

# Committee Agenda



**Webcast  
Meeting**



**Epping Forest  
District Council**

## **AREA PLANNING SUBCOMMITTEE SOUTH** **Wednesday, 15th April, 2009**

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

**Room:** Dining Hall

**Time:** 7.30 pm

**Democratic Services Officer:** R Perrin - Office of the Chief Executive  
Email: rperrin@eppingforestdc.gov.uk Tel: 01992 564532

### **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;
2. Members are reminded of the need to activate their microphones before speaking; and
3. the Chairman will read the following announcement:

“I would like to remind everyone present that this meeting will be filmed live for subsequent uploading to the Internet and will be capable of repeated viewing.

If you are seated in the public seating area it is possible that the recording cameras will capture your image and this will result in the possibility that your image will become part of the broadcast although Officers will try and avoid this.

This may infringe your human and data protection rights and if you have any concerns about this you should speak to the Webcasting Officer.”

**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. CONFIRMATION OF TREE PRESERVATION ORDER EPF/04/09 - NORTH SIDE OF PUDDING LANE, CHIGWELL BETWEEN BRYN MISKIN AND THE ABRIDGE ROAD (Pages 19 - 22)**

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

**8. CONFIRMATION OF TREE PRESERVATION ORDER EPF/54/08 - STRADBROKE PARK, CHIGWELL (Pages 23 - 26)**

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

**9. CONFIRMATION OF TREE PRESERVATION ORDER EPF/08/09 - 1-29 TOMSWOOD ROAD & 1-7 AUDLEIGH PLACE, CHIGWELL (Pages 27 - 30)**

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

**10. CONFIRMATION OF TREE PRESERVATION ORDER EPF/46/08 - 9 ALBION HILL, LOUGHTON (Pages 31 - 34)**

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

**11. DEVELOPMENT CONTROL (Pages 35 - 62)**

(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.

**12. 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.

**13. 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):

<b>Agenda Item No</b>	<b>Subject</b>	<b>Exempt Paragraph Number</b>	<b>Information</b>
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](http://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.

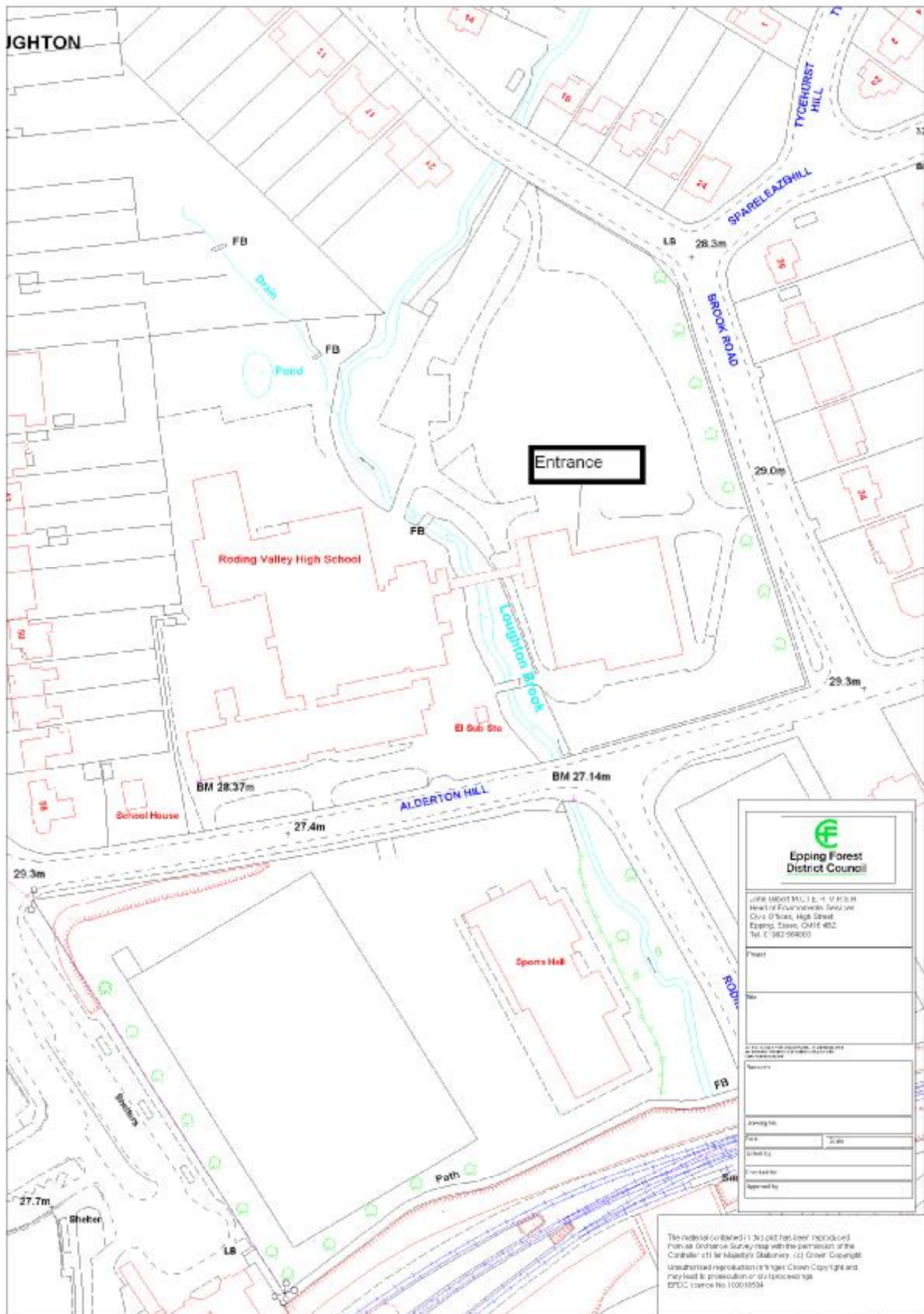
The order of speaking will be (1) Objector, (2) Parish/Town Council, then (3) Applicant or his/her agent. The Subcommittee will then debate the application and vote on either the recommendations of officers in the agenda or a proposal made by the Subcommittee. Should the Subcommittee propose to follow 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:** 4 March 2009  
South

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

**Members Present:** 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, J Markham, G Mohindra, Mrs C Pond, Mrs P Richardson, B Sandler, Mrs J Sutcliffe and H Ulkun

**Other Councillors:**

**Apologies:** D Dodeja, Mrs A Haigh, J Knapman, R Law and P Spencer

**Officers Present:** N Richardson (Principal Planning Officer), M Jenkins (Democratic Services Assistant), D Clifton (Principal Housing Officer [IT]) and S Mitchell (PR Website Editor)

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### 90. WEBCASTING INTRODUCTION

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

### 91. MINUTES

#### RESOLVED:

That the minutes of the meeting held on 21 January 2009 be taken as read and signed by the Chairman as a correct record.

### 92. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillors, K Angold-Stephens, R Barrett, Mrs C Pond and Mrs P Richardson declared a personal interest in the following items of the agenda by virtue of being members of Loughton Town Council. The Councillors had determined that their interest was not prejudicial and they would stay in the meeting for the consideration of the application and voting thereon:

- EPF/2344/08 95 Spring Grove, Loughton, Essex IG10 4QG
- EPF/2394/08 Grange Court, High Road, Loughton, Essex IG10 4QX
- EPF/1037/09 11 Baldwin's Hill, Loughton, Essex IG10 1SE

(b) Pursuant to the Council's Code of Member Conduct, Councillor K Angold-Stephens, R Barrett, J Markham and Mrs C Pond declared a personal interest in the

following item of the agenda by virtue of being members of Loughton Resident's Association. The Councillors had determined that their interest was not prejudicial and they would stay in the meeting for the consideration of the application and voting thereon:

- EPF/2344/08 95 Spring Grove, Loughton, Essex IG10 4QG

(c) 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 the application being in his ward. The Councillor had determined that his interest was not prejudicial and that he would stay in the meeting for the consideration of the application and voting thereon:

- EPF/2462/08 109 and 111 Manor Road, Chigwell, Essex IG7 5PS

(d) 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 knowing the owner of Bernie Court, which was next to the site in question. The Councillor had determined that his interest was not prejudicial and that he would stay in the meeting for the consideration of the application and voting thereon:

- EPF/2462/08 109 and 111 Manor Road, Chigwell, Essex IG7 5PS

(e) Pursuant to the Council's Code of Member Conduct, Councillors K Chana, G Mohindra, B Sandler and Mrs L Wagland declared a personal interest in the following item of the agenda by virtue of being members of Chigwell Parish Council. The Councillors had determined that their interests were not prejudicial and that they would stay in the meeting for the consideration of the application and voting thereon:

- EPF/2462/08 109 and 111 Manor Road, Chigwell, Essex IG7 5PS

(f) Pursuant to the Council's Code of Member Conduct, Councillor Mrs L Wagland declared a personal interest in the following item of the agenda by virtue of being a member of Chigwell Residents' Association. The Councillor had determined that her interest was not prejudicial and that she would stay in the meeting for the consideration of the application and voting thereon:

- EPF/2462/08 109 and 111 Manor Road, Chigwell, Essex IG7 5PS

### **93. ANY OTHER BUSINESS**

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

### **94. 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.

### **95. 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**

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**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/2462/08
<b>SITE ADDRESS:</b>	109 & 111 Manor Road Chigwell Essex IG7 5PS
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Grange Hill
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of 2 houses and construction of 13 flats. (Revised application)
<b>DECISION:</b>	Refused Permission

**REASON FOR REFUSAL**

- 1 The proposal will result in an overdevelopment of the site due to the number of flats proposed, and insufficient parking provision, such that this represents an unacceptable design layout. It therefore will not only be out of keeping, but will result in on-street parking in the vicinity of the site, to the detriment of the character and appearance of the surrounding area, contrary to policies DBE1, DBE2, ST6 and CP7 of the Adopted Local Plan and Alterations.

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/2344/08
<b>SITE ADDRESS:</b>	95 Spring Grove Loughton Essex IG10 4QG
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Forest
<b>DESCRIPTION OF PROPOSAL:</b>	Change of use from highway to residential (footpath and carriageway becoming part of front garden and driveway area to 95 Spring Grove, Loughton).
<b>DECISION:</b>	Granted 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 Gates shall not be erected on the vehicular access to the site without the prior written approval of the Local Planning Authority.
- 3 Prior to the commencement of the development details of the proposed surface materials for the driveway. shall be submitted to and approved in writing by the Local Planning Authority. The agreed surface treatment shall be completed prior to the use of the development.

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/2394/08
<b>SITE ADDRESS:</b>	Grange Court High Road Loughton Essex IG10 4QX
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Forest
<b>DESCRIPTION OF PROPOSAL:</b>	Extended bin store for improved refuse storage and recycling facilities.
<b>DECISION:</b>	Granted 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 As shown on Plans 2 and 3 hereby approved, the extension of the bin enclosure shall be constructed in timber to match the existing bin enclosure.
- 3 The tree and hedge as shown retained on Plan 2 of the plans hereby approved, shall not be cut down, uprooted, wilfully damaged or destroyed, without the written approval of the Local Planning Authority.
- 4 The development hereby approved involves extending the existing car parking spaces towards No. 19 Grange Court, and before work commences on site, details of a boundary treatment shall be submitted and agreed in writing by the Local Planning Authority. The details as agreed shall be implemented on site, before the car parking space is brought into use.

