for approval.

Should a phase 2 main site investigation and risk assessment be necessary, a protocol for this investigation shall be submitted to and approved by the Local Planning Authority before commencing the study and the completed phase 2 investigation with remediation proposals shall be submitted to and approved by the Local Planning Authority prior to any remediation works being carried out.

Following remediation, a completion report and any necessary maintenance programme shall be submitted to the Local Planning Authority for approval prior to first occupation of the completed development.

This application is before this Committee for the following reasons:

- *since it is an application for development of a significant scale and/or wider concern and is recommended for approval (Pursuant to Section P4, Schedule A (c) of the Council's Delegated Functions);*
- *since it is an application for residential development of 5 dwellings or more and is recommended for approval (Pursuant to Section P4, Schedule A (d) of the Council's Delegated Functions);*
- *since it is an application for commercial development and the recommendation differs from more than one expression of objection (Pursuant to Section P4, Schedule A (f) of the Council's Delegated Functions); and*
- *since the recommendation differs from the views of the local council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions).*

Description of Proposal:

This application seeks planning permission for the demolition of the existing buildings on the site and their replacement with three linked blocks of three storeys with additional accommodation within the roof space. The development would comprise 24 apartments, 3 retail units and 27 parking spaces.

The two end blocks would each have hipped roofs, whilst the central block would have gable ends. The blocks would be staggered in height, in line with the fall of the land and would have a maximum height of 11.7 metres, standing noticeably taller than the neighbouring buildings.

The central block would have an off centre projection to the rear. Whilst the elevation drawings show that this rear section would be visible through the gap between this and the adjacent block, it is considered that due to its set back from the frontage it would not appear this way when viewed from Church Hill.

Description of Site:

The application site is located on the north western side of Church Hill, to the north of Loughton Town Centre. The site is located outside of the York Hill Conservation Area, the boundary of which runs along the south western boundary of 10 Church Hill. The site is, however, visible from the Conservation Area.

The site is presently occupied by three pairs of semi-detached buildings. The main buildings have an Edwardian residential appearance, although subsequently large flat roofed projections have been added to the fronts, providing increased floor areas. These front projections now dominate the buildings. The building to the north of the site, 32 Church Hill is of a similar appearance, but does not have the front addition. The building to the south, 10 Church Hill, is a flat roofed building, of commercial character.

Relevant History:

EPF/0265/03. Demolition of existing buildings and redevelopment of site by the erection of a three storey block of 29 two bed flats with 30 parking spaces. Withdrawn.

EPF/0381/04. Demolition of existing buildings and erection of new three storey block of 24 no. apartments and 4 no. retail units with 24 car parking spaces (revised application). Refused 11/08/04 for the following reason:

The proposal would, by reason of its size, design, mass and siting would be dominant, visually intrusive and out of keeping in the street scene to the detriment of the character of the area, contrary to policies DBE1 and DBE2 of the adopted Local Plan.

An appeal was lodged in respect of the above refusal and was dismissed on 21/12/05.

EPF/0613/06. Demolition of existing buildings and redevelopment of site by the erection of three linked blocks of three storeys with accommodation at roof level. The development comprises 24 apartments, 3 retail units and 27 car parking spaces. Withdrawn.

EPF/1600/06. Demolition of existing buildings and redevelopment of site by the erection of three linked blocks of three storeys with accommodation at roof level. The development comprises 24 apartments, 3 retail units and 27 car parking spaces (revised application). Withdrawn.

Policies Applied:

Adopted Local Plan and Alterations.

HC6 – Development affecting Conservation Areas
DBE1 – Design of New Buildings
DBE2 – Impact on Surrounding Properties
DBE3 – Development in Urban Areas
DBE6 – Car Parking
DBE8 – Private Amenity Space
LL10 – Retention of Site Landscaping
LL11 – Landscaping Scheme
CP1 – Achieving Sustainable Development Objectives
CP2 – Protecting the Quality of the Rural and Built Environment
CP3 – New Development
CP4 – Energy Conservation
CP5 – Sustainable Building
CP6 – Achieving Sustainable Urban Development Patterns
CP7 – Urban Form and Quality
H1A – Housing Provision
H2A – Previously Developed Land
H3A – Housing Density
H4A – Dwelling Mix
H5A – Provision of Affordable Housing
H6A – Site Thresholds for Affordable Housing
H7A – Levels of Affordable Housing
ST4 – Road Safety
ST6 – Vehicle Parking
I1A – Planning Obligations

Issues and Considerations:

The main issues in this case are:

1. The acceptability of a development of this type in this area;
2. The impacts of the proposed development on the amenities of the occupiers of neighbouring dwellings;
3. The impacts of the proposed development on the character and appearance of the area;
4. The acceptability of the proposed affordable housing;
5. Parking and Highways; and
6. Landscaping and Trees.

6. Acceptability of the Development in Principle

Policy H2A of the Local Plan states that the re-use of previously developed land will be encouraged when considering residential use. Guidance provided in PPS6 relating to the provision of retail floor space outside Town Centres is not considered relevant to this planning application, as the proposed floor area would not considerably differ from that proposed. The existing retail space is across 6 units and as a result of the development would be spread across 3 units. There would be a total reduction in retail floor space of 32 square metres.

When considering the 2005 appeal lodged in respect of the Council's refusal of EPF/0381/04, the Inspector stated that the proposal would make efficient use of previously developed land that is well located with respect to shops, services and public transport.

7. Neighbouring Amenity

With regard to the impacts of the proposed development on the amenities of the occupiers of neighbouring dwellings, the building frontage would be located approximately 23-25 metres from the fronts of dwellings on the opposite side of Church Hill. The first and second floors of the building would have bedroom windows and bedroom and living area balconies (approximately 1.2 metres in depth) facing towards these properties. Having regard to the separation between these buildings and that the dwellings opposite face onto a main road, it is not considered that there would be a material reduction in privacy. Residents in Church Hill have also expressed concern regarding potential for loss of light. It is not considered that the increased height and bulk of the buildings on the site would cause a material obstruction to light to these residential properties.

With regard to properties in Queens Road, the proposed building would be located approximately 36 metres from the rear gardens of these properties at the closest point. Furthermore, the neighbouring properties tend to have gardens of approximately 24 metres in length. Due to this distance, it is not considered that there would be any material loss of amenity in terms of loss of privacy, light or outlook. Furthermore, the proposed parking areas would be located between 13 and 16 metres from the rear gardens, separated by the existing small garaging area. Due to this distance, it is not considered that there would be any material loss of amenity arising from disturbance caused by the parking area.

