

# Committee Agenda



**Webcast  
Meeting**



**Epping Forest  
District Council**

## **AREA PLANNING SUBCOMMITTEE SOUTH Wednesday, 24th June, 2009**

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

**Room:** Dining Hall

**Time:** 7.30 pm

**Democratic Services:** G J Woodhall - Office of the Chief Executive  
Email: [gwoodhall@eppingforestdc.gov.uk](mailto: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, P Turpin, H Ulkun and D Wixley

**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. DEVELOPMENT CONTROL (Pages 19 - 56)**

(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 Information Paragraph Number
Nil	Nil	Nil

The Local Government (Access to Information) (Variation) Order 2006, which came into effect on 1 March 2006, requires the Council to consider whether maintaining the exemption listed above outweighs the potential public interest in disclosing the information. Any member who considers that this test should be applied to any currently exempted matter on this agenda should contact the proper officer at least 24 hours prior to the meeting.

**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.

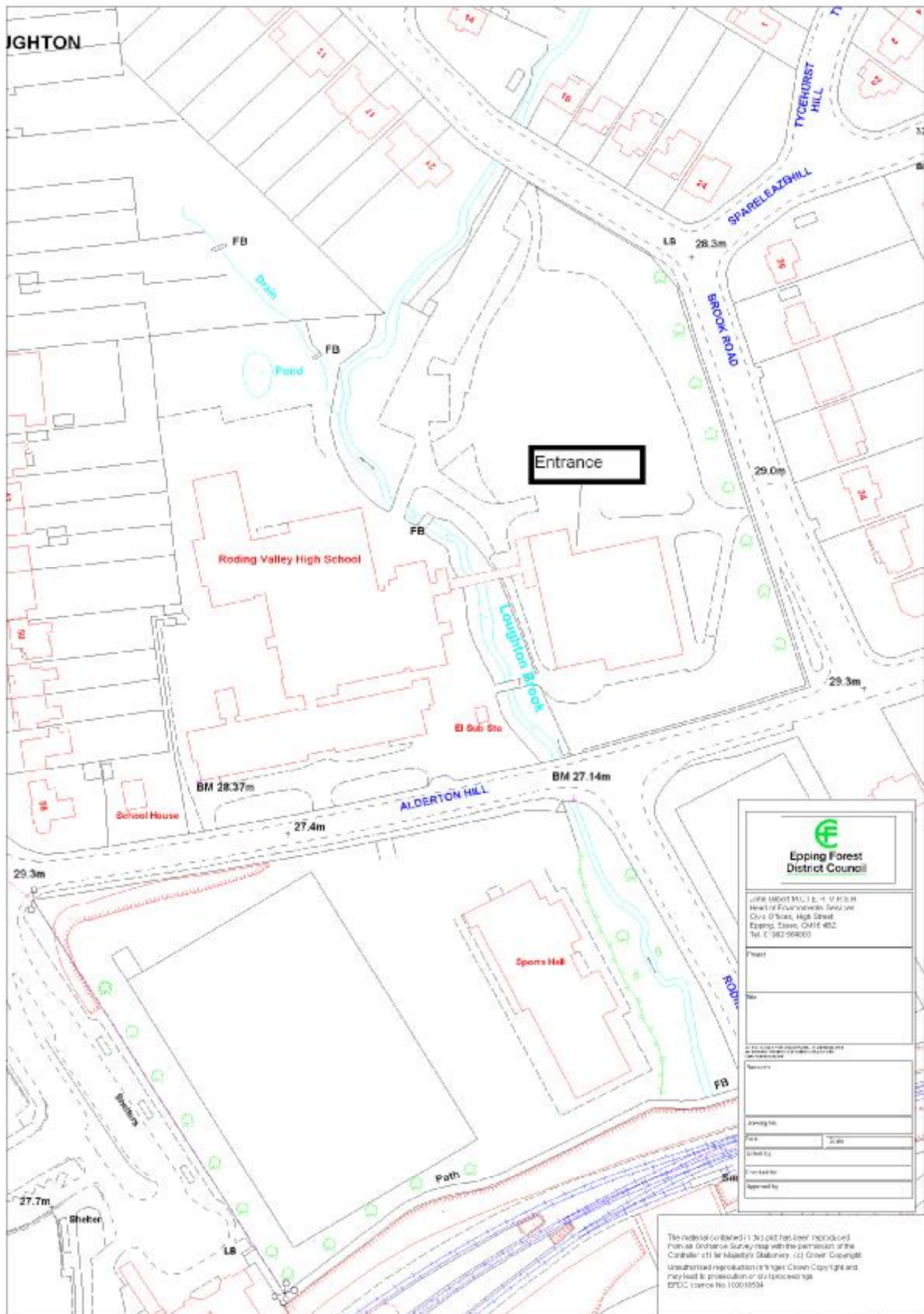
The order of speaking will be (1) Objector, (2) Parish/Town Council, then (3) Applicant or his/her agent. The Subcommittee will then debate the application and vote on either the recommendations of officers in the agenda or a proposal made by the Subcommittee. Should the Subcommittee propose to follow 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:** 27 May 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, Mrs S Clapp, Miss R Cohen, M Cohen, D Dodeja, Mrs A Haigh, R Law, J Markham, Mrs C Pond, Mrs P Richardson, P Spencer, Mrs J Sutcliffe and D Wixley

**Other Councillors:**

**Apologies:** D Bateman, K Chana, J Knapman, G Mohindra and B Sandler

**Officers Present:** S Solon (Principal Planning Officer), K Smith (Senior Planning Officer), M Jenkins (Democratic Services Assistant), A Hendry (Democratic Services Officer) and D Clifton (Principal Housing Officer [IT])

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### 1. 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.

### 2. MINUTES

#### RESOLVED:

That the minutes of the last meeting held on 6 May 2009 be taken as read and signed by the Chairman as a correct record.

### 3. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor D Wixley, declared a personal interest in the following items of the agenda by virtue of having chaired the Loughton Town Council meeting which had discussed these items. The Councillor had determined that his interest was prejudicial and that he would leave the meeting for the consideration of the items and voting thereon:

- EPF/0633/09 199 High Road/2 Station Road, Loughton, Essex IG10 4NZ
- EPF/0715/09 42 Bushfields, Loughton, Essex IG10 3JP

(b) Pursuant to the Council's Code of Member Conduct, Councillors K Angold-Stephens, R Barrett, Mrs C Pond and Mrs P Richardson, declared personal interests in the following items of the agenda by virtue of being members of Loughton Town

Council. The Councillors had determined that their interests were not prejudicial and that they would stay in the meeting for the duration of the discussion and voting thereon:

- EPF/0633/09 199 High Road/2 Station Road, Loughton, Essex IG10 4NZ
- EPF/0715/09 42 Bushfields, Loughton, Essex IG10 3JP

(c) 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 Parish Council. The Councillor had determined that her interest was not prejudicial and that she would stay in the meeting for the duration of the discussion and voting thereon:

- EPF/0485/09 Former Beagles Hut, The Retreat, Retreat Way, Chigwell IG7 6EL

(d) Pursuant to the Council's Code of Member Conduct, Councillor J Hart declared a personal interest in the following item of the agenda by virtue of knowing the applicant concerned as his premises had been used as a venue during the period that the councillor was a member of the Town Centre Partnership. The Councillor had determined that his interest was not prejudicial and that he would stay in the meeting for the duration of the discussion and voting thereon:

- EPF/0633/09 199 High Road/2 Station Road, Loughton IG10 4NZ

(e) Pursuant to the Council's Code of Member Conduct, Councillor R Law, declared a personal interest in the following item of the agenda by virtue of members of his family having worked for the applicant concerned. The Councillor had determined that his interest was prejudicial and that he would leave the meeting for the duration of the discussion and voting thereon:

- EPF/0633/09 199 High Road/2 Station Road, Loughton IG10 4NZ

#### **4. ANY OTHER BUSINESS**

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

#### **5. 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.

#### **6. PROBITY IN PLANNING - APPEAL DECISIONS, OCTOBER 2008 TO MARCH 2009**

The Sub-Committee received a report regarding Probity in Planning – Appeal Decisions, October 2008 to March 2009.

In compliance with the recommendation of the District Auditor, the report advised the decision making committees of the results of all successful appeals, particularly

those refused by committee contrary to officer recommendation. A Best Value Performance Indicator (BVPI) was for district councils to aim to have less than 40% of their decisions overturned on appeal. The latest figure for the national average for District Councils was 30.9%. although that BVPI had been discontinued, the District Council had created a Local Performance Indicator with a target of 25% of allowed decisions.

Over the six month period between October 2008 and March 2009, the Council received 75 decisions on appeal, 71 were planning and related appeals, and 4 were enforcement appeals. Of the 71 planning and related appeals, 35 had been allowed (49.2%), but none of the 4 enforcement appeals were allowed, therefore a combined total of 46.6% of the Council's decisions were overturned during this period.

For the year 2008/09 as a whole: a total of 153 decisions were received, 146 planning appeals and 7 enforcement appeals. Of the 146 planning appeals 59 were allowed, as were 2 of the 7 enforcement appeals, therefore, a total of 39.8% of the Council's decisions were overturned. For Local Performance Indicator 45, which only considered appeals against the refusal of planning permission, the 6 month performance figure was 50.7% allowed. For the full year the figure was 40.3%.

The proportion of appeals that arose from decisions of the committees to refuse, contrary to the recommendation of officers, during the 6 month period was 24%, almost 1 in 4 appeals, of the 17 decisions that this percentage represented, the Council were successful in sustaining its objection in only 2 of them. The remaining 15 (88%) were lost. It was noted that 5 of the cases allowed directly involved the erection of new dwellings and 2 others indirectly, and it had been understood that the Inspectorate had been charged to allow appeals for new dwellings whenever possible in order to assist in meeting housing needs. Refusals based upon density factors or overdevelopment were therefore unlikely to succeed unless real harm to the surroundings or adjacent properties could be shown or poor design identified.

However this period also saw an unusually high number of officer decisions, taken under delegated powers, overturned at appeal. A total of 19 out of 53 cases were allowed (36%). The majority, 13, were householder applications for extensions and alterations.

During this period, there were no awards of costs made for or against the Council.