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/0137/09
<b>SITE ADDRESS:</b>	11 Baldwin's Hill Loughton Essex IG10 1SE
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Johns
<b>DESCRIPTION OF PROPOSAL:</b>	First floor side extension and single storey front extension and loft conversion with front and rear dormer windows.
<b>DECISION:</b>	Granted Permission (With Conditions)

The Committee's attention was drawn to representations from Hills Amenity Society and from Superintendent of Epping Forest

**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 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.

- 3 The development shall be carried out in accordance with the amended plans received on 12 Feb 2009 unless otherwise agreed in writing with the Local Planning Authority.



- 4 Prior to first occupation of the building hereby approved the proposed window openings in the side dormer on the North side shall be fitted with obscured glass and have fixed frames to a height of 1.7metres above the floor of the room in which the window is installed, and shall be permanently retained in that condition.
- 5 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.

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## **Report to the Area Plans Sub-Committee South**



**Epping Forest  
District Council**

**Date of meeting: 15 April 2009**

**Subject: Confirmation of Tree Preservation Order EPF/04/09 –  
Land to the north of Bryn Miskin, Pudding Lane, Chigwell.**

**Responsible Officer: Melinda Barham (Ext 4120).**

**Democratic Services: R Perrin (Ext 4532).**

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### **Recommendation:**

**That Tree Preservation Order EPF/04/09 is confirmed without modification**

### **Background:**

1. Tree Preservation Order EPF/04/09 was made to protect 63 trees on land along the north side of Pudding Lane, Chigwell between Bryn Miskin and the Abridge Road.
2. This woodland is currently protected by an Essex County Council Tree Preservation Order made in 1951. These Essex Orders are currently being reviewed and the purpose of this new Order is to protect those trees still worthy of preservation that were previously covered by the Essex Order. In order to clarify which trees are protected they have been plotted as individual trees rather than as a 'blanket' woodland order.

### **Objection to the Tree Preservation Order:**

An objection to the Order has been received from solicitors acting on behalf of Hilda Davies, of Pettits Hall Pudding Lane, the owner of this parcel of land. The objection is made on the grounds that:

- 1 – Over the last 30 years the trees have been looked after by the current owner.

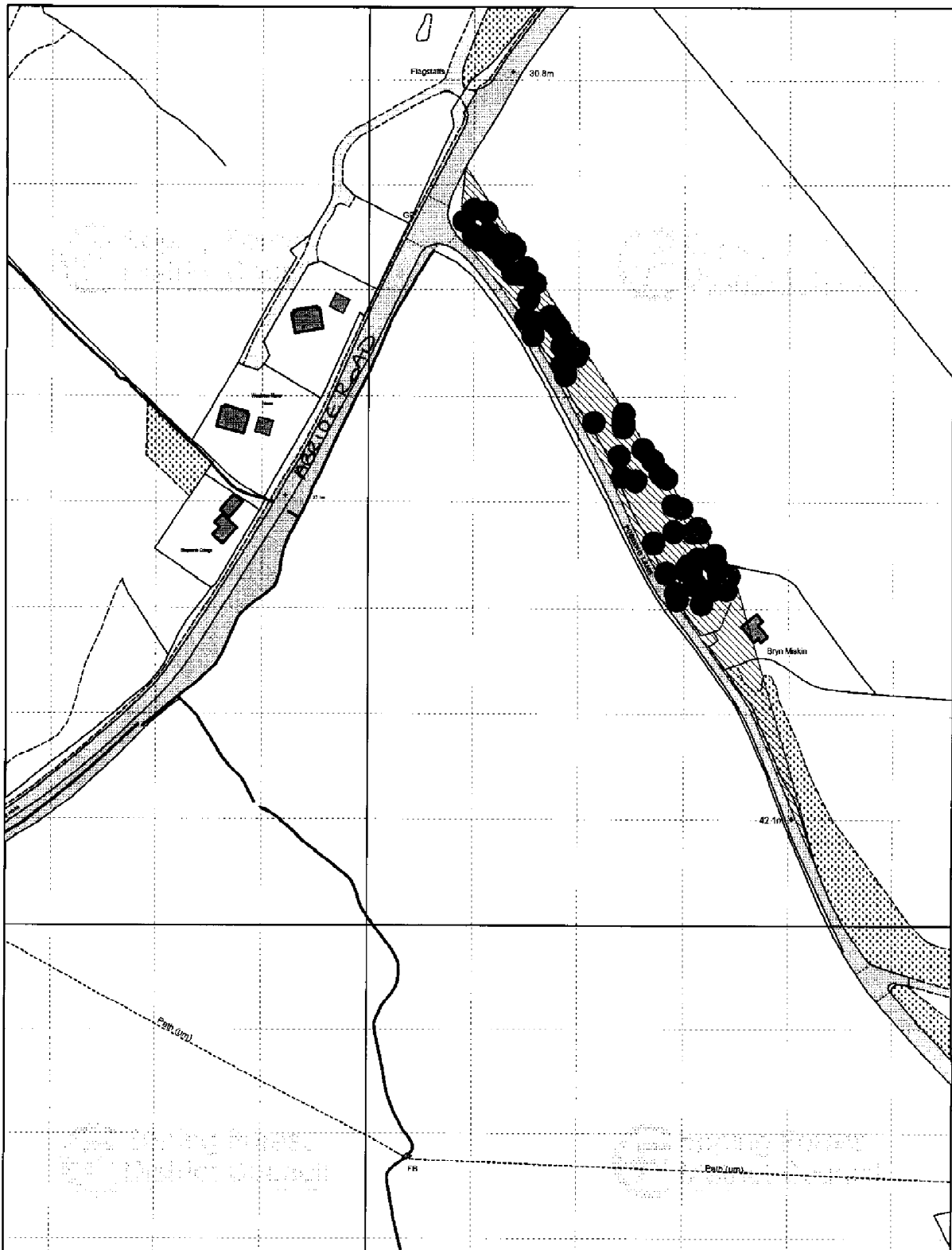
### **Comments of the Director of Planning & Economic Development:**


The trees at this site have been protected by Essex County Council since 1951, this new order is to provide continuity of control over the best landscape assets currently protected by the Essex Order. This new order is not being made because of any concerns regarding the management of the trees by the current owner.

### **Conclusion:**

This is a strategic Order being made to ensure the long term protection of these trees. It is therefore recommended that the Order is confirmed without modification.

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 <p> <b>Epping Forest District Council</b>                  Planning Services                  Civic Offices                  High Street                  Epping CM16 4BZ             </p>	TPO/EPF/04/09 Land to the north of Bryn Miskin, Pudding Lane, Chigwell		Centre X: 545053.216 Centre Y: 195094.376
			Width : 450.000 Angle : .000
	Scale : 1:2500	Date : 30 Mar 2009	Time : 09:51:13 AM
	Reproduced from the Ordnance Survey Mapping with the permission of the controller of Her Majesty's Stationery Office. Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecutions or civil proceedings. Epping Forest District Council - Licence 100018534		

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## **Report to the Area Plans Sub-Committee South**



**Epping Forest  
District Council**

**Date of meeting: 15 April 2009**

**Subject: Confirmation of Tree Preservation Order EPF/54/08  
Stradbroke Park, Chigwell**

**Responsible Officer: Melinda Barham (Ext 4120).**

**Democratic Services: R Perrin (Ext 4532).**

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### **Recommendation:**

**That Tree Preservation Order EPF/54/08 is confirmed without modification**

### **Background:**

Tree Preservation Order EPF/54/08 was made to protect 32 individual trees and 3 groups of trees within residential gardens at Stradbroke Park, Chigwell.

This area is currently protected by a 'blanket' Essex County Council Tree Preservation Order made in 1951. These Essex Orders are currently being reviewed and the purpose of this new Order is to protect those trees still worthy of preservation that were previously covered by the Essex Order. It also includes some additional trees now considered worthy of preservation.

### **Objection to the Tree Preservation Order:**

An objection to the Order has been received in respect of G1 (cedar x1 and pine x1) from a neighbour at 15a Stradbroke Drive.

The objection is made on the grounds that:

- i) These two trees are not indigenous.
- ii) They were planted as part of the landscape scheme when the properties were built in the late 1980's and should not therefore be part of this new Order.

### **Comments of the Director of Planning & Economic Development:**

1. Whilst these two trees are not considered indigenous, they have been planted as a feature within the garden setting. The Tree Preservation Order legislation does not limit what species of trees can and cannot be protected.

2. The justification for this new Order is that it is to protect those trees which were present when the Essex Order was made in 1951. In addition it has also been taken as an opportunity to protect other significant trees which have either grown or been planted since 1951. These two trees fall into this latter category.

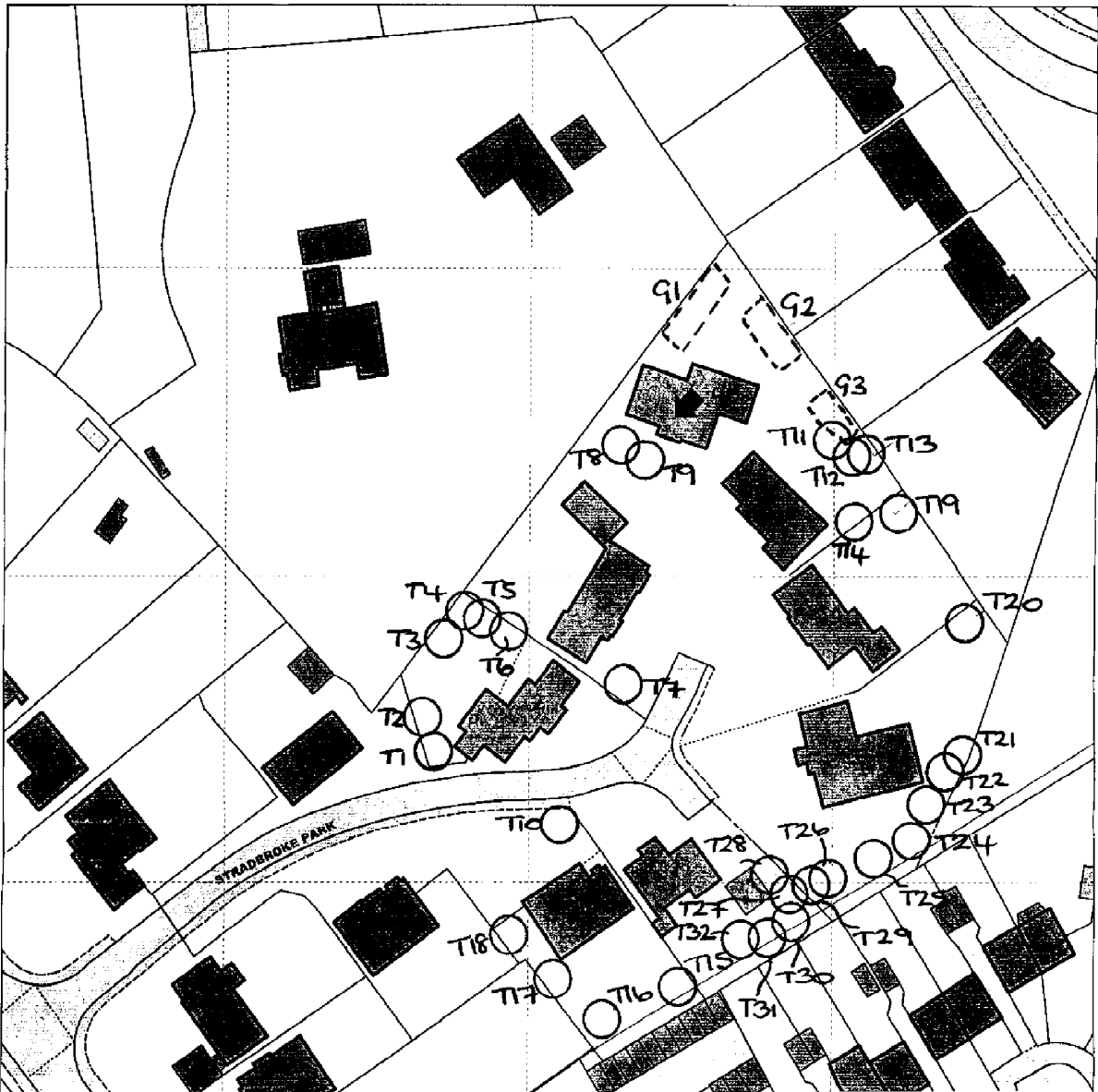
These trees are in a secluded location visually; however they do contribute to the general greening of the area. Although they are relatively young at present they have the capacity to grow to make a significant contribution to the area in the future.