8. Design

The previous planning application was refused solely on grounds of its design and it was also for this reason that the appeal was dismissed. Concern has been raised by local residents regarding the loss of the existing buildings on the site. However, when considering the planning appeal, the Inspector noted that *'the existing buildings at the site are not of any particular architectural or historical merit and are dominated by their single storey shop additions'*. Furthermore, the Inspector commented that *'the site is outside the conservation area and there is no objection in*

principle to the replacement of the existing buildings by a contemporary structure. Nor would it be appropriate, necessarily, to replicate the design features of the existing buildings’.

The proposed building would have the appearance of three separate buildings, notwithstanding the linked sections. The ground floor link sections would be set back from the buildings main frontage by between 3.2 and 4.4 metres. It is considered that this element of the design would overcome the Inspector’s criticism of the previous scheme, that *‘the treatment of the front elevation, together with the long unbroken ridge and eaves lines, would give the building an emphasis that would, overall, be more horizontal’.* The Inspector considered that the building would appear uncharacteristically monolithic and it is considered that this has been addressed by the revised scheme, as the three distinct elements of the building would have differing roof styles and heights and the buildings would be broken up by the projecting balconies to the first and second floors. The Inspector was also concerned regarding the loss of the setback to the upper levels and felt that as a result the building would be much more dominant in the street scene. It is considered that the revised design which presents itself as three separate buildings considerably reduces its dominance within the street scene. The use of hipped roofs to the end sections of the building further reduces its dominance.

With regard to the height of the building, the Inspector was concerned that *‘the south-west gable would be noticeable at some 3 metres higher than the flat roof of No 10, and the ridge line would only be kept level with that of Nos. 32 & 34 because the northern end of the site would be excavated’.* This proposed scheme would be the same height in relation to 10 Church Hill, although the gable end proposed in the earlier scheme is now proposed to be hipped. The height of the building adjacent to 32 Church Hill has increased in this current scheme, as each of the three elements of the building has a different roof height, respecting the changing land level across the site. The previous scheme was the same height as 32 Church Hill and the presently proposed scheme would be approximately 1.2 metres higher. In the Design and Access Statement submitted with the application, the applicant states that *‘the overall appearance of the proposed development will be one of buildings stepping down within the street, thus nos. 36-38 step down to 32-34, with the appeal proposals stepping down to no. 10, which in turn steps down to no. 8 Church Hill. It is considered that this is a sensible approach to this hill site, which balances the need to maximise the use of the land whilst respecting the heights of surrounding buildings. This approach was implied in the Inspector’s decision letter’.* It is considered unlikely that the Inspector actually intended to encourage specifically what has been presented through this current planning application, as consideration of the Inspector’s report does not lead the case officer to the conclusion that the scheme should be increased in height in relation to number 32 and the case officer’s understanding of the Inspector’s report is that the Inspector felt that the height in relation to 10 Church Hill should actually be reduced. Notwithstanding this, it is considered, on balance, that the dominance of the proposed building in relation to 10 Church Hill has been sufficiently reduced by the hipping of the roof, which considerably reduces the impact of the building. With regard to the height of the other end of the building, referred to on the drawings as ‘Villa 3’, it is considered that the increased ridge height would not be detrimental to the character and appearance of the area, due to the increased height and dominance of the building to the north of 32 Church Hill. Accordingly, it is considered on balance, that the building would have an acceptable appearance within the street scene. For the same reason, it is not considered that the proposed development would be detrimental to the character, appearance or setting of the nearby conservation area.

9. Affordable Housing

The planning application proposes that of the 24 residential units, 5 would be provided as Intermediate affordable dwellings. This amounts to just over 20%. The Committee will be aware that policy H7A of the local plan requires that on suitable sites the Council will seek affordable housing provision of at least 40%. However, in accordance with Government advice, the Plan states that the level will apply unless it can be shown that it is inappropriate or that it would make a

scheme economically unfeasible. In this instance, the applicant has submitted a financial appraisal of the proposed development, using the Three Dragons Toolkit. This has been reviewed by the Council's Head of Housing, who is satisfied that the provision of affordable housing at a higher level than that proposed would render the scheme unviable.

The Three Dragons Toolkit has been widely used by planning authorities and is recognised as providing a useful tool for assessing the viability of a proposed development. At an inquiry within a London Authority, an Inspector stated that *'each scheme must be considered on its own merits, and the use of the toolkit enables this to be done in a consistent manner, and avoids setting a precedent for any other schemes, which would have to follow a similar process'*.

The applicant has submitted a unilateral undertaking with the application, in which they undertake to provide the affordable housing and transfer it to the Housing Association prior to the occupation of more than 50% of the Market housing.

10. Parking and Highways

The proposed development makes provision for 27 car parking spaces, which would provide one space per residential unit and one per retail unit. The site is located within an urban area, where access to public transport is good. Accordingly, the provision of parking for the residential units is considered to be at the maximum level permissible under the Council's adopted standards. With regard to the retail units, the Council's maximum standard is one space per 20 square metres of floor space. In this case, the maximum standard based on the retail floor space would be 8 spaces. However, having regard to the location of the site in relation to public transport and the public car parks within the town centre, the parking proposed is considered to be acceptable. In addition to the car parking, provision for 24 secured cycle spaces and 3 motorcycle spaces are also proposed.

The previous application on this site (24 no. apartments and 4 no. retail units with 24 car parking spaces) was considered by The Planning Inspectorate. With regard to parking, the Inspector concluded that the 24 spaces were broadly in line with the advice in PPG3, having regard to the location of the site and public transport accessibility.

The proposed development will require the relocation of the existing bus lay-by, to accommodate the new vehicular access into the site. Within the unilateral undertaking, the applicants undertake to enter into a legal agreement with Essex County Council to secure these works.

11. Landscaping and Trees

There are protected trees at the rear of the site, covered by order no TPO/EPF/19/03. These trees are shown being retained on the application drawings. It is not considered that the development would be harmful to the health of these trees, although they would require protection during construction. This may be secured by planning conditions, if consent is granted. Indicative landscaping is shown on the application drawings, and details of proposed landscaping could also be secured by planning condition, if consent is granted.

12. Other Matters

The applicants have submitted a unilateral undertaking setting out their intention to provide the affordable housing units, to enter into a legal agreement with Essex County Council to secure the relocation of the bus stop and to make a financial contribution of £36,574 towards education provision within the locality.

At the time that this report was prepared for the Committee Agenda, the Council's legal section were reviewing the document. At the meeting, the view of legal services will be presented verbally to the Committee, for their consideration.

Concern has also been raised by two local businesses regarding the impacts of the proposed development. Kings Dental Surgery, in Kings Green, has raised concern regarding parking and it is considered that this has been addressed above. The other concerned business directly neighbours the application site. Warriner & Sons is a funeral parlour which operates from 32 Church Hill. Its owners have raised concern regarding the potential for disturbance to the premises during construction, particularly as there is a chapel at the rear of the site. Whilst officers are sympathetic to this predicament, it is not considered that such disturbance would justify the refusal of planning permission. Following the completion of the development, it is not considered that there would be a material disturbance caused by the occupation of the site.