### **New Appeal Procedures**

The Sub-Committee were informed that new appeal procedures had been introduced from 6 April 2009. These concerned two main issues:

(a) for householder applications made after 6 April 2009 (for extensions or alterations to single dwellings or works within the cartilage of a single dwelling) applicants would only have 12 weeks (instead of 6 months) from the decisions being made in which to appeal. On receiving an appeal the Council needed to prove to the inspectorate, with the officer's report under delegated powers, committee report or minutes from the committee meeting, a copy of the reasons for refusal and notification of the relevant polices. The Council was not able to make any further statement. Objectors will not be able to make further comment, but copies of letters of objection received at the application stage would be passed to the inspectorate as at present; and

(b) appellants (and the Council) would be able to make an application for costs for appeals dealt with by written representations, which was, by far, the most

common method of considering an appeal. Until now, costs had only been possible to claim for Hearings and Inquiries. The Council had been protected from accusations that it had acted unreasonably in the majority of cases because the appeals had been dealt with by written representations. This was no longer the case, and so there was added responsibility upon all decision makers whether committee members or officers, to act responsibly and make decisions on planning merits alone.

The Council's performance for the 6 month period had been the worst for many years. There had been continuing support for Green Belt policies and the support for the Council's decisions to take enforcement action was particularly encouraging but overall, the results had been poor.

The Sub-Committee felt that too much pressure was being applied to them by the Government's Planning Inspectorate with regard to the decisions they had made. It was also felt that as locally elected representatives their role in the planning process had been scaled down.

Members requested that a meeting or seminar be arranged on widening the pool of knowledge and experience on making planning decisions and how they can be made defensible at appeal. Members were keen on greater liaising with councillors from other districts and in particular the Local Government Association.

**RECOMMENDATION:**

That a meeting or seminar be arranged for District Councillors to discuss experiences on making planning decisions and how they can be made defensible at appeal.

**RESOLVED:**

That, as part of the probity in planning, the appeal decisions for the period October 2008 to March 2009, be noted.

**7. 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**

# Minute Item 5

## Report Item No: 1

<b>APPLICATION No:</b>	EPF/0633/09
<b>SITE ADDRESS:</b>	199 High Road/2 Station Road Loughton Essex IG10 4NZ
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Marys
<b>DESCRIPTION OF PROPOSAL:</b>	Change of use of car showroom (sui generis) to form three class A1 units and one class A3 restaurants. (Revised application EPF/1958/08)
<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 The development shall be carried out in accordance with the amended plans No. 7052/02 Rev A received 11 May 2009 unless otherwise agreed in writing with the Local Planning Authority.
- 3 The A3 use hereby permitted shall not be open to customers outside the hours of 0900 to 2300 on Monday to Saturday and 1000 to 2300, on Sundays and bank/public holidays.
- 4 No development shall take place for the proposed A3 unit hereby approved, until there has been submitted to and approved by the Local Planning Authority a scheme for the extract ventilation, filtration and deodorising of cooking fumes. The scheme shall include details of the predicted acoustic performance of the system and details of the discharge points. The approved scheme shall be carried out prior to the commencement of the A3 use hereby permitted and retained thereafter. All equipment installed as part of the approved scheme shall be operated and maintained in accordance with the manufacturer's instructions.
- 5 Prior to the premises being brought into use for the purposes hereby permitted, a scheme providing for the adequate storage of refuse from the A3 use shall be submitted to and approved by the Local Planning Authority. The scheme shall be carried out and thereafter retained at all times.

6 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.

7 The development, including site clearance, must not commence until a tree protection plan, to include all the relevant details of tree protection has been submitted to the Local Planning Authority and approved in writing.

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

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

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

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

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

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

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

9 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.

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/0715/09
<b>SITE ADDRESS:</b>	42 Bushfields Loughton Essex IG10 3JP
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Alderton
<b>DESCRIPTION OF PROPOSAL:</b>	Single storey side and rear extension.
<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 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.



**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/0518/09
<b>SITE ADDRESS:</b>	214 Queen's Road Buckhurst Hill Essex IG9 5AY
<b>PARISH:</b>	Buckhurst Hill
<b>WARD:</b>	Buckhurst Hill West
<b>DESCRIPTION OF PROPOSAL:</b>	Conversion of loft space into two self contained one bedroom flats, demolition of derelict store and rebuilding as additional single storey one bedroom flat and construction of a single storey extension to flat 1.
<b>DECISION:</b>	Deferred

**This item was withdrawn from the Agenda by the Applicant to allow for further consideration.**

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/0485/09
<b>SITE ADDRESS:</b>	Former Beagles Hut The Retreat Retreat Way Chigwell Essex IG7 6EL
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Chigwell Row
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition and clearance of existing site and redevelopment with a detached house with ancillary car parking and associated hard surfacing and landscaping.
<b>DECISION:</b>	Refused Permission

**REASON FOR REFUSAL**

- 1 The design of the proposed dwelling would incorporate several contrasting styles resulting in a complex and unsympathetic appearance. In particular, the single storey arched entrance extending down to the windows would appear incongruous and detrimental to the appearance of the locality. The dwelling, by virtue of its design, would be out of character with other buildings in the vicinity of the site, resulting in harm to the surrounding environs contrary to policies DBE1, CP3 and CP7 of the Adopted Local Plan and Alterations.

## AREA PLANS SUB-COMMITTEE SOUTH

24 JUNE 2009

### INDEX OF PLANNING APPLICATIONS/ENFORCEMENT CASES

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1.	EPF/0518/09	214 Queen's Road, Buckhurst Hill	GRANT	21
2.	EPF/0822/09	51 Epping New Road, Buckhurst Hill	GRANT	29
3.	EPF/0846/09	2 Westbury Road, Buckhurst Hill	GRANT	36
4.	EPF/0219/09	6 Priory Road, Loughton	GRANT	44
5.	EPF/0652/09	Dragons, Nursery Road, Loughton	GRANT	49
6.	EPF/0709/09	34 Queen's Road, Loughton	GRANT	53

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**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/0518/09
<b>SITE ADDRESS:</b>	214 Queen's Road Buckhurst Hill Essex IG9 5AY
<b>PARISH:</b>	Buckhurst Hill
<b>WARD:</b>	Buckhurst Hill West
<b>APPLICANT:</b>	Paul Wakefield
<b>DESCRIPTION OF PROPOSAL:</b>	Conversion of loft space into two self contained one bedroom flats, demolition of derelict store and rebuilding as additional single storey one bedroom flat and construction of a single storey extension to flat 1.
<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 Details of the types and colours of the external finishes must 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 Before the commencement of the development, or of any works on the site, a tree survey shall be submitted to the Local Planning Authority. The survey shall contain relevant details on all trees on or adjacent to the site, and with a stem diameter of 100mm or greater, to include the following:
  - (a) Reference number, species, location, girth or stem diameter, and accurately planned crown spread.
  - (b) An assessment of condition, and value.
  - (c) Existing ground levels, including contours where appropriate, adjacent to trees, where nearby changes in level, or excavations, are proposed.
  - (d) Trees to be removed in conjunction with the proposed development shall be clearly marked as such on a plan.
- 4 The development, including site clearance, must not commence until a tree protection plan, to include all the relevant details of tree protection has been submitted to the Local Planning Authority and approved in writing.

The statement must include a plan showing the area to be protected and fencing in accordance with the relevant British Standard (Trees in Relation to Construction-Recommendations; BS.5837:2005). It must also specify any other means needed to

ensure that all of the trees to be retained will not be harmed during the development, including by damage to their root system, directly or indirectly.

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

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

- 5 No tree, shrub, or hedge shall be cut down, uprooted, wilfully damaged or destroyed, cut back in any way or removed 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.

- 6 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, including those at the application site, 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.
- 7 Additional drawings that show details of proposed new and replacement windows and doors to be used in the front (north facing) elevation of the building, by section and elevation at a scale of 1:20, must be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. All new and replacement windows installed in the front elevation of the building shall be in accordance with the approved details and thereafter be retained as such.
- 8 No meter boxes, vent pipes, flues, ducts, or grills shall be fixed to the front elevation of the building without the prior, written approval of the local planning authority.
- 9 No part of any roof of the building shall be accessed for any purpose other than for the repair and maintenance of the building and in the case of an emergency. No part of any roof of the building shall be use for sitting out and tables and chairs shall not be placed on any part of any roof of the building.
- 10 Prior to the commencement of the development hereby permitted detailed section drawings of showing the proposed first floor ceiling height, the proposed second floor floor height and the position of the second floor front windows shall be submitted to the local planning authority for approval in writing. The development shall proceed in accordance with the approved details.

- 11 The roof extension hereby approved shall not exceed the height of the existing front parapet wall.

*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) 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 an extension to the roof of the building to provide 2 one bedroom flats and the demolition of the existing store at the rear of the building and its replacement with a one bedroom flat. An extension to the front of the building at ground floor level is also proposed to provide an additional bedroom for Flat 1. The proposed roof extension would take the form of a Mansard style roof to replace the two central sections of the existing roof. There would be four windows in the rear elevation which would be partly obscured by the parapet wall.

This application was deferred from the previous meeting following concern by Officers that the drawings of the existing building contained inaccuracies which would have prevented the insertion of the second floor windows without causing harm to existing elevational detail. Officers have met with the applicants on the site to check the accuracy of the submitted plans and some minor revisions have been made as a result. Upon assessment, it was noted that the actual height above the first floor windows was greater than shown on plan. This has been corrected on the revised plans and the proposed windows have been reduced in size, so that sufficient space can be retained around them. The revisions raised a concern with Officers regarding the practicality of the development, due to the corrections made to the plans. Initially Officers were concerned that there was not sufficient space within the existing building to provide the second floor accommodation. However, the applicants have advised that they intend to lower the first floor ceilings of the building to create additional space to accommodate the proposed development.

**Description of Site:**

The application site comprises a dwelling which has been converted into 7 flats. The building itself is two storey and has 4 shallow hipped roofs, although these are not visible from the ground due to the surrounding parapet walls. There are many well established trees on the site. The building is identified on the Council's Local List. The site is accessed by a narrow access road running between neighbouring properties, 244 Queens Road and 1 Knighton Lane. This access road also has several mature trees. The site is surrounded to the south and east by the gardens of neighbouring properties in Duchess Grove and Knighton Lane.

**Relevant History:**

EPF/0199/82. Conversion of shed to single person dwelling unit. Approved 21/04/82.

EPF/0331/99. Demolition of outbuilding, erection of single storey extension to form self contained flat. Approved 07/05/99.