### **Conclusion:**

It is therefore recommended that the Order is confirmed without modification.

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**Key**

T1	Oak	T2	Oak	T3	Oak	T4	Hornbeam
T5	Oak	T6	Oak	T7	Oak	T8	Oak
T9	Hornbeam	T10	Oak	T11	Oak	T12	Hornbeam
T13	Larch	T14	Oak	T15	Oak	T16	Oak
T17	Turkey Oak	T18	Hornbeam	T19	Oak	T20	Oak
T21	Hornbeam	T22	Hornbeam	T23	Oak	T24	Hornbeam
T25	Hornbeam	T26	Hornbeam	T27	Oak	T28	Oak
T29	Hornbeam	T30	Hornbeam	T31	Hornbeam	T32	Oak
G1	Cedar x1 ; Pine x1						
G2	Oak x2						
G3	Hornbeam x3						



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

Stradbroke Park,  
 Chigwell  
 TP01EPF/54/08

Centre X: 543703.359  
 Centre Y: 191657.006  
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Scale : 1:1000 Date : 11 Aug 2008 Time : 11:36:40 AM

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## **Report to the Area Plans Sub-Committee South**



**Epping Forest  
District Council**

**Date of meeting: 15 April 2009**

**Subject: Confirmation of Tree Preservation Order EPF/08/09  
1-29 Tomswood Road & 1-7 Audleigh Place, Chigwell**

**Responsible Officer: Melinda Barham (Ext 4120).**

**Democratic Services: R Perrin (Ext 4532).**

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### **Recommendation:**

**That Tree Preservation Order EPF/08/09 is confirmed without modification**

### **Background:**

Tree Preservation Order EPF/08/09 was made to protect 42 individual trees and 4 groups of trees within residential gardens at 1-29 Tomswood Road and 1-7 Audleigh Place, Chigwell.

This area is currently protected by a 'blanket' Essex County Council Tree Preservation Order made in 1951. These Essex Orders are currently being reviewed and the purpose of this new Order is to protect those trees still worthy of preservation that were previously covered by the Essex Order. It also includes some additional trees now considered worthy of preservation.

### **Objection to the Tree Preservation Order:**

An objection to the Order has been received in respect of T10 (beech) from the owner of the tree at 15 Tomswood Road.

The objection is made on the grounds that :

1 –The owner intends to construct a rear extension which may affect this tree.

### **Comments of the Director of Planning & Economic Development:**

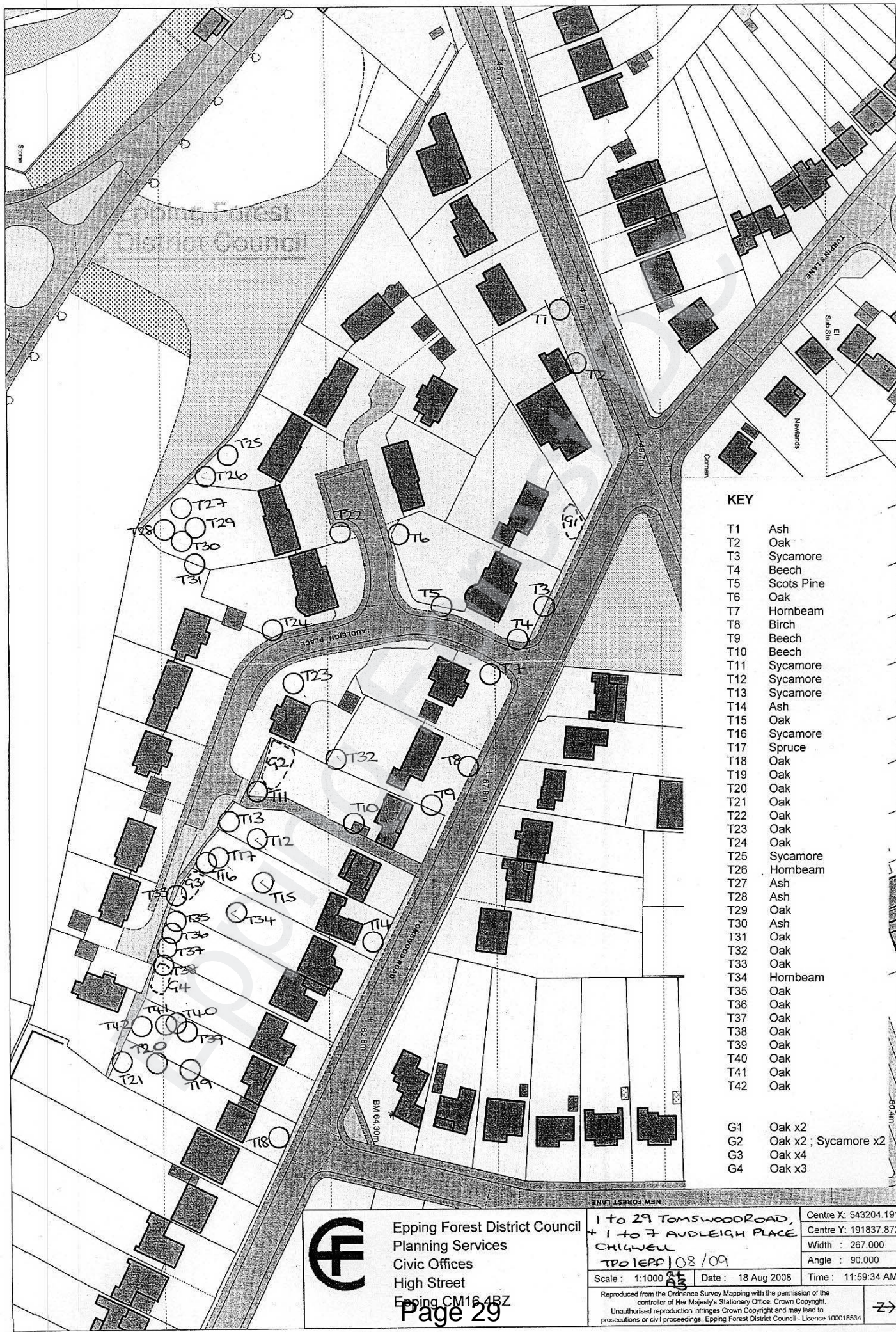
This is a relatively young tree at present which stand approx 2.5m from an existing single storey rear extension. It has the capacity to make a significant contribution to the general greening of the area in the future.

To date no application for an extension to the property has been submitted. It would be premature therefore to exclude the tree from the Order on those grounds. Should such an application be received, the importance of the tree could then be considered and balanced against the reasons given for the application.

### **Conclusion:**

It is therefore recommended that the Order is confirmed without modification.

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**KEY**

- T1 Ash
- T2 Oak
- T3 Sycamore
- T4 Beech
- T5 Scots Pine
- T6 Oak
- T7 Hornbeam
- T8 Birch
- T9 Beech
- T10 Beech
- T11 Sycamore
- T12 Sycamore
- T13 Sycamore
- T14 Ash
- T15 Oak
- T16 Sycamore
- T17 Spruce
- T18 Oak
- T19 Oak
- T20 Oak
- T21 Oak
- T22 Oak
- T23 Oak
- T24 Oak
- T25 Sycamore
- T26 Hornbeam
- T27 Ash
- T28 Ash
- T29 Oak
- T30 Ash
- T31 Oak
- T32 Oak
- T33 Oak
- T34 Hornbeam
- T35 Oak
- T36 Oak
- T37 Oak
- T38 Oak
- T39 Oak
- T40 Oak
- T41 Oak
- T42 Oak
  
- G1 Oak x2
- G2 Oak x2 ; Sycamore x2
- G3 Oak x4
- G4 Oak x3



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

1 to 29 TOMSWOOD ROAD,  
 + 1 to 7 AUDLEIGH PLACE,  
 CHILWELL  
 TPO LEPP 108/09  
 Scale: 1:1000 Date: 18 Aug 2008 Time: 11:59:34 AM  
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 Centre Y: 191837.872  
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 Angle: 90.000  
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## Report to the Area Plans Sub-Committee South



**Epping Forest  
District Council**

**Date of meeting: 15 April 2009**

**Subject: Confirmation of Tree Preservation Order EPF/46/08-9  
Albion Hill, Loughton**

**Responsible Officer: Chris Neilan (Ext 4120).**

**Democratic Services: R Perrin (Ext 4532).**

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### **Recommendation:**

**That Tree Preservation Order EPF/46/08 is confirmed without modification**

### **Background:**

Tree Preservation Order TPO/EPF/46/08 was sealed on 23 October 2008. It protects one Pine tree at 9 Albion Hill as a result of information which suggested it was under threat of excessive pruning.

### **Objection to the Tree Preservation Order:**

An objection has been received to the confirmation of the order from the owners of the adjacent property, 7 Albion Hill. 7 Albion Hill is also known as Albion Park Health and is a private home for the elderly. The basis of their objection is as follows:

- i) the tree is completely out of scale in relation to 7 Albion Hill;
- ii) it drops enormous quantities of leaves, twigs etc onto the adjacent gutters;
- iii) the estimated cost of clearance is excessive; the gutters need to be cleared approximately six times a year and the cost on each occasion is £120;
- iv) in the event of heavy rainfall before the gutters are cleared rain pours down the wall and causes dampness. The adjacent room continues to be redecorated because of problems of dampness; the rainfall has also caused cracks, which need to be repaired.

The objector summarises that the tree is a menace to the property and needs to be substantially cut back/lopped. He states that if this does not occur he reserves his common law rights to take proceedings for damages, which could be considerable.