Conclusions:

In light of the above appraisal, it is considered that the proposed development would not give rise to a material loss of amenity to the occupiers of neighbouring residential properties. On balance, it is considered that the proposed development would have an acceptable design and appearance. Provision of site landscaping and the highway and parking arrangements are considered to be acceptable. Accordingly, the Committee is recommended to grant planning permission.

SUMMARY OF REPRESENTATIONS:

LOUGHTON TOWN COUNCIL. Objection. The Committee objected to this application which is contrary to policies DBE1 (i) & (ii), DBE5 (i), DBE9 (i) and DBE10 (i) & (a) of EFDC's adopted Local Plan and Alterations. The Committee noted that some of the previous concerns had been addressed, however, it continued to have concerns about the visual impacts of the proposals which it considered out of character with the surrounding area and therefore detrimental to the street scene. In particular the overhanging balconies on the first and second floors of the front elevations are contrary to the existing style where the properties are set back above the shops has potential for loss of amenity to neighbouring properties in Church Hill. Concerns were also expressed regarding potential highway safety issues arising from the siting of the proposed vehicle entrance.

LOUGHTON RESIDENTS ASSOCIATION. Objection. This proposal presents three tall, bulky "slabs" right at the front of the site, with no setback of the upper storeys. This does not fit in with the surrounding properties and the properties opposite, which are on a significantly smaller scale, have gaps at ground floor level as well as roof level and do not tower over the pavement of Church Hill as these blocks would. The blocks would be significantly taller than no. 10, which may be acceptable given the 'stepped' nature of the buildings on Church Hill. However, it is also significantly taller than no. 32 (uphill). The proposal fails to respect the building line with no. 32. The developer is still trying to cram far too much onto the site. The trees proposed for screening will not have the required effect during the winter months. The proposal is still out of keeping in its nature, bulk, height and design. It would, therefore, represent a change to the character of the neighbourhood, in contravention to the relevant provisions of the Local Plan. Also concerned regarding safety of children due to traffic and vehicular access, additional traffic and parking and disruption caused by the construction.

HILLS AMENITY SOCIETY. Objection. The proposal is three four storey buildings not three 3 storey buildings as stated and Villa 2 could be classed as two buildings, thus making this proposal four linked blocks of four storeys. The design of these flats would have an inappropriate dominance on the existing street scene. The proposal is still too large and out of character with the area and surrounding conservation area. There would be a loss of privacy to the houses in

Queens Road and Church Hill, especially the balconies which would overlook houses in Queens Road. Concerned regarding increased traffic and potential for harm to existing trees.

20 letters of objection were received from the following residential properties:

- 11, 16, 17, 40, 41, 42, 64, 73 CHURCH HILL
- 2, 12 21, 35, 39, 51 QUEENS ROAD
- 1 THE HEIGHTS
- 24 THE UPLANDS
- 71 YORK HILL

One further letter was received from a resident who did not provide an address. The objections made by local residents are summarised as follows:

Design

The blocks would be brought much closer to the road than the existing houses. They would be significantly taller and would present an altogether too bulky appearance, out of keeping with the character of the neighbourhood. The applicants are still trying to cram too many apartments onto too small a plot. The proposal would change the character of the whole neighbourhood, which generally includes properties of mixed styles dating from the first half of the 20th Century. Should permission be granted to demolish these lovely Edwardian buildings then another part of Old Loughton would be gone forever. Having studied the plans for this amended application I can see no substantial changes that make any of the Planning Inspectorate comments, with regards the bulkiness and over sizing of this development, any less valid.

Impact on Neighbours

The blocks would directly overlook the facing house on the opposite side of the road, presenting a loss of light as well as a loss of privacy. Overlooking of properties in Queens Road – trees are deciduous. Noise and light pollution to gardens in Queens Road.

Parking and Highways

We believe that 27 parking spaces would be insufficient in an area which already has parking problems. Concern regarding traffic crossing the pavement for access to the site, used by many school children and parents. It is naïve to think that visitors to these properties will use public transport. The chaos the additional parking will cause on the limited parking spaces on the Hill and in The Uplands is unthinkable. The area, which is the entrance into Loughton, will become a mess. Site is near a bend with limited visibility. From Kings Green it is almost a blind spot, as cars turn to go up Church Hill.

Other Matters

The retail units are too small to be an alternative replacement for the existing shops.

The following letters have been received from commercial occupiers:

WARNER & SONS, 32 CHURCH HILL. Objection. The proposed development is generally out of keeping with other properties in the area. The retail properties presently fronting the application