## **Policies Applied:**

### East of England Plan

H1 – Regional Housing Provision 2001-2021  
H2 – Affordable Housing  
T14 - Parking  
ENV7 – Quality in the Built Environment

### Adopted Local Plan and Alterations

HC13A – Local List of Buildings  
H2A – Previously Developed Land  
H3A – Housing Density  
H4A – Dwelling Mix  
DBE1 – Design of New Buildings  
DBE2 – Impact of New Buildings  
DBE8 – Amenity Space Provision  
ST4 – Highways Considerations  
*ST6 – Car Parking Standards*  
LL11 – Landscaping Schemes

## **Summary of Representations:**

BUCKHURST HILL PARISH COUNCIL. Objection. 1) Proposed loft extension out of character with this locally listed building; 2) Suggest that the position of the proposed windows on ground floor is moved to other side of the building to overcome the overlooking of neighbouring properties.

2 DUCHESS GROVE. Objection. By adopting the address 214 Queens Road the developer has attempted to conceal the location of the development of Buckhurst Hill House. Buckhurst Hill House is a Victorian Building of historic interest as the home of a late politician. At its western end the house is in very close proximity to properties in Duchess Grove. The replacement of the existing store with a flat would result in windows only 12 feet from the boundary – an unacceptable intrusion of privacy. The loss of the original character of the property due to the loft conversion which requires the replacement of the original tiled roofs is a most regrettable feature of the proposals.

3 DUCHESS GROVE. Objection. The loft extension with four dormer windows would reduce privacy in our back garden and bedrooms at the rear of our property. The single storey one bedroom flat which will replace an outbuilding will permit people to look into our garden and bedrooms at the rear of our property. Existing traffic congestion in area. Any further development will lead to additional cars requiring parking. Increased traffic will compromise safety.

4 DUCHESS GROVE. Objection. The occupants of the proposed building will be able to look into two of our bedrooms, lounge and garden. This will seriously compromise our privacy. Also this development will affect the value of our property and will create increased noise.

5 DUCHESS GROVE. Objection. Loss of privacy to bedrooms and garden. Loss of light and general view from windows in the rear of our house. Reduction in property value due to bulky appearance of the new development. Development would be unbalanced. Potential for increased noise.

6 DUCHESS GROVE. Objection. Overlooking of two of our bedrooms, kitchen, conservatory, lounge and our garden. This would reduce the value of our property. The proposed single storey



extension would place domestic occupancy worryingly close to the boundaries of our property. This again is likely to have adverse effects on the privacy of our property and its value. 214 Queens Road is deemed to be of local architectural and historical interest. We are concerned that the proposed development is likely to compromise this by overdeveloping the site. There will be increased traffic, parking and domestic noise.

### **Issues and Considerations:**

The main issues in this case are:

1. the impacts of the proposed development on the amenities of the occupiers of neighbouring residential properties;
2. the impact of the proposed development on the design and appearance of the locally listed building;
3. the impact of the proposed development on the character and appearance of the area;
4. the impact of the proposed development on the trees and landscaping within and around the site;
5. parking and highway matters; and
6. the acceptability of the intensification of the residential use of the site.

#### *1. Neighbouring Amenity*

Concern has been raised by three residents of Duchess Grove concerning loss of privacy, particularly in relation to the additional flats proposed in the roof space and the associated windows in the rear elevation. In addition there is also concern regarding a further loss of privacy from the proposed additional ground floor flat.

It is not considered that there would be a material loss of privacy arising from the ground floor windows, due to the existing boundary treatment and landscaping. The rear windows to the second floor would create some additional overlooking of properties to the rear in Duchess Grove. However, bearing in mind the distance which these windows would be located from the site boundary (8.5 metres at the closest point) and the existing first floor windows below, it is not considered that there would be a material increase in overlooking of neighbouring gardens, particularly as the view from the windows would be partially obscured by the parapet wall and the projecting sections of the building. There would be a distance of approximately 20 metres to the nearest dwellings and accordingly it is not considered that there would be any material reduction in privacy to habitable rooms.

#### *2. Locally Listed Building*

The building is included on the Council's local list, as it has been identified as a building which contributes to the historic, architectural and visual character of the District. Policy HC13A of the Local Plan states that maintenance of buildings on the local list will be encouraged and they will receive special consideration in the exercise of the development control process. This building is presently in need of some attention as it has a slightly tired appearance. It is considered, overall, that the building would benefit from the renovation works proposed.

The main alterations visible from the front of the building would be the insertion of windows in the second floor. The windows would be considerably smaller and less ornate than the existing windows on the lower floors. However, this would not be an uncommon characteristic of a historic building, many of which include staff accommodation within the roof space. The extension to Flat 1 would be partly visible from the front of the building. However, it is considered that its design would be in keeping with the existing wing of the building. Furthermore, the loss of the existing timber shed at the front of Flat 1 would be a visual improvement.

As discussed previously, it is proposed to lower the ceilings of the first floor flats to accommodate the development above. At this stage, the applicant is unable to confirm accurately the extent of the alteration, which will be finalised with Building Control. Notwithstanding this, the applicant has confirmed that the ceiling/floor will be located between the first and second floor windows and would not cut behind the window glass, which could be considered to be harmful to the appearance of the building. It is considered that a condition to control this would be both reasonable and necessary, bearing in mind the present uncertainty and the potential for harm to the appearance of the building.

### 3. Character and Appearance of the Area

Due to the tree screening the building itself is not visible from Queens Road. Accordingly views of the building are limited to the site itself and neighbouring properties. Having regard to this and the above assessment of the design of the proposed works, it is not considered that there would be any harm to the character or appearance of the local area.

### 4. Trees and Landscaping

There are several mature trees within the application site and on neighbouring land. Whilst it is not considered that the actual building works would be detrimental to the health of the trees, they will require protection during construction to ensure that no harm is caused, particularly those trees along the length of the access road into the main part of the site. This may be controlled by the imposition of planning conditions.

### 5. Parking and Highways

An indicative parking layout has been submitted with the planning application, indicating that there would be sufficient space for the parking of at least 10 vehicles (one per flat). Assessment of the site layout plan suggests that there would actually be sufficient space for several more vehicles. Having regard to the scale of development proposed and the proximity of the site to Buckhurst Hill centre, it is considered that this would be sufficient. The existing access drive would be retained.

### 6. Acceptability of Intensification of Residential Use

It is considered that the intensified residential use of the site from seven flats to ten would be in accordance with Housing policies contained within the Local Plan. Furthermore the proposed development would improve the dwelling mix within the block, in accordance with policy HC4A of the Local Plan.

Due to the present uncertainty with regard to the final positioning of the floor of the second floor flats, it is unclear how high the windows will be above the floor level. However, it is considered likely that the cill height will be close to the floor level. Due to the height of the proposed windows (950mm) they will occupy an unusually low position within the room. Notwithstanding this, it is considered that the windows will serve their function in terms of allowing natural light into the room and providing a view out. Accordingly, it is considered, on balance, that there would be an adequate level of amenity for the future occupiers of the second floor units.

### Other Matters

A local resident has raised concern regarding the potential for the proposed development to affect neighbouring property prices. This is not a material planning consideration when determining an application and accordingly no regard has been given to this matter when reaching a recommendation.

There are no facilities shown on the plan for the storage of refuse facilities. The applicant's agent has advised that there would be no change from the existing arrangements. However, if it is considered necessary for refuse storage to be provided within the site, there would appear to be sufficient space within the application site to accommodate such storage facilities.

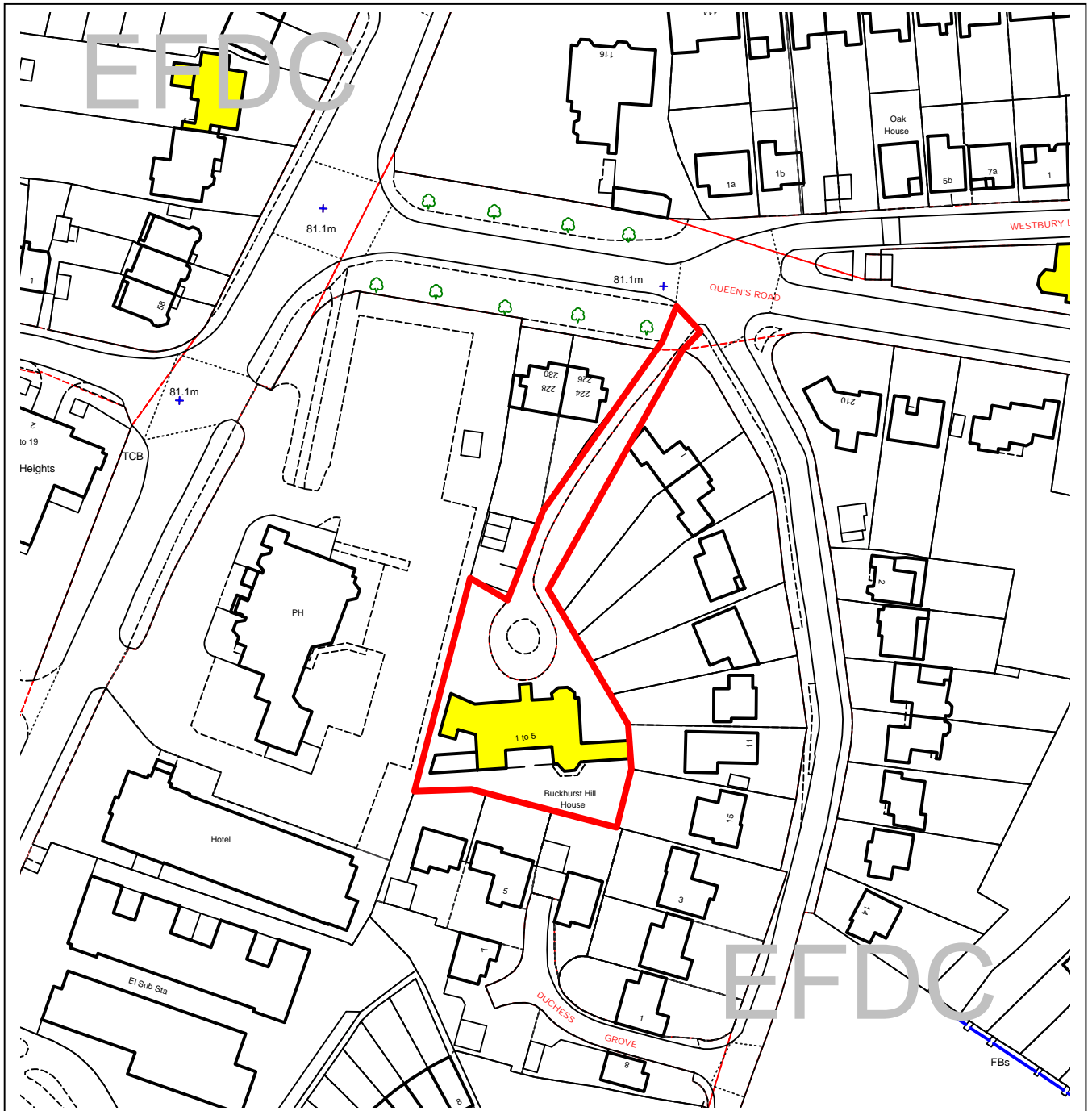
### **Conclusion**

In light of the above appraisal, it is considered that the proposed development would not be detrimental to the character and appearance of the locally listed building or the wider area. Whilst it is recognised that there would be some additional overlooking of the gardens of neighbouring properties in Duchess Grove, it is not considered that this would amount to a material loss of amenity which would justify the withholding of planning permission. The intensification of the residential use is considered to be in accordance with Local Plan policy. Subject to the use of planning conditions it is not considered that there would be harm to trees within the site. It is considered that parking and access arrangements are acceptable. Accordingly, it is recommended that planning permission be granted.