### **Comments of the Director of Planning & Economic Development:**

1. The issue to be considered is not whether the tree is causing problems but whether it is important enough that the Council is justified in having oversight and control of the solutions.
2. The tree stands on the boundary between No's 7 and 9 Albion Hill. It overhangs the adjacent property and undoubtedly will cause some problems. However, it is a visually important tree, within a few metres of Albion Hill, and its retention is highly desirable to the appearance of the local area. It is considered to have a high public amenity value.
3. Although it is not a native species, this area of Loughton is characterised by Pines of several species so the tree has a value as part of local character, as well as being an important specimen in its own right.
4. In the objection the owners of 7 Albion Hill, state that they wish to see the tree severely cut back. In principle Pines are not capable of regenerating if cut back, as deciduous trees are; on the face of it therefore there is a choice between allowing the tree to be ruined

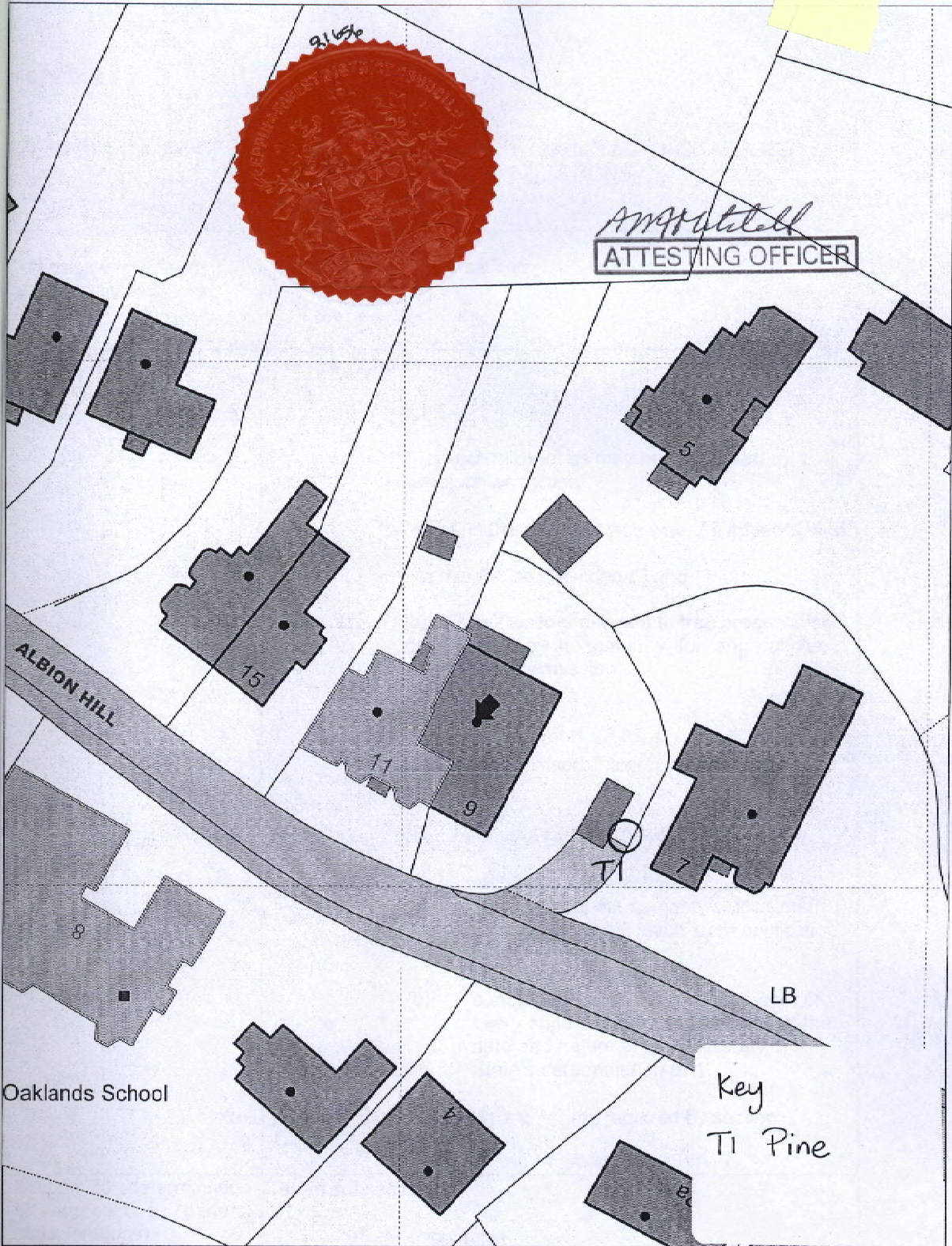
by excessive pruning, which would be within the legal rights of the neighbour to undertake without the Tree Preservation Order, or concerning the order and dealing with applications that arise in the light of the relevant policies.

5. Scrutiny of an application would allow the Council to investigate the claims of the cost of removal of leaves from the gutter and whether repairs are actually related to the tree or some other cause. If the council withheld permission, and costs resulted, a Lands Tribunal claim might result. However, this is the case with any TPO.

**Conclusion:**

It is recommended that Tree Preservation Order TPO/EPF/46/08 be confirmed without modification in order that the Council may scrutinise the reasons given for pruning or felling of the tree and ensure that the policies LL8 and LL9 of the Local Plan, which ensure that there is a good reason for pruning of trees and that the trees are not spoiled without good cause, or alternatively that any felling of trees has adequate justification.





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

TPO/EPF/46/08  
 9 Albion Hill  
 Loughton

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## AREA PLANS SUB-COMMITTEE SOUTH

15 April 2009

### INDEX OF PLANNING APPLICATIONS/ENFORCEMENT CASES

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1.	EPF/0075/09	30a Stag Lane Buckhurst Hill	Grant Permission (With Conditions)	33
2.	EPF/0313/09	1 Parsonage Court, Rectory Lane Loughton	Grant Permission (With Conditions)	37
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5.	EPF/0247/09	Land Adjacent to Copperfield Lodge Hainault Road Chigwell	Refuse Permission	49
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**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/0075/09
<b>SITE ADDRESS:</b>	30a Stag Lane Buckhurst Hill Essex IG9 5TD
<b>PARISH:</b>	Buckhurst Hill
<b>WARD:</b>	Buckhurst Hill West
<b>APPLICANT:</b>	Mr Sanjay Patel
<b>DESCRIPTION OF PROPOSAL:</b>	TPO/EPF/15/98  T4 Horse Chestnut - Fell T5 Horse Chestnut - Repollard T6 Lime - Repollard
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 The work authorised by this consent shall be carried out under the direct supervision of the Local Planning Authority, who shall receive in writing, 5 working days notice of such works.
- 2 All work authorised by this consent shall be undertaken in a manner consistent with British Standard 3998 (1989) (or with any similar replacement Standard).
- 3 The works hereby authorised shall not be undertaken after a period of three years from the date of this consent has expired.
- 4 The crown reduction authorised by this consent shall consist of pruning to 100mm above previous growth points.
- 5 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 this Committee since it includes the felling of a preserved tree and is recommended for approval (pursuant to Section P4, (3) of the Council's delegated functions)*

Description of Proposal:

**TPO/EPF/15/98**

T4 Horse Chestnut – fell  
T5 Horse Chestnut – Repollard  
T6 Lime - Repollard

**Description of Site:**

These three ivy clad trees stand prominently on the front boundary of the property which is within a Victorian residential street with generally small front gardens. Over the years the front gardens have given way to gravel drives for parking.

**Relevant History:**

There are no records of pruning to these trees.

**Relevant Policies:**

LL8 Pruning of preserved trees  
LL9 Felling of preserved trees

**Summary of Representations**

1 neighbour was consulted and no response was received.

BUCKHURST HILL PARISH COUNCIL - made no objection to the proposal, subject to replacement planting.

**Issues and Considerations:**

This application is put before the Committee because it includes the felling of a protected tree. Had the application proposed pruning only it would have been dealt with under delegated powers.

For this reason the comments on this application have been split:

T5 Horse Chestnut and T6 Lime

These trees have previously been pollarded. This application is made on the basis that as a pollarding regime has been established it is best practice to continue to contain their size to prevent problems in the future. By keeping them within a pollarding cycle they will be consistent with other trees within the street scene which are managed in this way.

Whilst in the short term the work may make the trees look stark, the specification is unlikely to cause undue harm to the health of the trees if they are pollarded regularly. The proposal would, therefore, be seen to accord with local plan landscape policy LL8

T4 Horse Chestnut

This part of the application is made on the basis that the tree is infected with honey fungus, which is an aggressive and deadly fungus. On close inspection, the area around the base of this tree has

several large fungal fruiting bodies which are very decayed and now unidentifiable. Slightly further from the tree are the decayed remnants of honey fungus clusters and 'bootlaces'.

When compared to the adjacent tree, there has been very little growth since it was last repollarded. The tree has low vigour and is likely to have a short useful life expectancy.

In 1998 permission was granted for a construction of a house on this site - 30a Stag Lane. Our records indicate that during the development process this tree was damaged due to construction vehicles impacting upon the root system, and it is probable that this has resulted in the fungal infections and contributed to the tree's decline.

It is clearly visible that this tree is in poor and worsening health. It presents a foreseeable risk to users of the public highway and could result in damage to people or property in the event of its failure. Its removal is justified and necessary. It is therefore recommended that this part of the application is granted permission on grounds of health and safety, which accords with local plan landscape policy LL9.

A condition requiring a suitable replacement will go some way towards compensating for the lost amenity and will ensure the presence of landscaping along this boundary into the future.

### **Conclusion**

T5 and T6 – The works to these trees is considered to accord with policy LL8 and is therefore recommended for approval.

T4 – The felling of this tree is for health and safety reasons and is considered to accord with policy LL9 and is therefore recommended for approval.



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	1
<b>Application Number:</b>	TRE/EPF/0075/09
<b>Site Name:</b>	30a Stag Lane, Buckhurst Hill, IG9 5TD
<b>Scale of Plot:</b>	1/1250



**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/0313/09
<b>SITE ADDRESS:</b>	1 Parsonage Court, Rectory Lane Loughton Essex IG10 2BB
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Broadway
<b>APPLICANT:</b>	Housing Services - EFDC
<b>DESCRIPTION OF PROPOSAL:</b>	Conversion of single dwelling house into ground floor offices and first floor flat for elderly person including minor works to no. 2 and surrounding external areas.
<b>RECOMMENDED DECISION:</b>	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 The proposed office accommodation, shall only be used in conjunction with the administration of the council's existing elderly persons alarm system, and shall not be used independently.

*This application is before this Committee since it is an application for the Council's own development on its own land (Pursuant to Section P4, Schedule A (e) of the Council's Delegated Functions) and it is also 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 is an amendment to a scheme approved under planning application number EPF/1611/05 for the conversion of a ground floor single dwelling used as an on-site wardens flat, into offices and to remodel part of existing first floor, into a self-contained elderly persons one-bedroom unit. The proposal involves minor internal and external works to the building.

Pedestrian and vehicle access into the site, boundary treatment, landscaping and existing parking areas within the site remain unchanged as the 14 vehicle parking bays, 1 ambulance parking space and 4 disability spaces will be retained.

The scale, form, size and layout of the building remains unchanged, the only external changes are to the entrance point and the addition of side entry doorway.

### **Description of Site:**

The subject site forms part of the original Parsonage Court, a 1980s development that provides 42 flats, 5 mobility flats and 2 dwellings and the use serves as an elderly persons sheltered housing unit. Parsonage Court is a detached two-storey block located on the eastern side of Rectory Lane, which is accessed via its own private driveway that connects Ibbetson Path to the north.

The two-storey element of the building to which the application relates, provides a single shared entry point through a ramped and stepped up access which grants access to the offices, presently occupied by Careline, and an unoccupied two-storey warden's flat.

### **Relevant History:**

EPF/1611/05: Conversion of single dwelling house into ground floor offices and first floor flat for elderly person. – Granted 05/12/2005 with conditions

### **Policies Applied:**

#### Epping Forest District Local Plan and Alterations

H13 – Retention of residential accommodation

ST6 – Vehicle parking

### **Summary of Representations:**

48 neighbours were consulted and no replies were received.