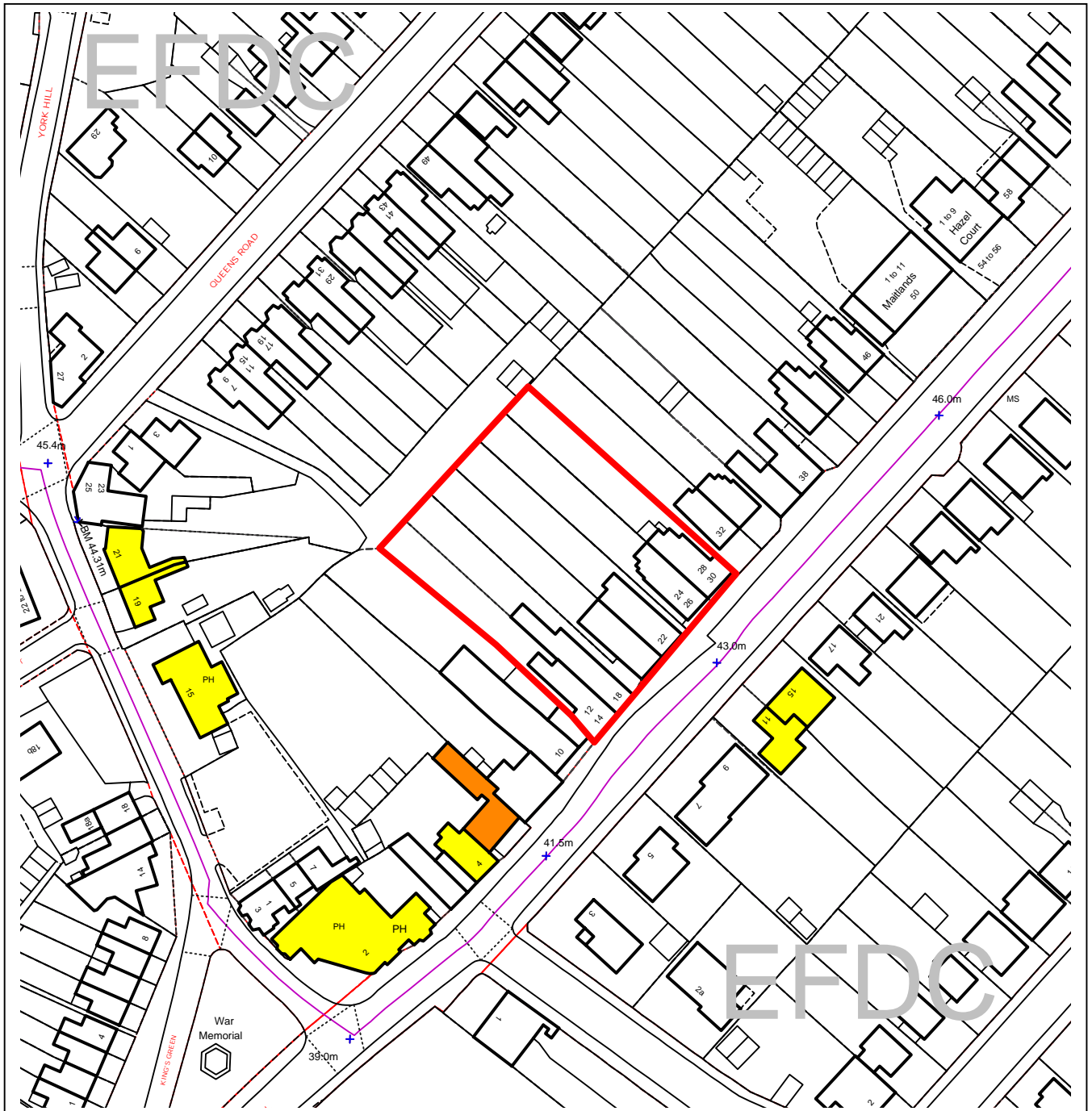
site have been extended out from the original buildings and provide a sympathetic proportional impact to the street scene. The proposed buildings are considerably higher than the adjoining buildings and we consider them to be out of scale. Concerned regarding the number of vehicles and parking problems. The construction works will cause significant noise and disturbance to our business (a chapel of rest).

KINGS GREEN DENTAL SURGERY, 2 KINGS GREEN. Objection. Concerned regarding the number of parking spaces proposed.



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	7
Application Number:	EPF/0900/08
Site Name:	12-30, Church Hill, Loughton, IG10 1LA
Scale of Plot:	1/1250

Report Item No: 8

APPLICATION No:	EPF/0967/08
SITE ADDRESS:	236 High Road Loughton Essex IG10 1RB
PARISH:	Loughton
WARD:	Loughton St Marys
APPLICANT:	Jennings Racing Limited
DESCRIPTION OF PROPOSAL:	Retention of 2 no. satellite receiver dishes.
RECOMMENDED DECISION:	Grant Permission

CONDITIONS

None

This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions).

Description of Proposal:

This application seeks planning permission for the retention of two satellite receiver dishes which have been erected to the front of the building. The satellite dishes have diameters of 600mm and 900mm and are positioned on the front elevation at first floor level, just above the projecting ground floor.

Description of Site:

The application site is located in Loughton High Road, close to its junction with The Drive. The site comprises a retail unit, which is presently occupied by a betting shop.

Relevant History:

The site has an extensive history. A planning application for a 1000mm satellite dish was submitted in 1997, but was never determined.

Policies Applied:

Adopted Local Plan and Alterations.

DBE1 – New Buildings

Issues and Considerations:

The main issue in this case is the impact of the dishes on the character and appearance of the area.

Impact on Appearance of the Area

The dishes are located to the front of the building. However, they are partly screened by the projecting ground floor of the building and as a result they are not visible from the pavement directly outside the site. They are, however, visible from the pavement on the opposite side of the High Road. The dishes have a functional appearance. However, the site is in commercial use and located in an area which is commercial in its character. The building is not listed and the site is not located within a conservation area. Accordingly, it is not considered that the dishes have such a detrimental impact on the appearance of the area as to justify the refusal of planning permission.

Conclusion

In light of the above appraisal, it is considered that the dishes have an acceptable appearance and are not detrimental to the character and appearance of the site or the wider street scene. Accordingly, it is recommended that planning permission be granted.

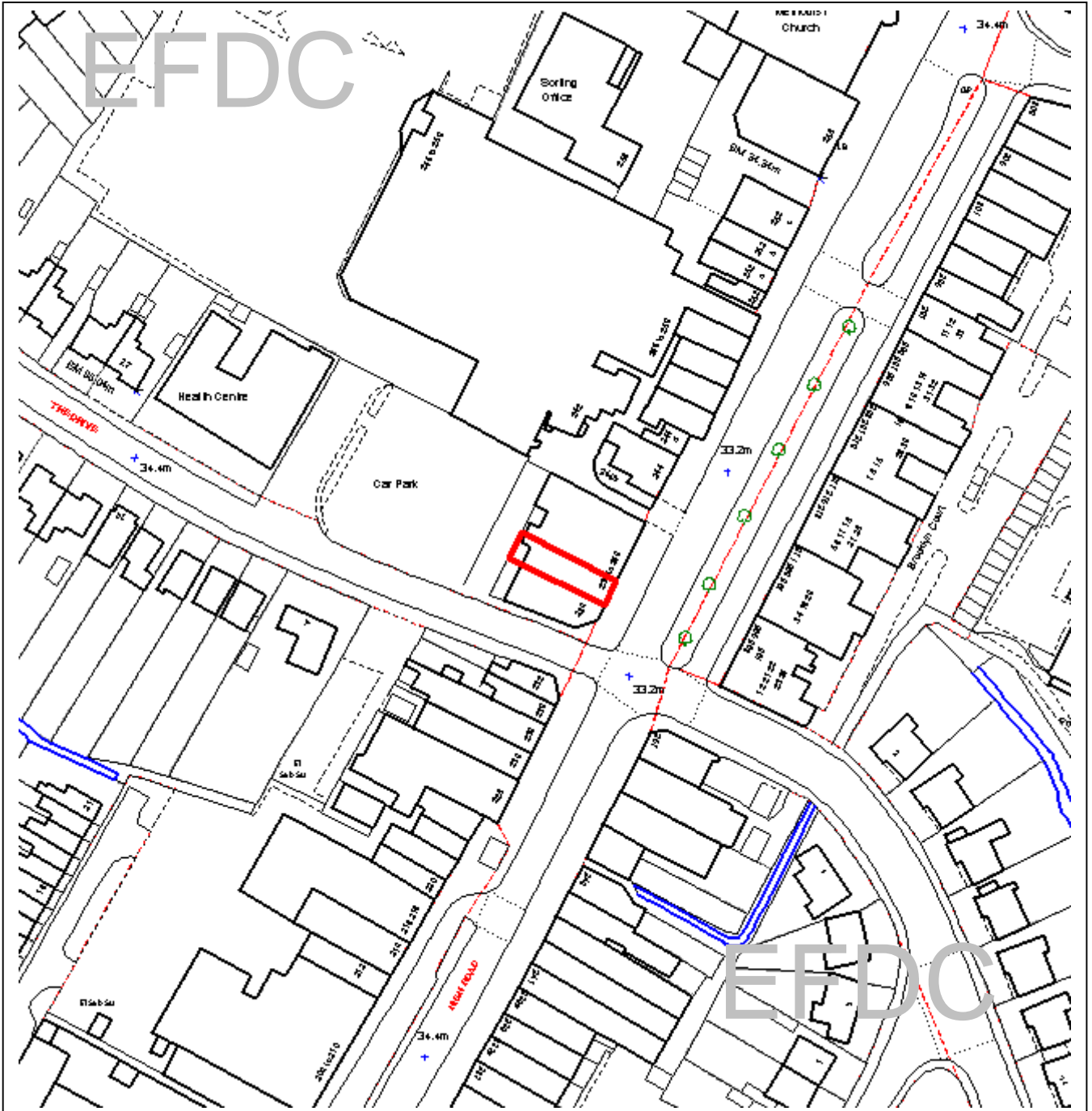
SUMMARY OF REPRESENTATIONS:

LOUGHTON TOWN COUNCIL. Objection. The Committee objected to this application which was contrary to Policies DBE 10 (i) and (ii) of Epping Forest District Council's adopted Local Plan and Alterations as the large receiver dishes have an adverse effect on the street scene in the High Road. The Committee suggested that consideration be given to relocating the equipment possibly to the rear of the building or reducing the size of the dishes to lessen the impact.



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	8
Application Number:	EPF/0967/08
Site Name:	236 High Road, Loughton, IG10 1RB
Scale of Plot:	1/1250

Report Item No: 9

APPLICATION No:	EPF/1122/08
SITE ADDRESS:	Station Dry Cleaners Loughton Station Station Approach Loughton Essex IG10 4PD
PARISH:	Loughton
WARD:	Loughton Forest
APPLICANT:	Miss Neziha Kaya
DESCRIPTION OF PROPOSAL:	Change of use from A1 (shop) to A5 (hot food take-away).
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 details submitted in the application forms, the A5 hot food takeaway use hereby permitted shall not be open to customers outside the hours of 23.00 hours and 10.00 hours.
- 3 Equipment shall be installed to suppress and disperse cooking/food preparation fumes and smell to a minimum. The equipment shall be effectively operated and maintained for so long as the use continues. Details of the equipment shall be submitted to, and approved by, the Local Planning Authority and the equipment shall be installed and be in full working order to the satisfaction of the Local Planning Authority prior to the commencement of use.
- 4 Adequate provision for foul drainage from the kitchen shall be submitted to and approved by the Local Authority. Drains serving the kitchens in the development shall be fitted with a grease separator, as detailed in the Building Regulations 2000, Approved Document H (Drainage and waste disposal), to comply with prEN 1825-1 and designed in accordance with prEN 1825-2 (Installations for separation of grease) or other effective means of grease removal. The approved drainage shall be retained and maintained while the site is in use.
- 5 Prior to the premises being brought into use for the purpose hereby permitted, a scheme providing for the adequate storage of refuse and litter from this use shall be submitted to and approved by the Local Planning Authority. The scheme shall be carried out and thereafter retained at all times.

This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions) and since it is an application for commercial development and the recommendation differs from more than one expression of objection (Pursuant to Section P4, Schedule A (f) of the Council's Delegated Functions).

Description of Proposal:

Change of use from A1 (shop) to A5 (hot food takeaway). No external changes are proposed in this change of use application. The hours proposed are 10.00-23.00 Monday to Friday and 10.00-0100 Saturday, Sunday and Bank Holidays.

Description of Site:

The very end of a flat roofed brick building that is located in the forecourt of Loughton station. The premises are part of the Grade II Listed station building. The shop measures 5m deep by 3.5m wide, is currently a dry cleaners and is adjacent to a restaurant that does not have a late night refreshment licence. Although located away from the High Road, the site lies within the Principal Town Centre of Loughton.

Relevant History:

None relevant.

Policies Applied:

Local Plan:

Policy TC3 - Town Centre Function

Policy DBE3 – Impact on neighbours

Issues and Considerations:

The principal issues to consider with this application relate to the impacts of the proposed use and hours upon the existing problems of disorder in this specific locality. As there are no significant physical changes proposed in this change of use application, the impacts upon the Listed Building would not be significant. The Senior Historic Buildings Adviser from Essex County Council has returned no objection to the proposed change of use.

Objections from the Loughton Town Council, Loughton Residents Association and local residents express concerns over a potential increase in public disorder if the change of use were allowed, especially if it were allowed to open until 1am on some days.

There has been a recent history of anti-social behaviour in the station forecourt vicinity, particularly caused by groups of youths gathering. This has resulted in a Dispersal Order being issued by the police to address the issue. The orders last for 6 months and due to the persistent nature of the problems they have been renewed twice.

As such, it can be seen that there has been an ongoing problem with anti-social behaviour in the area.

It is considered that the change of use of this unit to an A5 hot food takeaway use could potentially attract additional activity to the area, and also perpetuate the existing gathering of youths were it to operate at times when the station area is quiet. Furthermore, the adjacent Tandoori restaurant does not have a late night refreshments licence and thus this would be the only late night

refreshment outlet in the immediate vicinity were it to be allowed, although there are late night outlets on the High Road some 350m away.

Taking the objections into account, it is considered that the problems of anti-social behaviour would not be significantly increased if the hot food takeaway were to operate at times when the level of activity in the vicinity from underground users and bus users is relatively high. It is considered that this would not lead to a significant increase in likely anti-social behaviour problem given the relatively high volume of passers-by in the area at these times and also given the powers available to the police with the Dispersal Order and other powers at their disposal.

If it were allowed to operate until 1am on any day, this would be after the times when the area is generally quiet, and could potentially provide a focus for the gathering of people who could intimidate and disturb the relatively sparse numbers of passers-by and also local residents, given that these are recognised problems already.

The floorspace involved in this unit is only 17.5m² and as such the potential level of service cannot be to a level usually enjoyed by an A5 hot food takeaway outlet. This factor would reduce the scope for large numbers of customers being attracted to the unit outside of times when passers-by from trains and buses is at a high level, given the relatively close proximity of larger A5 outlets.