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	1
Application Number:	EPF/0518/09
Site Name:	214 Queen's Road, Buckhurst Hill IG9 5AY
Scale of Plot:	1/1250

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/0822/09
<b>SITE ADDRESS:</b>	51 Epping New Road Buckhurst Hill Essex IG9 5JT
<b>PARISH:</b>	Buckhurst Hill
<b>WARD:</b>	Buckhurst Hill West
<b>APPLICANT:</b>	Hillcote Ltd
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of existing property and erection of 2 x 1 bedroom and 8 x 2 bedroom flats with underground parking. (Revised application)
<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 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 that Order) no enclosure or balcony shall be formed at any time on any part of the roof of the development hereby approved 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 Prior to first occupation of the building hereby approved the proposed window openings in the first floor rear elevations shall be entirely 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.

- 7 Gates shall not be erected on the vehicular access to the site without the prior written approval of the Local Planning Authority.
- 8 Prior to commencement of development, details of levels shall be submitted to and approved by the Local Planning Authority showing the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 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 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 and 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.
- 11 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.
- 12 Prior to commencement of the underground access a 1.5 metre x 1.5 metre pedestrian visibility sight splay as measured from the highway boundary, shall be provided on both sides of the vehicular access. There shall be no obstruction above a height of 600mm as measured from the finished surface of the access within the area of the visibility sight splays thereafter.
- 13 The access shall be laid to a gradient not exceeding 4% for the first 6 metres from the carriageway edge.
- 14 Prior to the commencement of the development hereby approved a scheme for the provision and implementation of a Transport Information and Marketing Scheme for sustainable transport, shall be approved by Essex County Council in writing. This should 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. Details of the uptake of the vouchers 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.

*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 house and erection of a block of 8 two bed flats and 2 one bed flats with underground parking with 15 spaces.

**Description of Site:**

A square corner site at the junction with Stag Lane. The land rises steeply to the east and is in a largely residential area with a mix of housing styles and types. The site has had a number of trees removed already (these were not protected).

**Relevant History:**

EPF/0187/96	Conversion into two flats	approved
EPF/2080/07	Demolition of house and erection of 14 flats	refused
EPF/0354/08	Demolition of house and erection of 13 flats	refused
Appeals against these 2 applications were dismissed on 3 November 2008.		
EPF/0422/09	Demolition of house and erection of 10 flats	withdrawn

**Policies Applied:**

DBE 1 New buildings  
DBE 2 new buildings amenity  
DBE 6 Car Parking  
DBE 8 Amenity space  
DBE 9 Neighbour Amenity  
H4A Dwelling Mix  
ST4 Parking  
ST6 Traffic Criteria  
CP 4 & 5 Sustainable buildings

**Summary of Representations Received**

87 properties were consulted, a Site Notice Posted and the following responses were received:

PARISH COUNCIL – Objection, overdevelopment, inadequate car parking spaces, elevations to Epping New Road create a false impression of the bulk of the building, impact on the traffic flow in Stag Lane.

The following objectors have commented on the scheme being out of character being another block of flats, too big in scale and overbearing, too many units, will put unacceptable strain on infrastructure and local services, and will cause parking and highway safety issues at this busy junction:

21, 36, 42, 44 Forest Heights  
17 Stag Lane  
21 Stag Lane  
22a Stag Lane  
2 Fairlands Avenue  
16 Fairlands Avenue

33 Epping New Road  
53 Epping New Road  
55 Epping New Road  
65 Whitehall Lane

### **Issues and Considerations:**

The main issues in this application are:

1. Whether the site can accommodate a new building
2. Housing Mix
3. Residential amenity
4. Amenity space
5. highway safety
6. sustainability

and whether it overcomes the previous reasons for refusal (which were upheld by the Inspector at appeal) and identified by the Inspector to be inadequate parking provision and adverse impact on the privacy and outlook of No 34 Stag Lane.

The scheme has been revised in the light of the previous refusal, and now consists of 10 flats with 15 parking spaces in an underground basement as opposed to 13 flats with 14 parking spaces. The rear elevation has now been revised twice (with the last application withdrawn on the advice of Officers) to take into account the Inspector's comments over overlooking and privacy to the garden of No 34 Stag Lane.

#### **1. Building in Context**

- The plot is a minimum of 28m wide and about 33m deep. There is no objection to the loss of the current house which is now a rather forlorn, red brick, double gabled detached villa located just off-centre of the site. The proposed replacement block would be a maximum of 24m deep, 24.4m wide and 10m high with hipped roofs and a corner spire feature roof. It has an 'L' plan and an underground car park accessed from Stag Lane.
- There would be 4 pitched roof dormers on the roof slopes.
- It is the case that this is a significant scaled building, and replaces a smaller single dwelling. However, the character of this area is very mixed with detached and semi-detached houses and several large flat developments, such as Forest Heights being to the immediate west.
- The site can comfortably accommodate a building of this size and allow for a good depth landscaped frontage to Epping New Road, respecting the building frontages on both this and Stag Lane.
- The new block will front the Epping New Road with a return wing into Stag Lane. The scheme follows the existing building lines in these two roads and a minimum gap of 1.2m will remain to the adjacent house in Stag Lane, and a gap of 1m will remain to the adjacent property in the Epping New Road.
- The block will be a similar height (0.35m higher) compared to 49 Epping New Road, and lower than No 34 Stag Lane (due to the change in levels).
- The scheme is considered to be acceptable when viewed from Stag Lane, respecting the character and appearance of the street scene, with the spire feature adding an acceptable design interest to the overall appearance of the building.
- The comments of the Parish Council have been carefully considered but when viewed from the Epping New Road this proposal is predominantly 2-storey in appearance with a proportional traditional roof shape punctuated by small dormers. The bay projections break up any frontage monotony whilst the glazing feature adds visual interest. It is considered that this will enhance the appearance of the street scene, which will continue in a similar fashion into Stag Lane, at a comparatively lower level than the existing houses in this road. When viewed from the Epping New Road, the southern projection (right hand side) maintains a minimum gap to the boundary of 1m, which opens up due to the orientation of the site.



- The side projection on this view, which was a reason for refusal on the 2007 application, has been reduced in height, size and bulk, with the roof being lowered some 2.5m. As a result, this redesigned projection is far less prominent within the street scene and would this time be subordinate to the main part of the building and be less bulky.
- It furthermore makes the efficient reuse of such urban land in a sustainable location, a national and local priority and this scheme complies with this priority.

## 2. Housing Mix

- The scheme has been revised from 13 flats with a mix of one and two bedroom flats to 10 flats, 8 two bed roomed and 2 one bed roomed.
- This is a more appropriate mix of units on the site and this scheme contributes to meeting the need for an appropriate proportion of smaller dwellings in the Buckhurst Hill area, and assists in creating a more mixed and balanced community in this area.

## 3. Residential Amenity

- There will be no adverse effect on daylight or sunlight to neighbours, other than late afternoon shadow towards the rear garden of 34 Stag Lane, but the proposed building would be 12.6m away (compared with 8.5m away on the dismissed appeal cases) from the shared boundary fence, that is along the side of their rear garden, and not impact on light to the windows in their house.
- The rear elevation has been redesigned so that not only does the southernmost portion of the proposed building not extend so far back into the site, but the number of windows have been reduced, as the previous scheme resulted in the potential for overlooking the rear garden and back elevation of No 34 Stag Lane. The scheme has also seen the internal layout of the flats changed to facilitate the new design. Views from the proposed ground floor rear windows towards 34 Stag Lane are towards the boundary fence so there will be no loss of privacy.
- There are two flats which now have the potential for overlooking No 34, No 1 (a ground floor 2 bed flat) which faces towards No 34's garden, and No 5 (a first floor 2 bed flat) which has views to wards No 34.
- Flat No 1 has two bedroom windows on the ground floor which are 12.6m from the boundary fence of No 34, which is at a higher level than the windows due to the slope of the ground. It is also the case that these windows are at a 90° angle to the rear elevation of No 34 and therefore there will be no direct overlooking.
- Flat No 5 has a roof velux window for the second bedroom which would not allow any overlooking of the rear garden of No 34.
- Externally the return wing has been redesigned to reduce its impact and to break up the rather monolithic previous appearance. The presence of a building in this part of the site will result in a change in their outlook, but given the separation distance it will not appear overbearing and is well designed so as to safeguard against any potential for adverse overlooking. It therefore overcomes this element of the previous appeals

## 4. Private Amenity Space

- The private amenity space provided by the gardens would be some 466m<sup>2</sup>. For a 10 dwelling block of flats the Local Plan recommends an area of 250m<sup>2</sup>. Many of the flats would also be provided with balconies.
- The Landscaping Officer has commented that the details of landscaping can be secured by the appropriate conditions.
- This generous provision around the building is therefore both suitable for the future occupiers of these flats and enhances the setting of the building in the local context.