LOUGHTON TOWN COUNCIL – The Committee objected to this planning application and reiterated its comments to the previous planning application EPPF/1611/05 which are:

The Committee objected to this application which currently falls under C3 of the Use Classes Order and expressed concern that the first floor accommodation would be unsuitable for elderly persons without provision for a lift.

In addition, the Committee felt noise from the office below could disturb the occupier of the flat above.

### **Issues and Considerations:**

The main issue in relation to this proposal is the part loss of an unoccupied, two-storey residential unit (the warden of Parsonage Court resides elsewhere), as a result of the proposed change of use.

The principle of converting the ground floor warden's flat into offices and the formation of a new one-bedroom self contained elderly persons unit above has been deemed acceptable under planning application EPF/1611/05. The consent under this application has, however, since lapsed and while there are minor alterations to this scheme, the proposal remains wholly unchanged.

With the previous approval, the consideration was that the additional office space is required at Parsonage Court due to the expansion of the services provided by Careline who presently occupy part of the ground and first floor offices. The demand for office space is as a result of the increased workload in monitoring and supporting local residents within the district.

The use of the warden's flat became obsolete following on from the Cabinet agreeing in March 2004, that the housing wardens should become non-resident. The conclusion was that in the case of Parsonage Court, the vacated accommodation should be used in part to provide the accommodation for Careline. Therefore, the justification for the change of use of the premises remains unchanged.

The site provides sufficient car parking bays and parking on-site is presently under-utilized hence, the parking areas will be sufficient for the proposed increase in office space. Furthermore, the works associated with the conversion do not entail any changes to the size or form of the building and as such, it will not impact on neighbouring occupier's amenity.

The amended details to the exterior are minor aesthetic alterations to the main entrance involving the remodelling of the front entrance doorway from the existing recessed entry point on the ground floor in order to provide a screen entrance doorway and to re-form the stepped up entrance into a level threshold / landing area leading on from the ramped approach to the building. The external alterations are minimal and will not result in visual harm to the appearance of the building.

The Parish Council has raised objections concerning the suitability of the proposed first floor unit for elderly persons and possible noise from the office use below disturbing the potential occupiers in the flat above.

The new elderly persons flat will be fully accessible from the main entrance into the building where a main lift is provided. In terms of access, apart from a small ramp adjacent to the flat door that rises approximately 0.75m over a distance of approximately 2500mm, which equates to a gradient of 1 in 30, there are no level changes that occur between the lift landing at first floor level and the entrance door to the proposed new flat.

It is also considered that the office use will not generate noise to a level that will be harmful to the unit above as the Environmental Health Officer raises no objection as the information provided is adequate.

As previously considered, given that the development will provide much needed office accommodation that will serve elderly residents within the community, and as it will provide an additional sheltered housing unit, the proposal meets with the local plan policies.

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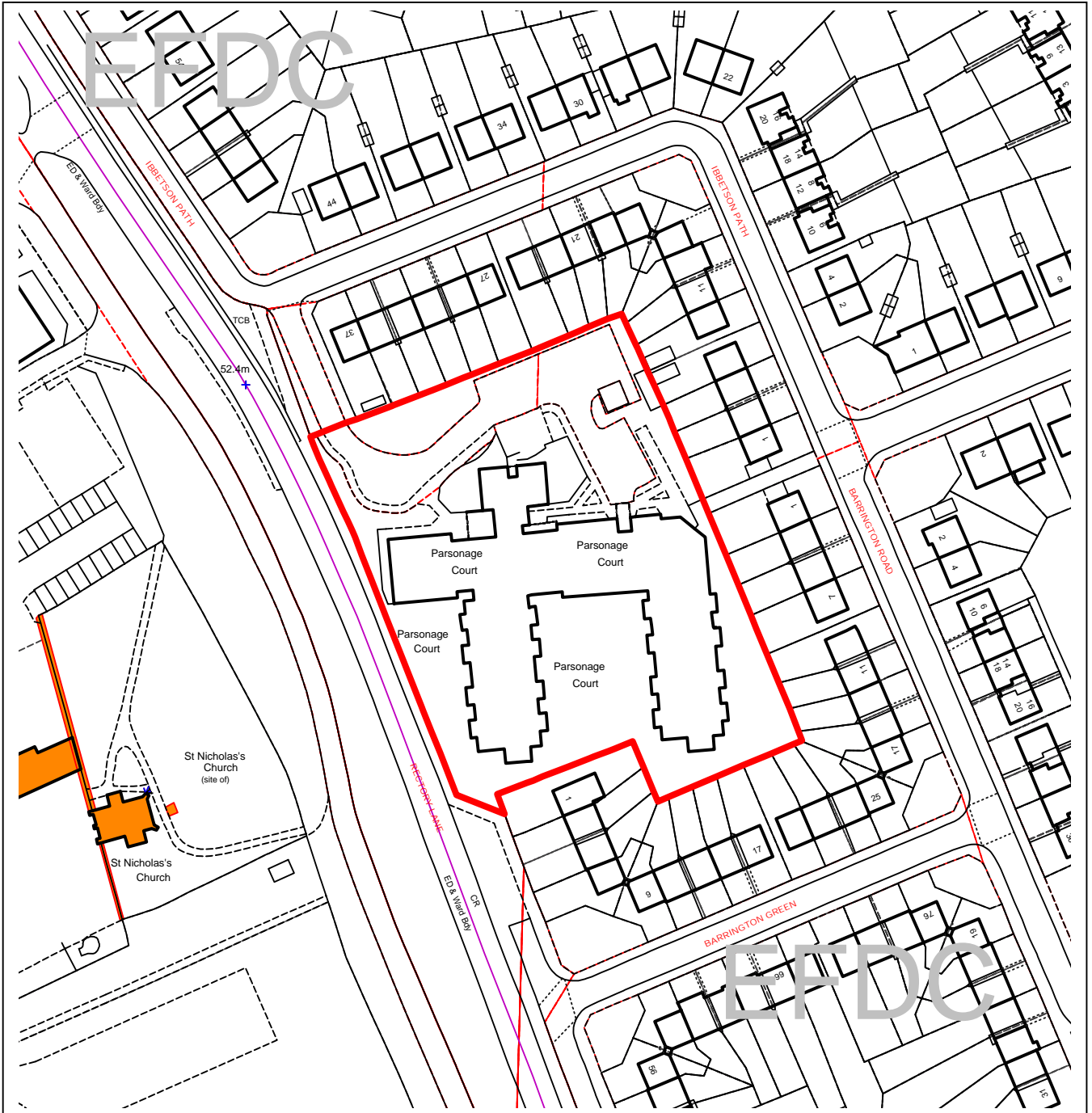
**Conclusion:**

From the appraisal, this amended scheme complies with policies within the development plan and is therefore recommended for approval with conditions.



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	<b>2</b>
Application Number:	EPF/313/09
Site Name:	1 Parsonage Court, Rectory Lane Loughton, IG10 2BB
Scale of Plot:	1/1250

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/0230/09
<b>SITE ADDRESS:</b>	4 Stag Lane Buckhurst Hill Essex IG9 5TD
<b>PARISH:</b>	Buckhurst Hill
<b>WARD:</b>	Buckhurst Hill West
<b>APPLICANT:</b>	Mr Michael Osborne - Hamilton Fox
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of two bedroom, end of terrace house.
<b>RECOMMENDED DECISION:</b>	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 new dwelling, shall match those of the existing house at 4 Stag Lane, Buckhurst Hill.
- 3 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 1, Class A shall be undertaken without the prior written permission 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:**

The proposal is to create an end of terrace two bedroom house. The building would measure 3.25m wide by 12.75m long and fill a space which is currently a side entryway at No4. The new dwelling has been designed to look like an extended section to the existing dwelling on the site. The proposal would retain a 0.5m gap on the front elevation to a large close boarded fence on a wall (2.7m approx) which divides the proposal site from the large block of flats and apartments at Stag Heights.

### **Description of Site:**

The new dwelling would be located in an entryway adjacent to No. 4 Stag Lane, which is one of a pair of Victorian semi detached properties. The large development of Stag Heights is situated on the eastern boundary approximately 0.5 m above the proposal site. This block of apartments extends around the corner on to the High Road. No4 is an "L" shaped property with a first floor terrace at the rear. The site is divided from the Stag Heights complex by a large fence topped wall. The other side of this fence is an access walkway which continues along the rear boundary of the site to an area of private amenity space for the apartments. Stag Lane contains a general mix of dwelling types, with attractive Victorian semis, short terraces, detached dwellings and the flat complex.

### **Relevant History:**

None

### **Policies Applied:**

Policy DBE1 – Design of New Buildings  
Policy DBE2 – Effect on Neighbouring Properties  
Policy DBE3 - Design in Urban Areas  
Policy DBE8 – Private Amenity Space  
Policy DBE9 – Excessive loss of amenity to neighbouring properties  
Policy ST4 – Road Safety  
Policy ST6 – Vehicle Parking  
Policy H2A – Previously Developed Land  
Policy H4A – Dwelling Mix

### **SUMMARY OF REPRESENTATIONS:**

57 properties were consulted, a site notice was erected and the following responses were received.

PARISH COUNCIL: No objection though concerns about parking.

3 STAG LANE: Objection. Parking concerns, particularly since new apartments built, traffic is worse, cars parked on the pavements, will displace current parking but where will this go?

6 STAG LANE: Objection. Parking concerns as current parking will be displaced onto the road, character of the road not benefit from such a building, inadequate internal width of proposed residential unit, on-street parking associated with apartments and staff from Holly house hospital, loss of flank windows making rooms darker, and impact on the appearance of the area.

5 STAG LANE: Objection. Concerns over parking and traffic issues, space here already used for parking of 2/3 cars so where would new owners park? Difficult to get out of my drive (I live opposite), new apartments have added to parking in the locality, noise from construction would be a disturbance.

### **Issues and Considerations:**

The main issues that arise with this application are considered to relate to;

- Design Considerations
- Residential Amenity

- Highway Matters

### Design Considerations

As stated there is a general housing mix on Stag Lane in terms of style and size. The adopted Local Plan and Alterations states that future trends point to an increase in single occupancy and smaller households and increased provision should be made for this demand. In this context the proposal would help meet current and future demands for smaller dwellings whilst complying with a specific point of council policy as contained in Policy H4A. Policy H2A also promotes the reuse of previously developed land in the provision of housing. This proposal complies with this objective.

In terms of specific design issues the proposal has been styled as to appear as an extension to the existing property. In this respect the ridge level has been set below the existing roof and the proposal is generally subservient to No4. Although the proposal would only retain a gap of 0.5m to the boundary a cumulative gap of 2m could still be retained to the Stag Heights development. This would guard against a terracing affect. In any case the mix of housing on the street includes rows of properties which in effect create a terrace. The proposal would have no major impact on the existing streetscene and from this viewpoint the design would be acceptable.

### Residential Amenity

The proposal provides approximately 26m<sup>2</sup> of private amenity space and there is also a small terrace at first floor level. Council policy states that private amenity space should aim for 20m<sup>2</sup> per habitable room and for a 3 habitable room dwelling, the proposal falls short. However there is a degree of flexibility with this policy and the criteria is in the supporting statement to, rather than in, the policy. An amenity area of 65m<sup>2</sup> would be retained for the main house, as opposed to the current 93m<sup>2</sup>. The proposal though is in an urban area with good access to public amenities and adjacent to flats which have less or similar amenity space provision. On balance, it is considered the provision of private amenity space is adequate.