As such, to permit the change of use but only until 23.00 hours on any night is unlikely to significantly increase problems of anti-social behaviour, and furthermore would not be unreasonable in relation to the likely level of business the proprietors could reasonably expect from the outlet. It is considered that 23.00 hours is an appropriate restriction in relation to the high level of activity seen in this location up to this time of an evening.

It is considered that this use with restricted hours would enable this very small and relatively impractical unit to remain in active use, where an empty unit would detract from the character and amenity of the area. It is also likely to lead to the upgrading of the exterior of the unit from its present appearance, and this would thus improve the visual amenity of the area were this to happen.

Policy TC4 of the adopted Local Plan and Alterations relates to protecting the “key retail frontage”, and this does not cover the unit in question. Relevant Policy TC3 states that the Council will permit new retail and other town centre uses that make the centres attractive and useful places to shop, work and visit throughout the day and evening. It also states that the Council will refuse any proposal that could have a detrimental impact upon the vitality and viability of these centres. It is considered that the proposed change of use would add to the present town centre offering and not detract from the vitality or viability of the town centre, and thus be in compliance with this relevant policy.

Conclusion

The proposed A5 hot food takeaway use with hours restricted is unlikely to significantly increase problems of anti-social behaviour, and furthermore would not be unreasonable in relation to the likely level of business the proprietors could reasonably expect from the outlet. It complies with relevant policy TC3 and DBE9 of the adopted Local Plan and Alterations and the application is recommended for approval, subject to an hours restriction of 23.00 hours on any day.

SUMMARY OF REPRESENTATIONS

LOUGHTON TOWN COUNCIL: Objected to this application which is contrary to Policy TC4 of the adopted Local Plan and Alterations. The proposed change of use would have an excessively adverse effect on the amenities of the surrounding area due to a likely increase in the already high levels of anti-social behaviour and litter problems experienced by local residents. The Committee

would not wish for the further loss of a retail unit, thereby increasing the amount of non-retail frontage in the High Road area to above the 30% limit, particularly one which is of significant value to both commuters and local residents.

LOUGHTON RESIDENTS ASSOCIATION: Prefer to retain the site as retail. If open after 11pm it will cause disturbance to residents.

NEIGHBOURS:

78A MEADOW ROAD, LOUGHTON;

17 MEADOW ROAD, LOUGHTON;

26 MEADOW ROAD, LOUGHTON;

53 MEADOW ROAD, LOUGHTON;

55 MEADOW ROAD, LOUGHTON;

59 MEADOW ROAD, LOUGHTON;

67 MEADOW ROAD, LOUGHTON;

80 MEADOW ROAD, LOUGHTON

18 STATION ROAD, LOUGHTON;

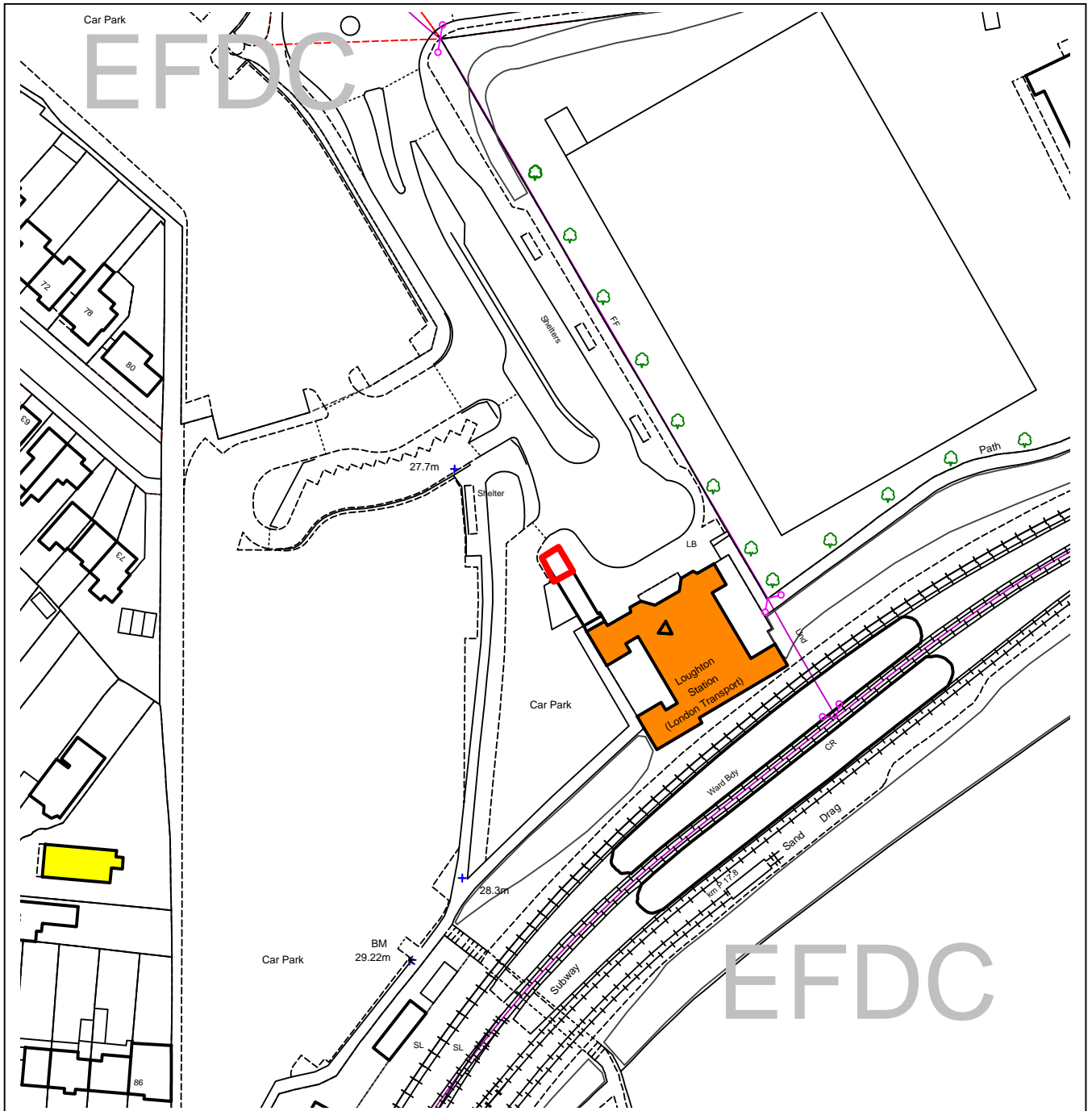
21B STATION ROAD, LOUGHTON;

Will exacerbate existing problems of disturbance and anti-social behaviour. Highlighted history of problems of disorder and litter caused by the persistent gathering of youths in this area, both on foot and in vehicles. The problems caused affect local residents, children and travellers.