## 5. Highways

- In respect of parking, the scheme provides 1 parking space per flat and 5 visitor spaces as well as motorbike and cycle parking. This provision is an improvement on the previous appeal schemes where parking provision was 1 space for each flat and just one space for all potential visitors. The current parking standards indicate that an average provision of 1.5 spaces per

dwelling would be appropriate here in this location and this appears to tally with the findings of the Planning Inspector who acknowledged that there was on-street parking in Stag Lane and a provision of only 1 space per dwelling is likely to exacerbate traffic hazards in the immediate locality. 15 spaces for 10 flats is 1.5 spaces per flat, inclusive of visitors parking and is an acceptable level in this area.

- Highway Officers have asked for a scheme that would also include vouchers for 12 months free bus travel for each eligible member of the residential household, which could be secured by condition. The nearest bus stop is a 6 minute walk away and provides connections to other public transport facilities as well as to shops. This would also assist with issues of traffic generation from the site and encourage use of more sustainable modes of transport as an alternative to the car.

#### 6. Sustainability

- The scheme has overcome the previous concerns about built in sustainability. Following previous policy comments on a disregard for policies CP4 (Energy Conservation) and CP5 (Sustainable Building), photovoltaic cells have been incorporated into the design. These are intended to provide over 10% of the building's energy needs through a renewable source. This is seen as a very positive step, and is thought to be the first development to date in EFDC to meet the standards of East of England Plan policy ENG1 (Carbon Dioxide Emissions and Energy Performance). Furthermore it is recognised that roof lights and external windows have been incorporated where possible into the bathrooms/shower rooms.

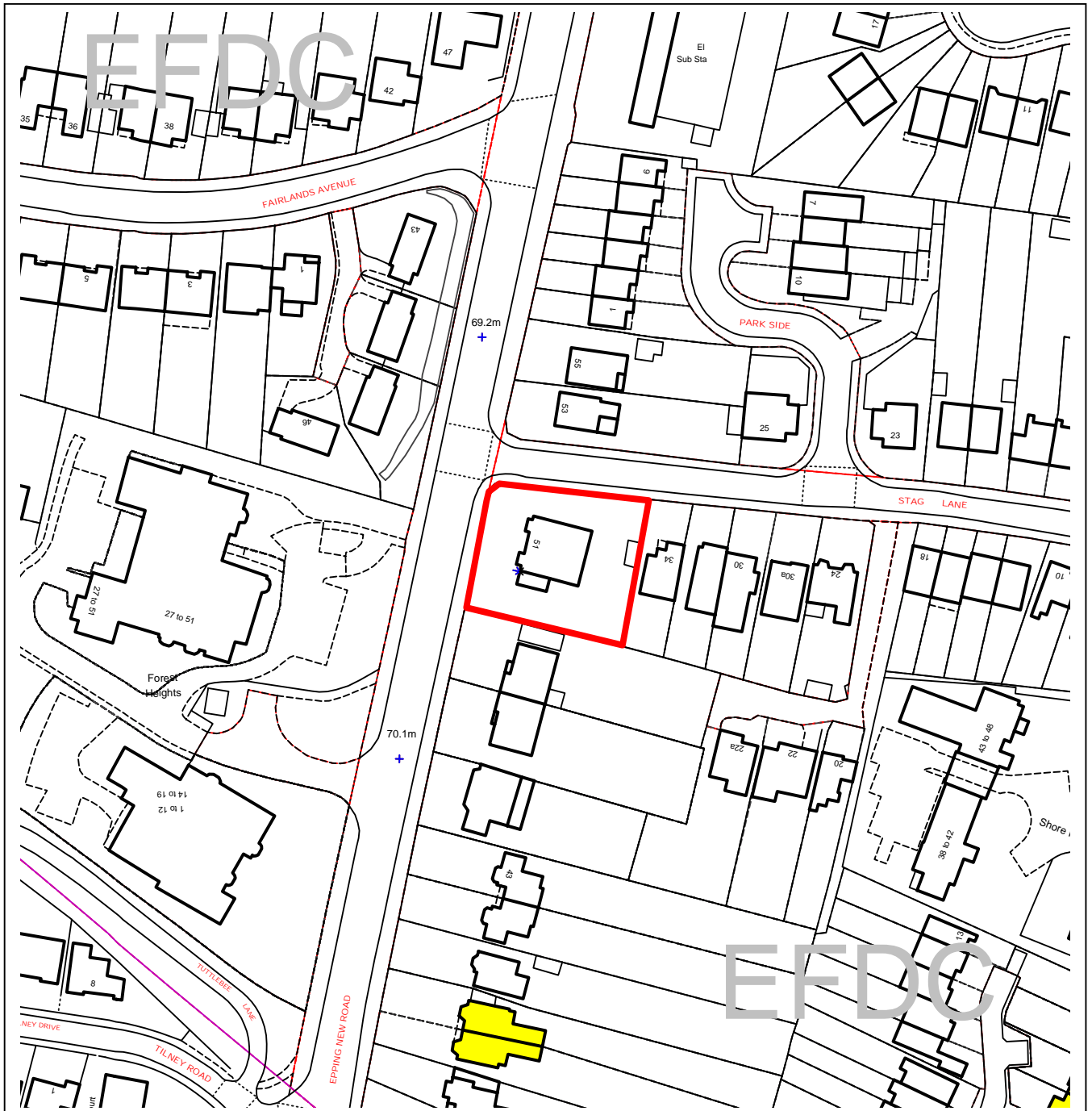
#### **Conclusion**

For the reasons laid out above this application, whilst balanced in respect of parking provision, has been revised to address the issues of the previous refusal. The number of flats has been reduced and parking on site increased. The scale of the building has been reduced and harm to the immediate neighbour removed. It is therefore considered that the scheme is acceptable and is therefore recommended for approval.



# Epping Forest District Council

## Area Planning Sub-Committee South



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Agenda Item Number:	2
Application Number:	EPF/0822/09
Site Name:	51 Epping New Road, Buckhurst Hill IG9 5JT
Scale of Plot:	1/1250

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/0846/09
<b>SITE ADDRESS:</b>	2 Westbury Road Buckhurst Hill Essex IG9 5NW
<b>PARISH:</b>	Buckhurst Hill
<b>WARD:</b>	Buckhurst Hill West
<b>APPLICANT:</b>	Mr Chris Rotsey
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of existing dwelling and erection of 7 flats with covered parking. (Revised application).
<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 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 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 Prior to the commencement of the development details of the proposed surface materials for the access drive shall be submitted to and approved in writing by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.
- 6 Prior to commencement of development, details of levels shall be submitted to and approved by the Local Planning Authority showing the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.

- 7 The development, including site clearance, must not commence until a tree protection plan, to include all the relevant details of tree protection has been submitted to the Local Planning Authority and approved in writing.

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

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

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

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

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

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

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

- 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.

- 10 Prior to commencement of the development a 1.5m x 1.5m pedestrian visibility sight splay, as measured from the highway boundary, shall be provided on both sides of the vehicular access. There shall be no obstruction above a height of 600mm as measured from the finished surface of the access within the area of the visibility sight splays thereafter.

- 11 Prior to commencement of development, details of levels shall be submitted to and approved by the Local Planning Authority showing the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.

*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 house and erection of a block of 7 two-bed flats including underground parking with 7 spaces.

**Description of Site:**

A detached single dwellinghouse near the junction with Palmerston Road. The land rises steeply to the south and is in a largely residential area with a mix of housing styles and types. To the south is Glenmead, an 'L' shaped block of three storey flats fronting both Palmerston Road and Westbury Road. To the north is the Buckhurst Hill Community Centre (BHCC) at Bedford House, a large sprawling two storey building which is locally listed. The trees on the BHCC site are covered by an area TPO.

**Relevant History:**

EPF/0391/08 Demolition of house and erection of 10 flats                      refused  
Appeal re above – Dismissed

**Policies Applied:**

CP1, 3, 4, 5, 6 & 7 Core Policies re sustainable development  
H1A, H2A, H3A, H4A Housing Provision  
DBE 1 New buildings  
DBE 2 new buildings amenity  
DBE 6 Car Parking  
DBE 8 Amenity space  
DBE 9 Neighbour Amenity  
LL10 Protected Trees  
HC13 Local Listed Buildings  
ST4 Parking  
ST6 Traffic Criteria

**Summary of Representations Received**

89 properties were consulted and a Site Notice posted and the following responses were received:

PARISH COUNCIL – Objection, structure is effectively five stories in an area that consists of mostly two storey houses. Substantial excavation is used in an attempt to reduce the height of the block but this emphasise the scale of the structure from street level which would be over dominant and out of scale with adjacent buildings. The depth of the block is over twice that of the adjoining flats producing long flank walls which would be over dominant. The rectangular design is chosen

to achieve the maximum density and makes little reference to the surrounding buildings. The 'green' roof structure is something of a misnomer and can be seen as a device to increase amenity space which if granted would create a precedent with far reaching consequences. This roof amenity would overlook surrounding properties and be unacceptably intrusive. The provision of 7 car parking spaces in an underground car park would be inadequate. There is no provision for visitor parking. This would add further problems to the difficulties already experienced in Westbury Road and Scotland Road which is already affecting enrolment to classes in Bedford House due to lack of parking facilities.

Representations received from Objectors have commented on the scheme being out of character with the area being another block of flats, too big in scale and overbearing, too many units, loss of privacy through overlooking, loss of light, adverse impact on protected trees, will put unacceptable strain on infrastructure and local services, and will cause parking issues as there is no visitor parking, placing further strain on an already difficult position.

To date 69 responses have been received

Buckhurst Hill Community Association (Bedford House)

Buckhurst Hill Residents Association

2b, 4, 10, 18, 19, 24, 26, 27, 31, 32, 36, 39, 40, 43 Scotland Road  
16, 19, 36, 40, 41, 42, 44, 45, 52, 54, 57, 61, 65, 79, Russell Road  
6, 10, 11, 13, 14, 15 Glenmead  
7a, 9, 11, 15, 17, Westbury Road  
54 Westbury Lane  
47, 56, 79, 79a, 81 Palmerston Road  
2, 3, 25 Ormonde Rise  
34 Gladstone Road  
3 Knighton Place  
36 Amberley Road  
160 Princes Road  
5, 11 Roebuck Lane  
The Fossils, Roebuck Lane  
3, 5 The Meadway  
1 Luctons Avenue  
27 Forest Edge  
47 Forest Heights  
23 Starling Close  
29 Palace Gardens  
9 Parkside  
St Johns School

### **Issues and Considerations:**

The main issues in this application are:

7. Whether the site can accommodate a new building
8. Housing Mix
9. Residential amenity
10. Amenity space
11. Highway safety and parking
12. Protected trees
13. Locally listed building

and whether it overcomes the previous reasons for refusal (upheld by the Inspector at appeal) – that the scheme being over dominant and incongruous within the street scene and the potential adverse impact on the protected trees to the rear.