The proposal contains two first floor side windows but as they are essentially replacing two existing windows, serving a bathroom and staircase and also facing a solid brick wall, there would be no issues of overlooking. The proposal would not result in loss of light to habitable rooms. The rear elevation suggests a first floor terrace overlooking the proposed garden area. This overlooks a walkway which leads to an area of private amenity space for the Stag Heights apartments. As this walkway is a means of access to the space there would be no issue of overlooking and the amenity space is part concealed around the corner of the apartment building. A 2m fence at the rear of the proposal property and the substantial size of this communal area would overcome any concerns of serious overlooking. It is not considered that overlooking of the Stag Heights development would be an issue with any windows on the building at a much higher level.

In relation to the neighbouring property, and its terrace, the application indicates the installation of a screen with opaque glass which should ensure a level of privacy for the occupants of both properties. There would be some overlooking of the garden area of No4 but this would be no greater than from first floor windows at No6 and deemed acceptable. A number of windows on the side would be lost at No4, however it is considered that light to habitable rooms would not be unduly affected as they provide secondary sources of light, after front and rear elevation windows.

### Parking issues

A number of objectors have raised issues of parking and problems with traffic on the road. Amended plans show that the front of the property can clearly provide three parking spaces, after a reworking of the front entranceway. This would include one parking space for the new dwelling. Current standards dictate that in urban areas with good transport links one space per dwelling is

deemed appropriate. In this case there are reasonably good transport links with bus links and a tube station a 15 minute walk away. It is also the case that parking is unrestricted in the immediate area. The objectors raise concerns about the general traffic flow on the road; however it is not considered this application will exacerbate any traffic problems that may exist. It will involve reversing into the road from the parking space but this is the present case at the property and indeed with a number of dwellings on the road.

**Conclusion:**

The plot almost appears too narrow to put another residential house on this end of road plot. Yet it is well designed and will not appear at odds to the design and layout of the street scene. It has the appearance of an extension to the main house, but benefits from being at the beginning of the road next to a recent build apartment block, such that it does not look out of keeping, despite the rear garden being small. The site is reasonably well served by public transport and a moderately sustainable location. Parking concerns have been carefully considered, but for this and the existing house, there is room to accommodate 3 off-street spaces and the maximum provision is 1.5 spaces per dwelling. It is not considered that the proposal will result in noticeable addition to on-street parking or a danger to highway safety, although it is acknowledged that Stag Lane is used as a cut-through road.

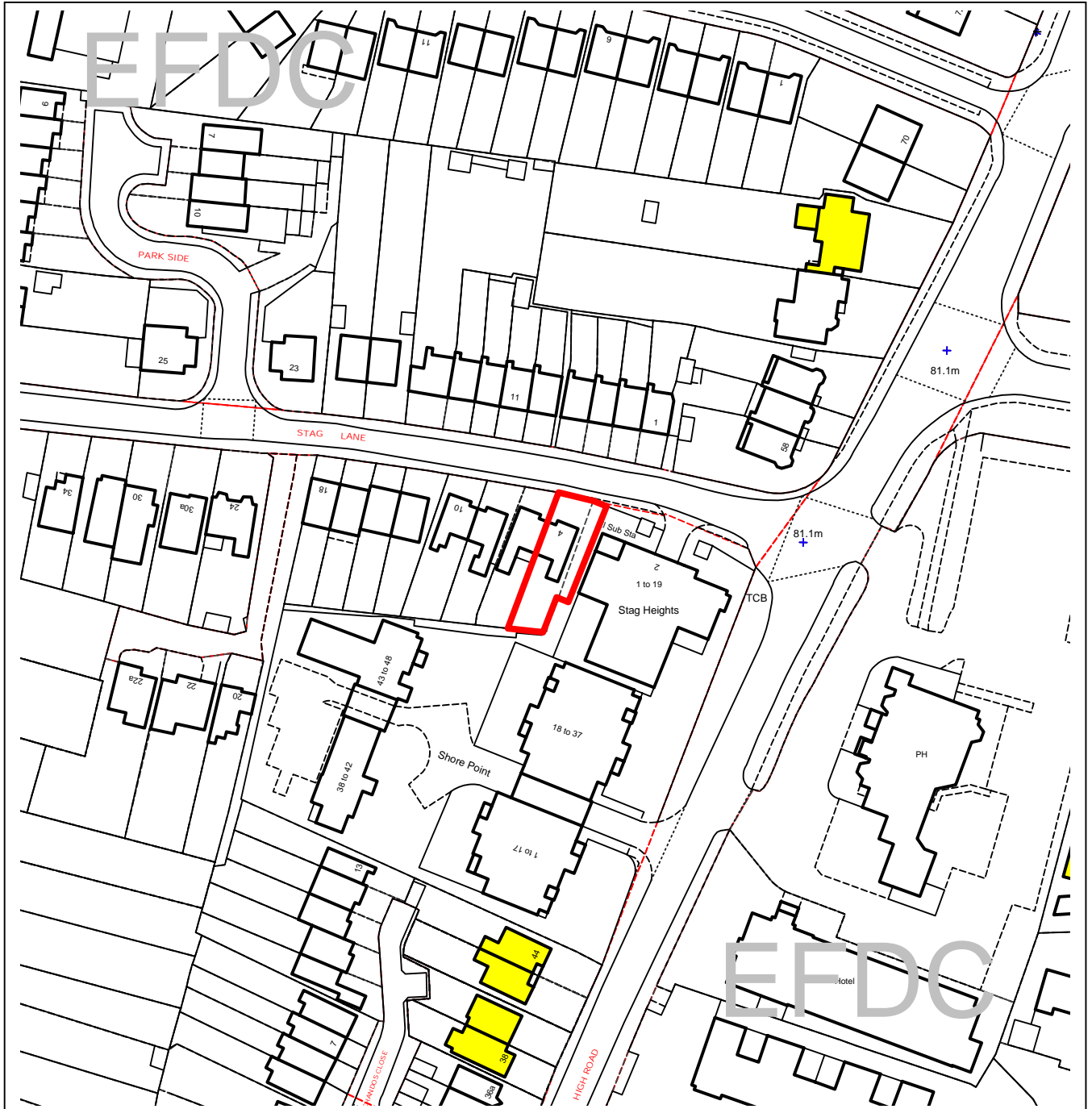
On balance, Officers consider the Parish Council have pitched the comments about right and support their view with the recommendation to grant planning permission.





# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	<b>3</b>
Application Number:	EPF/230/09
Site Name:	4 Stag Lane, Buckhurst Hill, IG9 5TD
Scale of Plot:	1/1250

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/0402/09
<b>SITE ADDRESS:</b>	15 Hills Road Buckhurst Hill Essex IG9 5RS
<b>PARISH:</b>	Buckhurst Hill
<b>WARD:</b>	Buckhurst Hill West
<b>APPLICANT:</b>	Mr Ray De Souza
<b>DESCRIPTION OF PROPOSAL:</b>	Conversion of existing garage to habitable room.
<b>RECOMMENDED DECISION:</b>	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.
- 3 Materials to be used for the proposed garage conversion, shall match those of the existing building.

*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:**

The proposal is for the conversion of an existing garage to a habitable room replacing the garage door with a large window. This will provide an enlarged living room, but no increase in footprint.

**Description of Site:**

The property is a three storey dwelling on Hills Road with integral garage on the ground floor. The property is one in a terrace of five similar properties in a townhouse style. There is a mix of dwelling styles in the immediate area with predominantly Victorian style semi detached properties.

**Relevant History:**

CHI/0767/72 – 5 Town houses - Grant Permission (with conditions) - 21/03/1973.  
EPF/1524/88 - Conversion of garage to living room and single storey side extension. Refuse Permission - 18/11/1988.

**Policies Applied:**

Policy DBE9 – Loss of Amenity  
Policy DBE10 – Design of Residential Extensions

Policy ST6 – Vehicle Parking

**Summary of Representations:**

5 neighbours were consulted and no responses were received

PARISH COUNCIL: Objection. Not in keeping with the streetscene.

**Issues and Considerations:**

The 1988 planning refusal was not on the grounds of the conversion of the garage into a habitable room, but to the size of the extension.

*Impact on Neighbours*

Policy DB9 requires that residential extensions do not lead to loss of neighbour amenity. This application does not highlight any factors which would lead to a loss of amenity.

*Impact on Appearance of Area*

Policy DB10 requires that residential extensions should complement the existing streetscene/building. The properties numbered 7 -15, the block of townhouses, have had their permitted development rights removed. This application would be the first to convert the garage to a habitable room on the block. However it is considered that the proposal would not seriously impact on the appearance of the area. A window in a similar style to the property would be quite complimentary with no significant impact.

*Vehicle Parking*

Policy ST6 will expect all development proposals to provide on-site parking in accordance with the adopted standards. For main urban areas where access to public transport is good, a maximum of 1 space per dwelling is appropriate. Although there is the issue of the loss of the garage there is provision for parking in front of the existing garage.

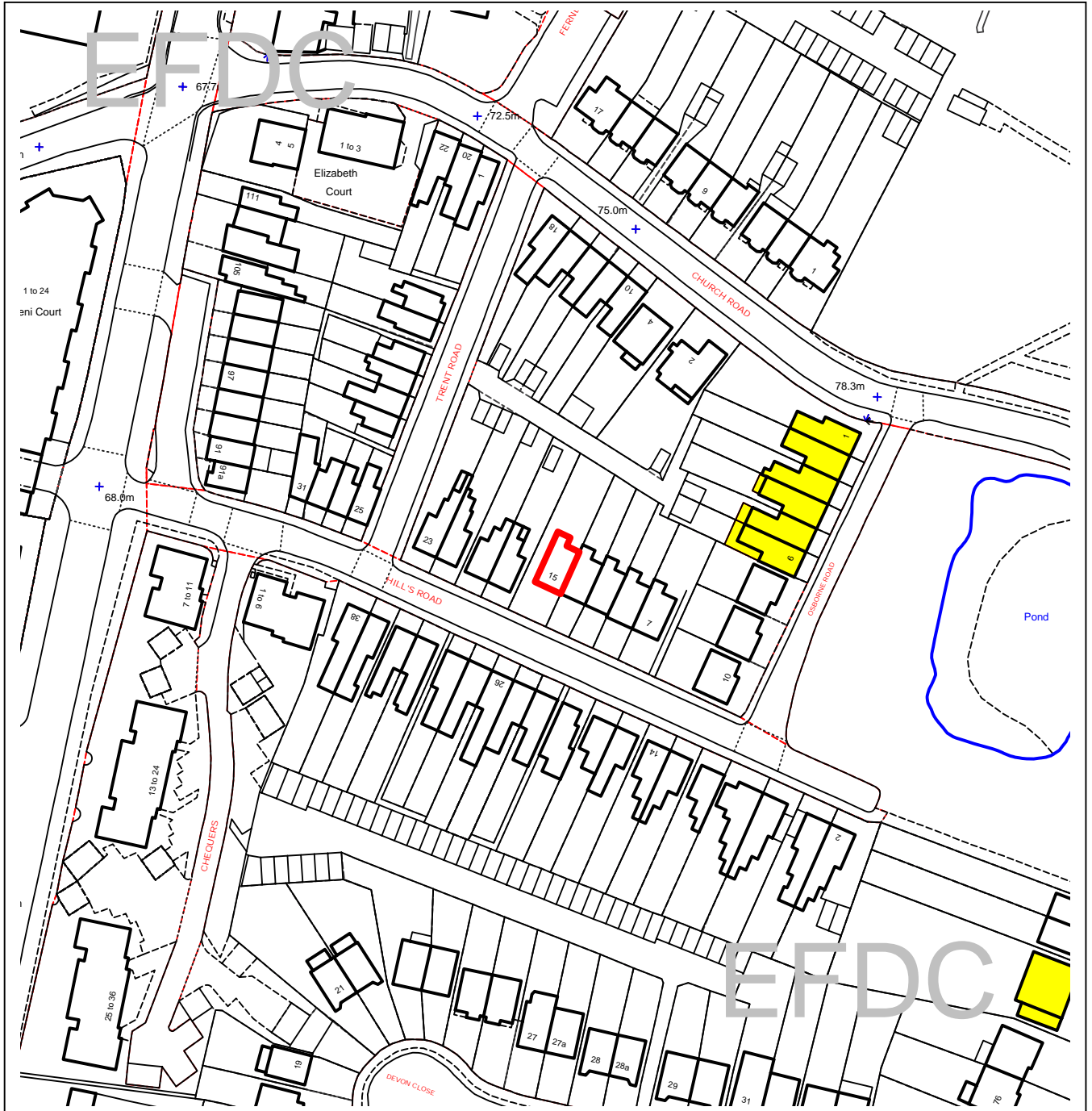
**Conclusion:**

As there is no loss to neighbouring amenity or impact on the appearance of the area, and car parking standards meet requirements it is recommended that this application should be approved (with conditions).