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	9
Application Number:	EPF/1122/08
Site Name:	Station Dry Cleaners, Loughton Station, Station Approach, Loughton, IG10 4PD
Scale of Plot:	1/1250

Report Item No: 10

APPLICATION No:	EPF/1153/08
SITE ADDRESS:	Greengates 24/26 Albion Hill Loughton Essex IG10 4RD
PARISH:	Loughton
WARD:	Loughton Forest
APPLICANT:	Mr T Breyer
DESCRIPTION OF PROPOSAL:	Proposed new garage to no. 24 and new house to 26 Albion Hill.
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 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 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 development 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 No tree, shrub, or hedge which are shown as being retained on the approved plans shall be cut down, uprooted, wilfully damaged or destroyed, cut back in any way or removed other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. All tree works approved shall

be carried out in accordance with British Standard Recommendations for Tree Work (B.S.3998: 1989).

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

If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, or 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.

- 7 Prior to the commencement of the development details of the proposed surface materials for the driveways. 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.
- 8 A flood risk assessment shall be submitted to and approved by the Local Planning Authority prior to commencement of the development. The assessment shall demonstrate that adjacent properties shall not be subject to increased flood risk and, dependant upon the capacity of the receiving drainage, shall include calculations of any increased storm run-off and the necessary on-site detention. The approved measures shall be carried out prior to the first occupation of the building hereby approved and shall be adequately maintained in accordance with a management plan to be submitted concurrently with the assessment.
- 9 All material excavated from the below ground works hereby approved shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.

This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions).

Description of proposal:

Demolition of existing two storey house and erection of a two storey detached dwelling.

Description of Site:

A 2 storey detached house with a detached double garage on a large double 'L' shaped site on the south side of Albion Hill. The area has a mixture of types and styles of dwellings. The land drops down steeply to the south. The dwelling has a three storey aspect when viewed from the rear elevation due to the fall of the land. The wall to the front of the property is Grade II listed for a distance of 6m either side of the prominent wooden gates. No changes are proposed for this structure.

An existing cottage to the east of the site (No 22), in the ownership of the applicant has been demolished and a replacement dwelling is currently being erected (permission granted in 2007).

Relevant History:

CHI/0337/63	Detached house and garage	approved
EPF/0100/93	3 bed dwelling for staff	refused
EPF/0638/96	Front boundary wall	approved
LB/EPF/0091/95	LB application for removing garage doors	approved
LB/EPF/0639/96	LB application for new wall	approved

Policies Applied:

DBE 1 New buildings
DBE 2 New buildings amenity
DBE 9 Neighbour Amenity
LL10 Landscaping
ST4 & 6 Highways & Parking
HC10 Listed Building

Issues and Considerations:

The main issues in this application are whether this is

1. Building in Context & Effect on the street scene
2. Design
3. Residential amenity
4. Highway safety and car parking
5. Landscaping
6. Listed Buildings

It is the case that the site is covered by an extant partially implemented planning permission from the early 1960s for the development of 10 houses in the Pollards Close development (CHI/0114A/60), 9 of which have been built. Therefore the principle of a further property on this site was accepted in the 1960s.

1. Building in Context

- This is a residential area and there are a number of different types and styles of housing in the area. To the east and west are large detached houses with No 24 to the east having a deeper than usual garden in this area.
- The scheme would see the existing detached double garage removed and a two storey house with a room in the roof erected in its place, creating a subdivision of the existing plot. The new dwelling would have three stories when viewed from the rear due to the change in levels, in a similar fashion to that which exists at No 24.
- A new attached double garage would be erected on the west flank of No 24.
- The site which would be created is 15.5m wide and 34m deep, and it is proposed to erect a new detached 2 storey 4 bedroom dwelling on the site, a maximum of 13.5m wide x 12m deep, by 8m high on the Albion Road frontage, with an outward hipped roof, with the bottom floor built in to the side of the hill.
- A rear garden with a swimming pool would be provided.
- An integral single garage would be provided on the front (north) elevation.
- The dwelling will be set back from the footway by 8m.
- A gap of 1m would be left to each flank boundary.

- A single storey double garage would be erected on the west flank of No 24, with a 1m gap to the new boundary with the new dwelling.
- The ridgeline is very similar to the two adjacent buildings.
- This is a significant scheme and replaces a modest structure with a large and impressive building.
- It is accepted that this building is wider and higher than the one which it replaces and would be more dramatic in the street. However, this is a very mixed area in terms of styles, and large buildings which take advantage of the topography of the area are not unusual. It is also the case that this is an urban area, albeit with a fairly spacious feel, and this scheme respects the character of the area.
- It is noted that there are several fairly high boundary and retaining walls, and screening walls on the south and east elevation. Due to the topography of the site there are a number of similar walls on neighbouring properties and these structures will cause little harm and not appear out of place.
- The scheme leaves a visible gap of 7m to No 24 and 2.2m to No 28 and thus does not result in a cramped development, but one which is easily accommodated on the plot without detracting from the character and appearance of the street scene in this location.
- The proposal is also in keeping with recent government advice on the reuse of urban land.
- The new garage at No 24 integrates well with the existing building and causes no harm to the street scene.
- Therefore this scheme, whilst significant is not alien or incongruous on the site and will not have an adverse effect on the character and appearance of the street scene. Indeed this is a scheme which will add an interesting building to this diverse area by a careful use of the fall of the land.

2. Design

- The design of the new dwelling is mostly traditional with rendered walls and a slate roof, with the outward flare of the hipped roof adding an element of interest and modernity to the scheme, and is not out of keeping with this urban area and is considered acceptable.
- The materials are acceptable subject to conditions.

3. Residential Amenity

- The main neighbouring properties that will be affected by this scheme will be 24 and 28 Albion Hill and Thurlestone in Pollards Close to the south.
- 24 Albion Hill will have a negligible loss of amenity as a result of this scheme and would have a similar rear elevation to the proposed scheme.
- No 28 would not suffer any loss of light or sunlight from this scheme, and there will be no adverse overlooking of either property as a result of this scheme.
- Thurlestone is some 26m from the rear elevation of the proposed scheme at an angle of 90°. Whilst it is accepted that the property is on a lower level due to the topography of the area the property was not readily visible at the time of the officer's site visit due to extensive screening from mature trees in the area. Therefore it is the case that there will be no adverse overlooking of this property.
- Whilst the scheme is a significant change from the building currently on site it is considered that it is not overbearing or would result in any significant loss of outlook for neighbouring properties.

4. Landscaping

- The scheme does not propose the removal of any significant trees (such as the two in the front garden area) and the retention of the screening trees can be safeguarded by condition.