The scheme has been revised in the light of the previous refusal, and now consists of 7 flats with 7 parking spaces in an underground basement as opposed to 10 flats with 9 parking spaces. The design has changed, removing the flat roof and associated roof terrace and reducing the width of the scheme.

1. *Building in Context and Design*

- The plot is 14m wide and about 52m deep. The block would be a maximum of 22.5m deep, 12.8m wide and 11.5m high with hipped roofs and a corner gable end roof. It has a rectangular plan and an underground car park accessed from Westbury Road.
- There would be a pitched roof dormer on the front roof slope.
- It is the case that this is a significant and large building, of a three storey appearance with rooms in the roof, and replaces a smaller single dwelling. However, the character of this area is very mixed with detached and semi-detached houses and several large flat developments, including Glenmead, a 3 storey block of flats, to the immediate south.
- 1m gaps would remain to the side boundaries, with a projection on the north flank being set back by some 5m.
- The block would be in line with Glenmead and forward of Bedford House (as is the existing house).
- The block will be the same height as Glenmead and Bedford House, which will be an increase in height over the existing property.
- It has now been designed to have a frontal appearance of a large house and has a pitched roof with a flat top, which will not be visible from ground level. This is a considerable change from the previous scheme dismissed at appeal, which was more akin to the design of Glenmead as an obvious block of flats with a flat roof.
- There is no doubt that when viewed from the front this scheme sits in the street scene more comfortably than the previous scheme, which continued the large flat roof flats theme down Westbury Road. There is a traditional shape to the roof, a front bay with gable roof over and more domestic pattern to the fenestration, albeit on 3 floors with a room in the roof served by a small dormer.
- However, the side elevations also need to be carefully considered due to the considerable depth of the building.
- The south facing flank is cut into the side of the hill and screened to a great extent by the flats next door at Glenmead. Whilst this is a deep building, due to the topography, position and the orientation of Glenmead it is considered that, on balance, the scheme does not adversely harm the character and appearance of the street scene when looking north from Palmerston Road and the upper part of Westbury Road.
- The northern flank is more prominent due to the fall of the land, but is largely screened by the not inconsiderable bulk of Bedford House to the immediate north and various trees within the street scene. In addition the rear elevation of the block is in line with the main rear elevation of Bedford House. It is again considered that, on balance, the impact on the character and appearance of the street scene is acceptable, although the new building will in part sit forward of the nearest part of this neighbouring property.
- This redesigned projection is far less prominent within the street scene than the previous appeal scheme. It is a long deep plot and capable of taking a building of this size without it being judged to be overdevelopment or out of scale in the street scene.
- It is also the case that this site is classed as previously developed land in an urban area. The efficient reuse of such urban land is a national and local priority and this scheme complies with this priority, subject to it satisfying design.



## 2. Housing Mix

- The scheme has been revised from 10 flats with a mix of one and two bedroom flats to 7 x 2 bedroom flats.
- This is an acceptable mix of units on the site and this scheme contributes to meeting the need for an appropriate proportion of smaller dwellings in the Buckhurst Hill area, and assists in creating a more mixed and balanced community in this area.

## 3. Residential Amenity

- The main neighbours to be affected would be Glenmead and Bedford House.
- Due to the orientation of the properties there would be no significant adverse loss of light or sunlight to either neighbour.
- The scheme has been designed so that the potential for overlooking the neighbours is reduced. On the northern flank the scheme has a small projection for windows facing east and west to avoid excessive overlooking Bedford House (although it is noted that this property is not a dwelling, it is considered that privacy is still required by both employees at Bedford House and occupants of this scheme).
- On the southern flank the windows will overlook the communal areas of Glenmead and the access drive to the garages at the rear of that site. The distance to the elevation of Glenmead (which is the rear of the section facing Palmerston Road) is a minimum of 25m from the scheme, and there is screening provided by the existing landscaping in Glenmead.
- There will be no overlooking to the rear as the nearest garden boundary is a minimum of 36m away at a 90° angle.
- To the front there will be the potential for some overlooking of the rear gardens of 83 and 83a Palmerston Road. These properties would be at a 90° angle to the scheme and screening would be provided by existing fencing and landscaping, including preserved trees in the rear garden of No 83a.
- It is noted that one of the parts of the Parish Council objection refers to a “green” roof which increases the amenity space and would result in intrusive overlooking of neighbouring properties. However, this is not a detail present on this scheme, although it was on the previous application.
- Therefore it is the case that there is no adverse overlooking of any neighbour as a result of this scheme.
- With regard to the visual impact of the scheme on the neighbours it is considered that the scheme, as addressed in paragraph 1, will not have an injurious effect on any neighbours visual outlook due to the orientation, use, and layout of the scheme and the neighbouring properties.

## 4. Private Amenity Space

- The private amenity space provided by the gardens would be some 350m<sup>2</sup>. For a 7 dwelling block of flats the local plan recommends an area of 175m<sup>2</sup>. In addition, 6 of the 7 flats have been provided with balconies and terraces which add to the area, and it is considered that an acceptable amount of amenity space is provided by this scheme.

## 5. Highways

- The Highways Officers have stated that the scheme is acceptable and that they would not raise any objections to the scheme subject to the appropriate conditions.
- In respect of parking, the Inspector on the appeal case commented that, *“I have taken careful note of the concerns about car parking...the site is within easy walking distance of the Central Line tube station; there are regular buses along High Road and less regular routes along Palmerston Road. Local shops and services are also within walking distance. The developer should not be required to compensate for the parking stress I observed which may arise from a combination of the limited spaces off street at the BHCC and commuter parking. The 1 parking space per flat appears adequate to meet the needs of the development in this location”*.
- In this case it is considered that the parking provision is in line with the adopted standards.

- As there is an existing vehicular in and out access to the front with good sight lines, there are no objections to maintaining one of these access points to serve the basement parking area. Cycle and motorcycle parking is also provided for in the basement as well as refuse area, the advantage of which is that this is not visible in the street scene.

#### 6. Trees and Landscaping

- In the appeal the Inspector shared the concerns of the Council that insufficient details had been supplied regarding the protection of the trees on the adjacent site. He also has concerns over the lack of landscaping at the front of the property.
- In this instance the Landscape Officer has commented "*There is an Area Tree Preservation Order on the adjacent site. In addition there are 3 trees within this site which are not protected. The Arboriculture Report submitted by the applicant demonstrates that none of these trees will be affected by this proposal, and adequate protective fencing can be achieved. The only loss will be a group of leylandii on the boundary of the two properties. Assuming they are in the ownership of the applicant there should be no problem with their removal. A landscape scheme will ensure that suitable landscaping is undertaken at completion of the development, and the requirement to remove excavated material is a standard condition for any basement construction*".
- These comments also took account of an Essex Council Tree Officer's report which was alluded to in some of the objector's comments.
- It is also the case that the revised scheme has a larger and more practical area at the front and south side of the scheme for proposed soft landscaping compared with the previous scheme.

#### 7. Locally Listed Building

- Bedford House is a locally listed building. The Council's Conservation Officer commented that she has no objections to the proposal and there will be no detrimental impact on its setting

### **Conclusion**

For the reasons laid out above this application, whilst balanced in terms of the design and scale of the proposed development, has been revised to address the issues of the previous refusal and the Inspectors comments. It is therefore considered that the scheme is now acceptable and is therefore recommended for approval.



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	<b>3</b>
Application Number:	EPF/0846/09
Site Name:	2 Westbury Road, Buckhurst Hill IG9 5NW
Scale of Plot:	1/1250

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/0219/09
<b>SITE ADDRESS:</b>	6 Priory Road Loughton Essex IG10 1AF
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Marys
<b>APPLICANT:</b>	James Hill
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of existing and rebuild of new extended semi-detached bungalow with front, side and rear dormer windows.
<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 development shall be carried out in accordance with the amended plans received on 21/05/2009 unless otherwise agreed in writing with the Local Planning Authority.
- 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 first occupation of the building hereby approved the proposed side dormer window openings in the north-east flank elevation shall be entirely 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.

*This application is before this Committee since it is an application for a new dwelling 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:**

Retrospective planning permission is sought, following the demolition of the existing bungalow to erect a replacement bungalow with front, side and rear facing dormer windows.

### **Description of Site:**

The subject site is a rectangular plan shaped plot of land situated to the southeastern side of Priory Road, in the built up area of Loughton. The plot of land previously accommodated a semi-detached bungalow which has recently been demolished and building work is presently being carried out on site. The street scene is made up of an eclectic mix of property designs and the adjoining plot presently accommodates the only single storey dwelling. Other dwellings in the street are predominantly two-storey and some provide second floor accommodation in the roof with a variety of dormer roof additions. There is also an example of two-storey dwellings with a flat roof in the street, as such these buildings all contribute to the varied street scene.

### **Relevant History:**

EPF/0861/07: Side and rear extensions and a loft conversion with front, side and rear dormers. Approved/ Conditions

EPF/0221/09: Demolition of existing and rebuild of new gable ended extended semi-detached bungalow with loft conversion with front and rear dormers. Withdrawn

### **SUMMARY OF REPRESENTATIONS:**

LOUGHTON TOWN COUNCIL: The Committee had NO OBJECTION to this application.

10 properties were consulted and the following responses were received:

4 PRIORY ROAD Objects: Side dormer will overlook side way and windows. Dormer will be oppressive and encroach upon privacy. Side window will not be needed as there is a rear facing window.

8 PRIORY ROAD Objects: Side dormer window detracts from the visual appeal of the extension. Side dormer invades the privacy of no. 4 Priory Road. Design will be more suited with a gable end design of the roof.

11 PRIORY ROAD Objects: Garage is required due to parking concerns. Bungalow demolished without planning approval. Replacement building will be bigger than houses within the street. Bungalows should be preserved. Three windows at the rear are not in keeping with the rest of the road, side dormer will overlook and it is overdevelopment.