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	
Application Number:	EPF/0402/09
Site Name:	15 Hills Road, Buckhurst Hill, IG9 5RS
Scale of Plot:	1/1250

**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/0247/09
<b>SITE ADDRESS:</b>	Land Adjacent to Copperfield Lodge Hainault Road Chigwell Essex
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Chigwell Village
<b>APPLICANT:</b>	Mr Syed Raza
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of new five bedroom house with basement and integral garage.
<b>RECOMMENDED DECISION:</b>	Refuse Permission

**REASON FOR REFUSAL**

- 1 The site is within the Metropolitan Green Belt. The proposed development is inappropriate development in the Green Belt and, by definition, harmful. It is at odds with Government advice contained within PPG2, and Policy GB2A of the adopted Local Plan and Alterations and moreover would detract from the openness of the Green Belt at this location. No very special circumstances have been demonstrated to justify the granting of planning permission in this case.

*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:**

Planning consent is being sought for the erection of a new five bedroom house with basement and integral garage.

### **Description of Site:**

Large overgrown plot located on the eastern side of Hainault Road within the Metropolitan Green Belt. To the north lies a site accommodating Chigwell Library, Chigwell Parish Council offices, a Working Men's Club and Victory Hall. To the south lie two detached dwellings, namely Nos. 30 and 40a (Copperfield Lodge). Open views exist to the rear. Chigwell underground station is located some 250m from the site and Hainault Road is on the 167 London bus route.

### **Relevant History:**

Varied history dating back to 1949. However applications of note more recently are:

CHI/0021/72 – Erection of synagogue – Refused 23/02/76

EPF/1258/91 – Development of land for residential purposes – Refused 17/01/92 and dismissed on appeal with the reason being that it represented inappropriate development in the green belt

### **Policies Applied:**

#### Government Guidance

PPS1 – The Planning System: General Principles

PPG2 – Green Belts

#### Local Plan and Alterations

CP2 – Protecting the Quality of the Rural and Built Environment

CP9 – Sustainable Transport

GB2A – Development in the Green Belt

GB7A – Conspicuous Development

H1A – Housing Provision

DBE1 – Design of New Buildings

DBE2 – Effect on Neighbouring Properties

DBE4 – Design in the Green Belt

DBE6 – Car Parking in New Development

DBE8 – Private Amenity Space

DBE9 – Loss of Amenity

ST1 – Location of Development

ST4 – Road Safety

ST6 – Vehicle Parking

I1A – Planning Obligations

### **Summary of Representations:**

9 neighbours were consulted, and a site notice was erected, the following representations were received:

PARISH COUNCIL – Supports this application on the grounds that it acknowledges it is a special case, it would be beneficial to the community and the development follows the existing street scene. The Council would ask EFDC to consider the visual appearance of the existing car park if this development is permitted.

30 HAINAULT ROAD – object on the grounds that the size and mass is out of character with the houses at this end of Hainault Road contrary to DBE1; the site is in the Green Belt and is contrary to GB2A; proposal will have an adverse impact on the openness and visual amenity of this parcel of the MGB, contrary GB7A; proposal show no measures to protect an established habitat of wildlife habitat of wildlife, contrary to NC4.

CHIGWELL VICTORY HALL – Chairman of the trustees has no objection to the house but objects to the potential car parking as it will intrude on privacy of various activities of the hall. Not aware of the need for parking spaces. It is a sweetener. No traffic statement on sight lines. EFDC Estates and Valuation dept are aware of this matter. The situation has arisen from the fear of travellers staying on the site and local residents have taken fright.

PETITION OF 67 LOCAL RESIDENTS – strongly supporting the application on the grounds that the provision of additional parking for Victory hall renders the land a special case for building on what is an anomalous Green Belt site. The house is entirely in keeping with the street scene.

### **Issues and Considerations:**

The main issues here relate to the appropriateness of the proposal in terms of impact on the Metropolitan Green Belt, appropriateness of the application in terms of prematurity given the site is being considered as a potential Gypsy and Traveller site; its design and impact on the neighbouring amenity and any highway safety issues.

### **Green Belt**

The site is located within the Metropolitan Green Belt. Government guidance as contained within PPG2 states that there is a general presumption against inappropriate development within the green belt. Such development should not be approved, except in very special circumstances.

Inappropriate development is, by definition, harmful to the Green Belt. It is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

The construction of new buildings inside a Green Belt is inappropriate unless it is for the following purposes:

- agriculture and forestry
- essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it
- limited extension, alteration or replacement of existing dwellings
- limited infilling in existing villages and limited affordable housing for local community needs under development plan policies according with PPG3 (Housing) or
- limited infilling or redevelopment of major existing developed sites identified in adopted local plans.

Policy GB2A of the adopted Local Plan and Alterations mirrors this approach and states in paragraph 5.22a that, 'Any development which is not in accordance with this policy would be inappropriate in the Green Belt.'

The proposal here for one new detached dwelling is not in accordance with this policy. Therefore it is considered inappropriate development. It is considered that a new dwelling here would detract from the open character and appearance of the green belt and very special circumstances will need to be demonstrated. The applicant states that,

'Although the site falls within the Green Belt there are special circumstances for the development proposed to be permitted. The neighbouring local amenity, 'Victory Hall' and adjacent local library require more parking and so it is proposed that a portion of land to the northwest perimeter of the

site be assigned over from the applicant's ownership to Epping Forest District Council to be used to provide 13 no. additional parking spaces as indicated on the plan. This is proposed as a benefit to the local amenity in return for allowing the proposed development of the new house to take place.'

Having visited the site, it was noted that there are 34 parking spaces to both the front and rear of the buildings. A further 13 would result in a total of 47 parking spaces. The benefit of 13 additional car parking spaces is doubtful. No need has been proved on the site for these additional spaces. A clear need has not been proven on this site. Chigwell underground station is 250 yards from the site and it is on the 167 local bus route. The Council's Senior Planning Policy Officer backs this view with the argument that Planning policy PPS1, PPS3 and Local Plan policy CP9 (ii) and (iv), encourages the use of alternatives to the car and in particular on a site that is well located for existing bus and train services.

Furthermore, the Chairman of Victory Hall objects to the scheme stating that he is not aware of the need for the additional spaces.

The area proposed to be given over for parking is in any case also within the Metropolitan Green Belt and the intrusion of parking into this area would clearly be a further breach of adopted Green Belt policy.

The applicants also argue that the proposed house will help to meet the housing need in the local district. However, housing need is for dwellings that will meet the need of those, in particular, who are on incomes struggling to afford to buy. The proposal for a 5 bedroom house will not meet this need.

Additionally, residential development was proposed on this site in 1992 but was subsequently dismissed at appeal, where the Inspector considered that, 'visually it provides an important link with the large green belt area to the east.' The Inspector argued that it was all the more important given the development of the dwellings at Nos. 30 and 32 Hainault Road and in his view, '...this has increased the significance of the appeal site's contribution to the character of the MGB. I consider that its development...by largely closing this important gap would adversely affect the character of the green belt in this area.'

In conclusion, officers consider that there are no very special circumstances to justify the development of the site, which would adversely affect local green belt character and would be contrary to the objectives of green belt policy to protect such areas from general development.

#### Prematurity

A response from the Council's Senior Planning Policy Officer has been received regarding the fact that the site is currently being considered as a potential site to take forward to help meet the need for extra pitches in the district by 2011. He emphasises that responses are currently being considered and the decision about which sites to take forward will only be made once all responses have been deliberated over.

Planning Policy Statement 1 (PPS1) supplementary document, The Planning System: General Principles allows for circumstances where it may be justifiable to refuse planning permission on grounds of prematurity where a Development Plan Document (DPD) is being produced, in this case the Gypsy and Traveller DPD. Where the cumulative effect of proposals will pre-empt decisions about location it is justifiable to refuse the application on the grounds of prematurity.

On balance however, whilst officers are concerned that this application may be being used as a way to ensure that the site is not designated for a gypsy site and whilst it would be regrettable to



lose one of the potential sites from the draft document, it is not considered that the draft document has sufficient weight at this stage to warrant a reason for refusal on prematurity grounds.

### Amenity

In terms of impact on neighbouring properties the proposed dwelling has been located well within the plot and set away from No. 30 to the south. No windows are proposed on the flank facing that dwelling so no loss of privacy will occur.

### Design

The proposed house will be set away from the northern boundary with the Victory Hall site by between 5 and 10m and from the southern boundary with No. 30 by 5.4m. It would sit comfortably within the sites. Hainault Road is typified by large detached dwellings in expansive plots. The dwelling follows the existing building line along this part of Hainault Road and is of a style typical of new builds in this area. Therefore it would not appear out of keeping with the existing character of the area

A streetscene elevation shows the dwelling, whilst slightly higher than its neighbour at No.30, it is indicated that it would be the same height as its neighbour to the north, Victory Hall. The height of the proposed dwelling would be 9.3m high. Victory Hall is a single storey building with a semi circular roof. It is clear that Victory Hall is not as high as this. This is combined with the fact that it is located on ground level at least 1m lower given the incline of Hainault Road. The accuracy of the plans is therefore questioned in this respect. However, notwithstanding this, given the separation of at least 20m between the proposed house and Victory Hall and the number of trees separating the buildings the height differential would not be so apparent.

There appears to be sufficient private amenity space to accommodate a house of this size.

### Highways

The Highway Authority has no objections to the scheme subject to relevant conditions.

### Other Issues

The Design and Access Statement submitted by the applicant states under the section entitled 'The Proposal' that:

'The applicant was recently approached by the council who suggested that an application should be made to build a new single dwelling house on the land to boost local housing stock by using a potential infill site in an already established street.'

For the avoidance of doubt it is contested that the council referred to here is not the District Council, for as far as Officers are aware no discussions have taken place regarding this site. We can only assume that the applicant means Parish Council in this instance.