5. Highways

- The scheme will see the continued use of two existing accesses, and provides sufficient off street parking, with parking areas available as well as the proposed garages, which is a necessity in this narrow road where on-street parking causes traffic congestion, especially during school times (there is a school further down the road).
- Many of the objections centre on damage alleged to have been caused to the highway and footpaths by vehicles during the construction of several other schemes in the area, especially that at No 22. It is also the case that delivery lorries have caused traffic congestion during deliveries to this site.
- Neither of these matters would justify the refusal of planning permission. It is the case that other agencies have powers to deal with these issues which the planning legislation does not possess, such as the Police and Essex Highways (who are aware of this issue).

6. Listed Building

- There is no harm caused to the historic character and appearance of the walls and gates as a result of this scheme.

7. Other Matters

- Several objectors have commented that their view across the valley will be lost, however this is not a matter on which permission could be refused, as there is no right to a view.
- The Land Drainage section has asked for suitable conditions to be imposed to alleviate any possible risk from the scheme.

Conclusion

The application is not out of place in this urban area and causes no adverse harm to neighbouring properties; therefore recommended for approval.

SUMMARY OF REPRESENTATIONS

TOWN COUNCIL – Objected, contrary to policies DBE1 (i) & (ii), DBE 2 and DBE 9 as it is an overdevelopment of the site, detrimental to the street scene and creating a visual impact which results in a loss of amenity for the surrounding properties. The Council also drew attention to the significance of 24 Albion Hill and its wall and gates, which appear as listed buildings in the 'Buildings of Loughton' book by Chris Pond.

28 ALBION HILL – object, will restrict my view, road is narrow and traffic will become more dangerous.

33 ALBION HILL – No objection in principle, however developments in Albion Hill are causing damage to the road surface and taken together I do not see why a condition in respect of road repairs could not be imposed. The 1962 permission will have lapsed many years ago.

37 ALBION HILL – object, a narrow road and this will cause further damage to the road surfaces, there will be more traffic noise and disruption. I will lose my view towards Buckhurst Hill.

37A ALBION HILL – Object road is narrow and the traffic is horrendous already, I will lose my view across the valley.

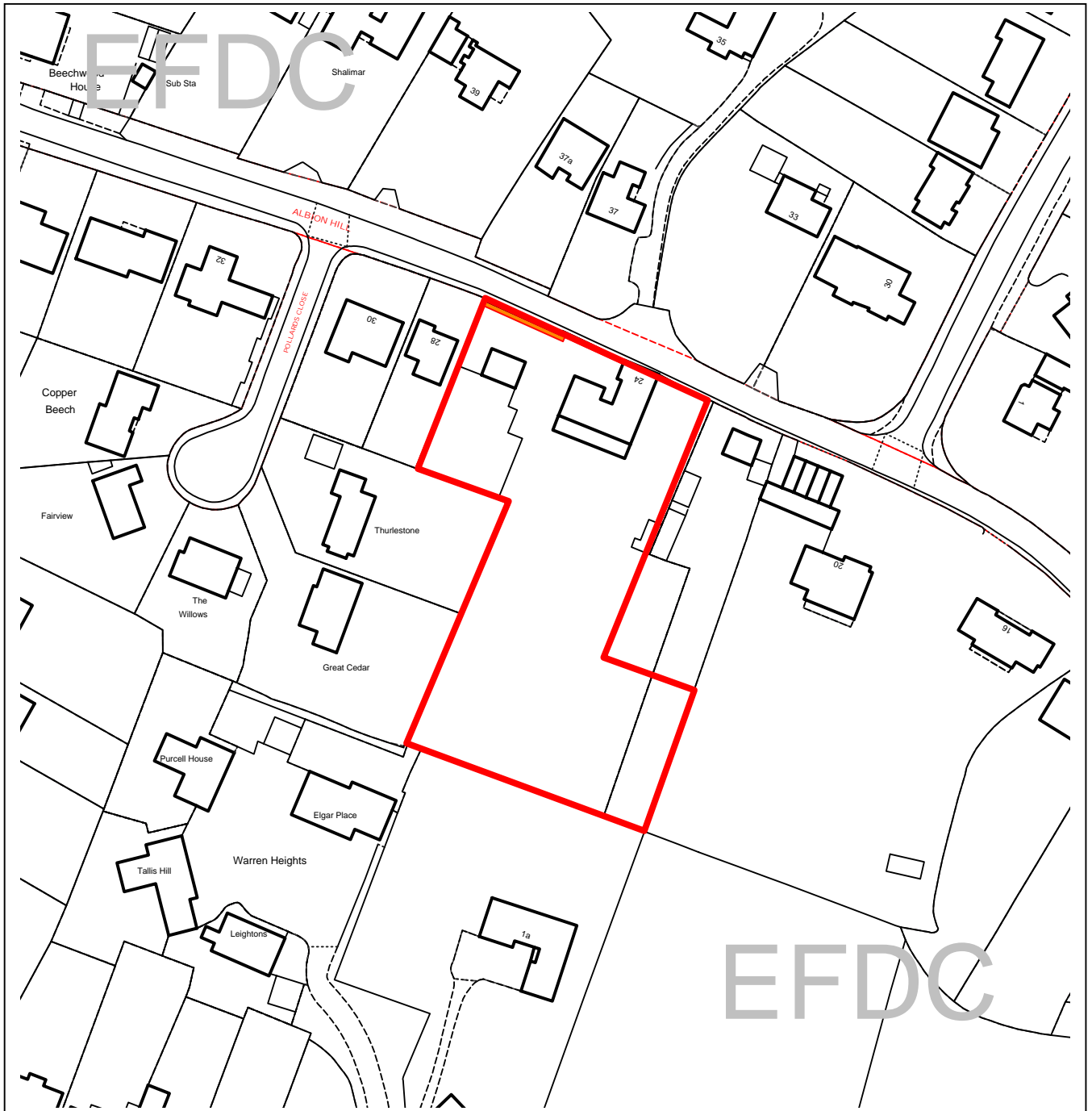
GREAT CEDAR, POLLARDS CLOSE – Object on the grounds of traffic congestion, current works on 22 Albion Hill by the applicant are having a devastating impact on the flow of traffic in Albion Hill. This is causing traffic danger and chaos and this scheme will make this worse.

THURLESTONE, POLLARDS CLOSE – Object by reason of its massing and design lead to a cramped and inappropriate development which fails to integrate with the street scene in this edge of forest development. Will cause an urbanisation effect and a quasi-cramped terrace. No relationship between the buildings and space around them, balconies will lead to overlooking and loss of privacy, basement may affect drainage, will cause traffic danger.



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	10
Application Number:	EPF/1153/08
Site Name:	Greengates, 24/26 Albion Hill, Loughton, IG10 4RD
Scale of Plot:	1/1250

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