### **Policies Applied:**

#### Adopted Local Plan Policies:

CP3, CP4 and CP5 – Sustainable building

DBE1- Design of new buildings

DBE2 – Detrimental effect on existing and surrounding properties

DBE8 – Amenity space

DBE9 – Neighbouring occupiers amenity

LL10 – Landscaping

ST4 and ST6 – Parking and highway safety

H4A – Dwelling mix

### **Issues and Considerations:**

The main issues and considerations are the design of new buildings, appearance within the street scene, parking considerations and amenity of neighbouring properties.

### Principle of development

The principle to extend the original bungalow by erecting side and rear extensions and a loft conversion involving the construction of side, rear and front dormer windows was approved under planning application number EPF/0671/09. Following the planning approval, the building was subsequently demolished and in light of this, the description of the development has now changed to a replacement dwelling. This form of development now requires a new planning permission for retrospective consent to demolish the dwelling and erect a replacement dwelling.

### Design and Appearance

The proposed replacement dwelling is similar in form and design to what was approved under EPF/0671/09 for a one and a half storey building with first floor accommodation provided within the roof space involving two front, one side and three rear dormer windows.

The proposed plan layout of the building measures 11.1 metres wide, by 10.4 metres deep and 6.4 metres high. The siting of the building will be 6.0m from the edge of the road and the north-east facing flank wall will be set in 1.0 metre from the common boundary with adjacent property No. 4 Priory Road. The siting and position of the building will be adequately accommodated within the plot as such, the resultant building will not appear cramped nor result in a terracing effect with neighbouring property.

The ridge height of the building will continue along from the height of the adjoining building at No. 8 Priory Road resulting in a pair of semi-detached properties. The building is designed with a single ridge roof with a hip end roof profile. The roof will also provide two additional bedrooms with the construction of two small, front facing roof dormers, a side dormer window and three rear dormer windows, all of which adopt a pitched roof design.

The size, bulk and profile of the building retain the character of the area and are complementary with the adjoining bungalow.

A condition will require details of the types and colours of materials to be submitted to ensure that the finishing will match that of surrounding dwellings.

It is considered that the design and appearance of the replacement bungalow is acceptable as the appearance of the building will be in keeping with buildings within the street.

### Amenity and effect on surrounding properties:

The replacement building will extend 1.4 metres from the original rear building line and less than a metre from the side boundary, this will cover a similar plan footprint with the original bungalow. The front building line will also be retained approximately 6.0 metres from the edge of the road.

With regard to the impact of the development on the amenities of the occupiers of neighbouring dwellings, the side dormer would face towards the side of No. 4, a two-storey dwelling. Due to the height of the dormer proposed, there would be no direct overlooking to this neighbour. However, to address the neighbours objections received from Nos. 4, 8 and 11 Priory Road, as there is an obscure window on the south facing flank wall of No. 4, a condition will ensure any window inserted in the side dormer is obscured.

Concerns have also been raised by neighbouring properties that the design of the side dormer is not in keeping and would lead to loss of light and privacy. The adjacent building to the north of the site is a two storey dwelling and is comparatively higher than what is proposed on site, as such the proposed building will not encroach upon the amenity of neighbouring occupiers.

It is also considered that the street scene is an eclectic mix of property styles with various examples of roof modification as several examples of dormer windows are visible within the street, some of which result in more successful design than others.

From the appraisal, the size and design of the dormer windows proposed is complementary to the building form and size, will match the size of the adjoining building and fit in with the overall character of the street scene. A gable end roof design will only serve as a visual imbalance to the pair of semi-detached properties and hence would not be acceptable as a design alternative.

#### Other considerations

##### Parking & Highway safety:

The proposal will provide a new three bedroom dwelling and this requires a maximum of 2 parking spaces. Neighbours concern relating to parking has been noted, however it is considered that there is sufficient parking space provision for two off-street parking spaces in the front garden area. There are no highways safety concerns from the development, as such this scheme meets with parking standard requirements and highway safety.

##### Landscaping:

There are no preserved trees within the curtilage of the site and no potential loss of an established tree from this development.

##### Dwelling mix

The one and a half storey building retains the appearance of a bungalow style building. Internally, a bed-room is provided on the ground floor, this meets with the life-time homes requirement and provides an adequate dwelling mix for the area.

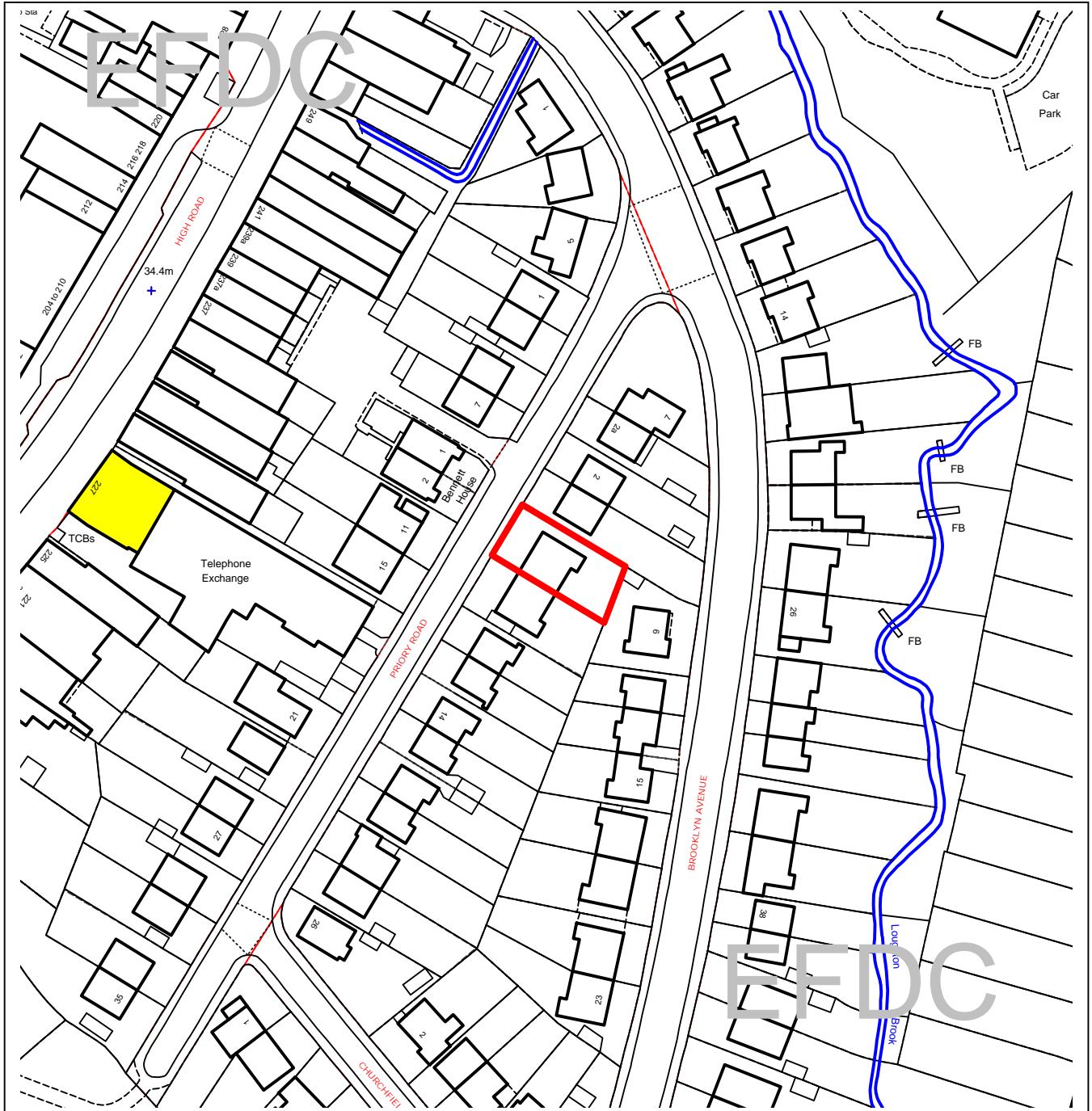
#### **Conclusion**

For the reasons stated above, the replacement dwelling is acceptable as it will not result in any harm to the amenities of neighbouring occupiers, the visual appearance will be complementary to the character of the area and as such this development complies with relevant Local Plan Policies 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>4</b>
Application Number:	EPF/0219/09
Site Name:	6 Priory Road, Loughton, IG10 1AF
Scale of Plot:	1/1250



**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/0652/09
<b>SITE ADDRESS:</b>	Dragons Nursery Road Loughton Essex IG10 4DZ
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Forest
<b>APPLICANT:</b>	Mr & Mrs M Jaycock
<b>DESCRIPTION OF PROPOSAL:</b>	Grade II listed building application for the formation of a bedroom in part of the existing roofspace. External alterations involve new conservation style rooflights and oak window with brick arch to north east elevation. New cast iron soil and vent pipe to south east elevation.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 The works hereby permitted must be begun not later than the expiration of three years, beginning with the date on which the consent was granted.
- 2 Details of the types and colours of the internal carpentry, internal and 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 only be implemented in accordance with such approved details.

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

**Description of Proposal**

This application seeks listed building consent for the Grade II listed building. Details of the proposal are for the formation of a bedroom in part of the existing roof space, external alterations that involve insertion of new conservation style roof lights and a new window opening in the north-east flank wall finished in oak with brick and a new cast iron soil and vent pipe to south east elevation.

**Description of Site**

The subject site accommodates a detached, two-storey Grade II listed building located on the eastern corner of the large square plan shaped plot. The plot is located at the corner of Nursery

Road and Upper Park and the building is set back approximately 43 metres from the edge of Nursery Road where the building fronts. The rear gardens of properties that front Little Dragons share a common boundary with the subject site and these properties are located to the north-east of the site.

### **Relevant History**

LB/EPF/0032/84. Raising the height of boundary fence. Approved

LB/EPF/0037/84. Single storey extension. Approved

EPF/0863/06. Grade II listed building application for re-roofing, external repair and redecoration to Dragons. Approved

EPF/2080/06. Grade II listed building application for the provision of conservation roof-light to be inserted in the roof slope together with a gable window – Approved

### **Representation received**

01/05/2009 8 properties were consulted, and a Site notice posted and the following responses were received:

LOUGHTON PARISH COUNCIL: No objection

6 LITTLE DRAGONS objects: Rear garden area and rear windows will be overlooked and result in loss of privacy

5 LITTLE DRAGONS objects: No objection to the principle, however strongly object to the proposed window on the flank wall as it will result in full view of rear garden area and will look into first floor bedroom windows.