**Conclusion:**

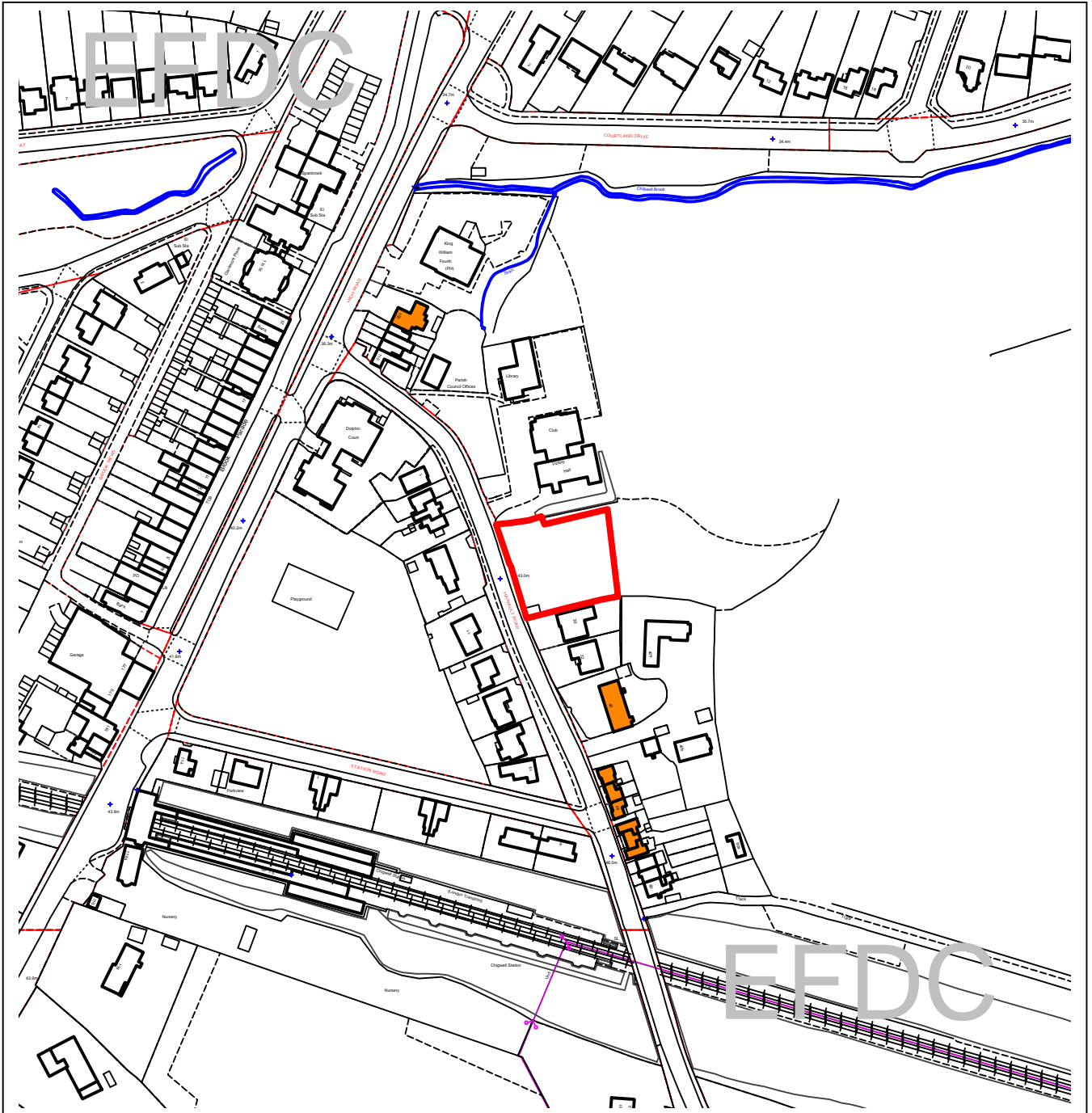
Whilst the site can accommodate a dwelling of this size and design, it is located in the Green Belt and is inappropriate development and is visually harmful to the openness of the Green Belt. The potential to provide 13 parking spaces on undeveloped Green Belt land to serve the neighbouring site is not considered to represent very special circumstances sufficient to outweigh the very real harm to the openness of the Green Belt that the house, and indeed the parking, would represent.

The application is therefore recommended for refusal.



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	<b>5</b>
Application Number:	EPF/247/09
Site Name:	Land Adjacent to Copperfield Lodge Hainault Road, Chigwell, IG7 6QX
Scale of Plot:	1/2500

**Report Item No: 6**

<b>APPLICATION No:</b>	EPF/0382/09
<b>SITE ADDRESS:</b>	46 Chigwell Rise Chigwell Essex IG7 6AG
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Chigwell Village
<b>APPLICANT:</b>	Mr Lee Hammond
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of 1.8m brick wall with in and out electric sliding gates.
<b>RECOMMENDED DECISION:</b>	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 The proposed gates provided at the vehicular access shall be set back a minimum of 4.8 metres from the nearside edge of the carriageway.
- 3 Materials to be used for the proposed wall, shall match those of the existing building.

*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**

The application is to erect a wall to the front of the property with piers to a height of 1.8m. The low lying wall will be topped by a railing which would also measure 1.8m approx. There would also be in and out electric gates which would measure 1.9m approx at their highest point.

**Description of Site:**

The application site is a large detached property on Chigwell Rise. The distance from the edge of the property to the roadway is 4.0m approx. The area has properties which are open to the front, though there are some examples of fenced properties.

### **Relevant History:**

EPF/1500/79 - Single storey rear extension. Grant Permission (with conditions) - 07/01/1980.  
EPF/1770/07 - Proposed two storey side, rear and front extensions with new dormer windows.  
Grant Permission (With Conditions) - 01/10/2007.

### **Policies Applied:**

Policy ST4 – Road Safety  
Policy DBE1 – Design of New Buildings

### **Summary of Representations:**

5 neighbours were consulted and no responses were received:

PARISH COUNCIL: Objection. Insufficient set back from the road.

### **Issues and Considerations:**

The main issues to consider are whether the fence causes an obstruction to the highway to the detriment of users, or whether there is a detrimental impact to the appearance of the area or neighbour amenity.

#### **Road Safety**

Policy ST4 states that new development should not be detrimental to highway safety. There is a good gap from the property boundary to the edge of the carriageway which would reduce concerns about highway safety. Essex County Council Highways Department have been consulted in relation to this application. They have suggested conditioning the application so that the gates only open inwards and are set back 4.8m from the edge of the carriageway. It is considered with this condition in place issues of road safety would be adequately addressed, as any car pulling into the entrance will be free from the main highway. The railings proposed also allow for adequate inter visibility with other road users. There are no impacts on neighbour amenity with this application.

#### **Impact on Appearance of the Area**

Policy DBE1 states that new buildings are of a size and position that they adopt significance in the streetscene which is appropriate to their size and scale. This is the closest Local Plan policy relevant to walls and gates, but it is considered the fence is not particularly intrusive to the streetscene and relatively modest. Although there are few examples of this type of enclosure along the road, its construction would not have a detrimental impact on the street scene and views of the house and front garden would be maintained.

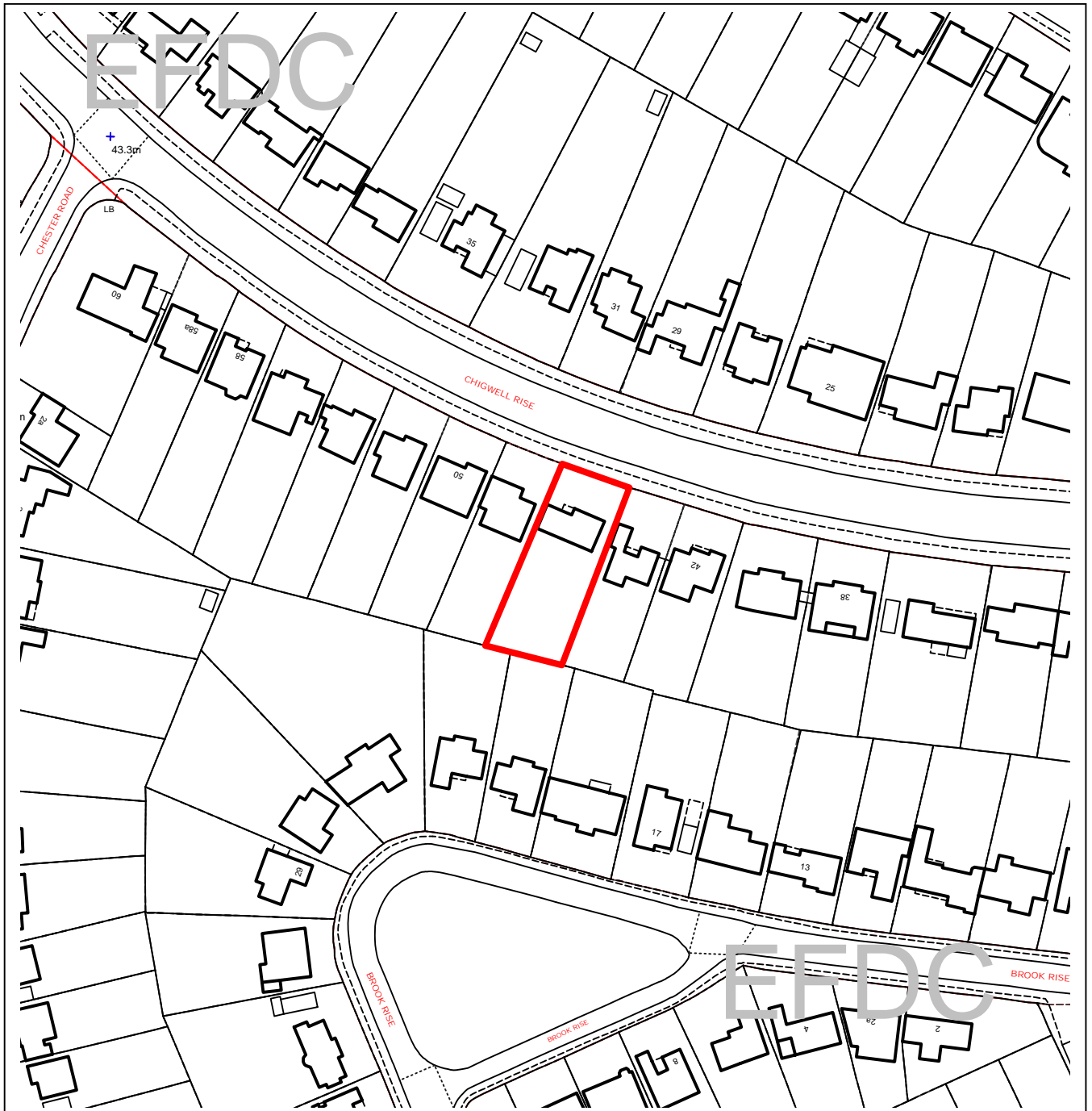
### **Conclusion**

As any potential impact on road safety can be controlled with conditions and the streetscene would not be unduly harmed, it is recommended the application be approved (with conditions).



# Epping Forest District Council

## Area Planning Sub-Committee South



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**Agenda Item Number:**

Application Number: EPF/382/09

Site Name: 46 Chigwell Rise, Chigwell, IG7 6AG

Scale of Plot: 1/1250