### **Policies Applied**

#### **Adopted Local Plan and Alterations**

HC10 – Listed building consent

### **Issues and Considerations**

The main issue is the potential impact on the listed building.

The subject building was added to the Statutory List in 1981 as a Grade II building, due to its exceptional interest, as a late Victorian (1883) example of domestic architecture.

The external aspect of the proposal involves the installation of a new cast iron soil pipe and vent pipe, the insertion of a single conservation style roof light to the north-east roof plane that measures 650mm high and 450mm wide, and a new window opening in the north-east facing gable end wall that would measure 12750mm high by 1125mm wide. The intention is that the proposed roof-light and new gable window would be installed to allow further light into the loft space for a bedroom.

The new window will be encased in a timber oak frame with a stone cill and decorative brick arch. Advice has been sought from the Senior Historic Buildings Advisor, who comments that all the materials proposed for the external finishing is in keeping with the historic fabric of the building.

The listed interest of the building also extends to the internal features including the stairs and landing with its “very finely turned” balusters and the newels. Internally, it is noted that the proposals include the replication of these features and the recommendation is that any consent should impose a condition to ensure the architectural accuracy and the craftsmanship in the execution of the work is maintained. The proposal therefore complies with HC10 of the Adopted Local Plan.

### Other considerations

As this is a listed building application, it clearly only concerns the potential impact of the development on the character and appearance of the listed building.

Two letters of objection have been received from Nos. 5 and 6 Little Dragons; these properties immediately back onto the site and thus share a common side boundary with the subject site.

The neighbours concerns are regarding loss of privacy to the rear garden area and overlooking of rear bedroom windows as a result of the proposed new window in the north-east flank wall.

The elevation though does not specify whether this window will be clear or obscure glazed however, the applicant has been informed that as this is a side window, if the glazing is clear from below a height of 1.7 metres as measured from the internal room floor level, full planning permission will be required. This would have to be the subject of a planning application and only then could the amenities of residents be considered. An informative will be added to this effect.

To summarise, the only consideration with this application is the impact on the listed building in respect of Policy HC10, i.e. its historic and architectural appearance.

### Conclusion

It is assessed that the proposals accord with government guidance on the historic environment (PPG15); particularly with regards the presumption in favour of preserving historic buildings and the need to make a convincing case for any alteration and it is also inconsistent with this council’s adopted local plan policy HC10.

### Recommendation

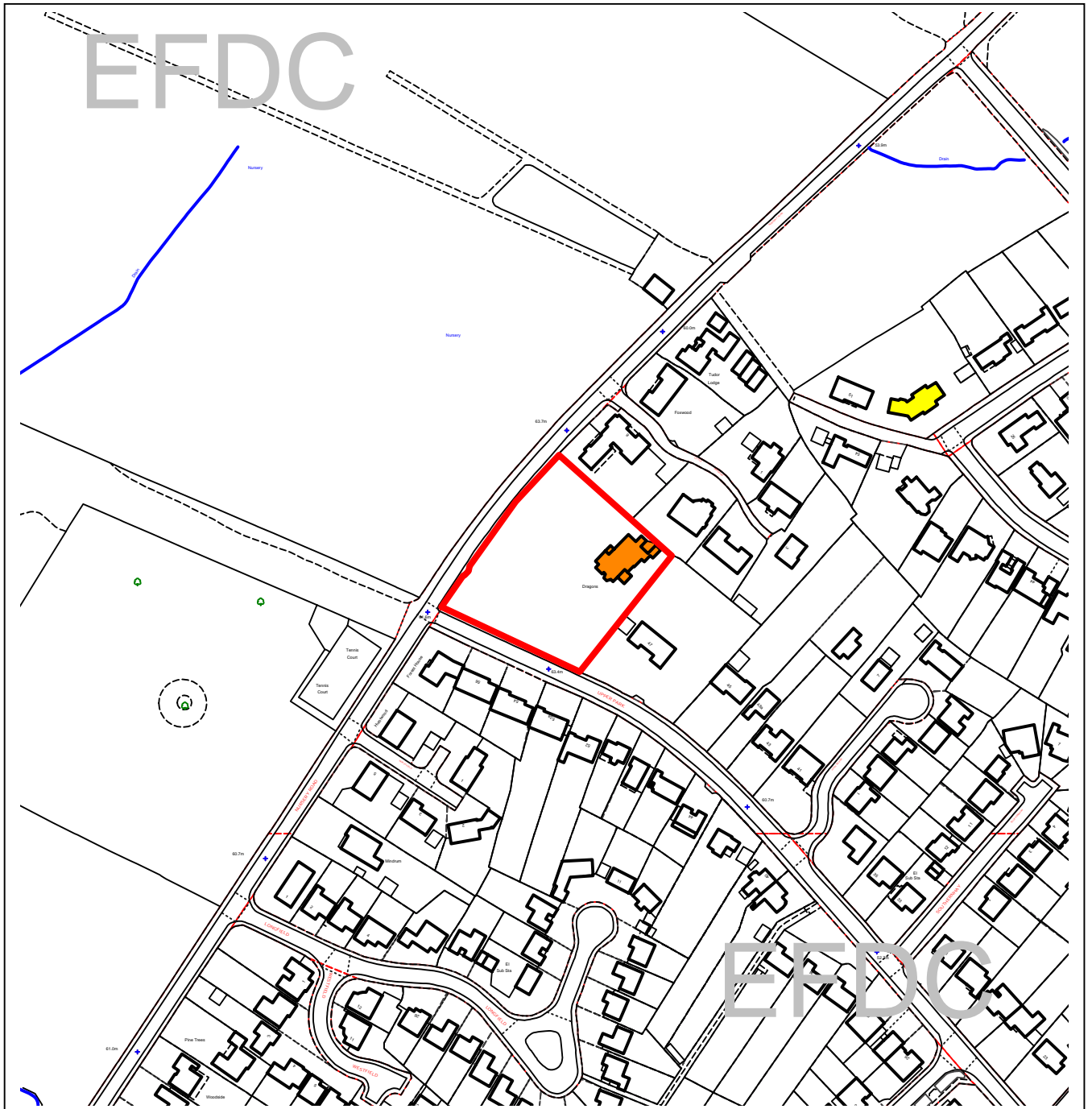
In light of the above appraisal, sufficient information has been provided to demonstrate consideration has been given to the listing status of the Grade II building and the proposal takes into account the special interest of the Listed Building, as such it is recommended that listed building consent is approved with conditions.

The granting of listed building consent does not prescriptively follow that planning permission would subsequently be granted, when the issue of overlooking and any loss of privacy would have to be assessed under the Town and Country Planning Act.



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	<b>5</b>
Application Number:	EPF/0652/09
Site Name:	Dragons, Nursery Road, Loughton IG10 4DZ
Scale of Plot:	1/2500

**Report Item No: 6**

<b>APPLICATION No:</b>	EPF/0709/09
<b>SITE ADDRESS:</b>	34 Queen's Road Loughton Essex IG10 1RS
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Johns
<b>APPLICANT:</b>	Mr Chris Pover
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of outbuilding to rear garden to be used as an office.
<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 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 The proposed use of the outbuilding shall remain incidental to the house and shall not be subdivided off from the rest of the site at 34 Queens Road, Loughton as outlined in red on drawing no 329/1A accompanying this permission.

*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:**

Erection of outbuilding to rear garden to be used as an office. The building measures 6.2m x 4.8m by 3.8m high with a monopitch roof, and decking to the front.

**Description of Site:**

The application site comprises a domestic rear garden of a semi detached two storey dwelling house in Queens Road. The boundary of the York Hill conservation area is to the west. The site slopes uphill to the west.

## **Relevant History:**

Nil relevant

## **Policies Applied:**

DBE1	Design of New Buildings
DBE2/9	Impact of New Development
HC6	Conservation Areas

## **Summary of Representations**

4 properties were consulted and the following responses were received:

TOWN COUNCIL – object, would create a potential disturbance to properties in the immediate vicinity and loss of amenity at rear, contrary to policy DBE9 (iv). Noted it abuts the conservation area. Will set an unacceptable precedent for the siting of a commercial development.

HILLS AMENITY SOCIETY – object, significantly large building, could be used as a residence.

36 QUEENS ROAD – object, large building containing a toilet, near fence and may affect my fruit trees.

## **Issues and Considerations:**

The main issues in this application are:

1. The impact of the proposed development on the character and appearance of the area and the adjacent conservation area
2. The impact of the proposed development on the amenities of the occupiers of neighbouring dwellings.

### **1. Character and Appearance of Area and Conservation Area**

- This is a scheme for the erection of a structure akin to a summerhouse or domestic outbuilding, which will be used as an office for the applicant who is an Accountant.
- The structure is not overly large and has the appearance of a typical outbuilding found in many rear gardens in the area.
- The proposed green roof is a welcome feature of the design.
- It will be screened by garden fences and tree and hedge lines in the neighbouring gardens.
- The Conservation Area Officer has stated “This site is set on the edge of the York Hill conservation area. I believe the surrounding vegetation and the proposed green roof will minimise the visual impact of the proposed building within the landscape. Therefore I have no objections to this proposal.”
- It is considered that the building will have no adverse effects on the character and appearance of this area.

### **2. Amenities of Neighbours**

- The scheme has the potential to cause disturbance to neighbours due to its proposed use as an office.
- The building will be at the rear of the applicant’s garden, which is higher than the house due to the topography of the land.
- There is no vehicle access to the site.
- In this instance the applicant wishes to use the building as an office for his accountancy business which would be used during normal office hours. There would be no other employees

other than his wife and no visitors would be expected during the average week. Communications would be via fax, email and telephone.

- Therefore it is the case that there would be no noticeable disturbance to any local residents from this use, which is similar to the use of a room in the main house (a use which would not require permission in this case).
- Conditions to limit the use of the building to the above constraints would be appropriate to ensure a future use did not cause a disturbance.
- The building will be sufficiently distant (30m) from the rear elevations of the neighbouring properties that, when combined with the existing screening of garden fencing and trees/shrubs that there will be no adverse overlooking even with the slope of the ground.
- There will be no overlooking of the properties in York Hill.
- The use would also reduce the need for the applicant to commute, and this is a sustainable scheme in that respect.
- The Town Council are concerned that this scheme could set a precedent. However, each case must be taken on its own merits, and in this instance no harm is caused to the area or neighbours by this small scale scheme.

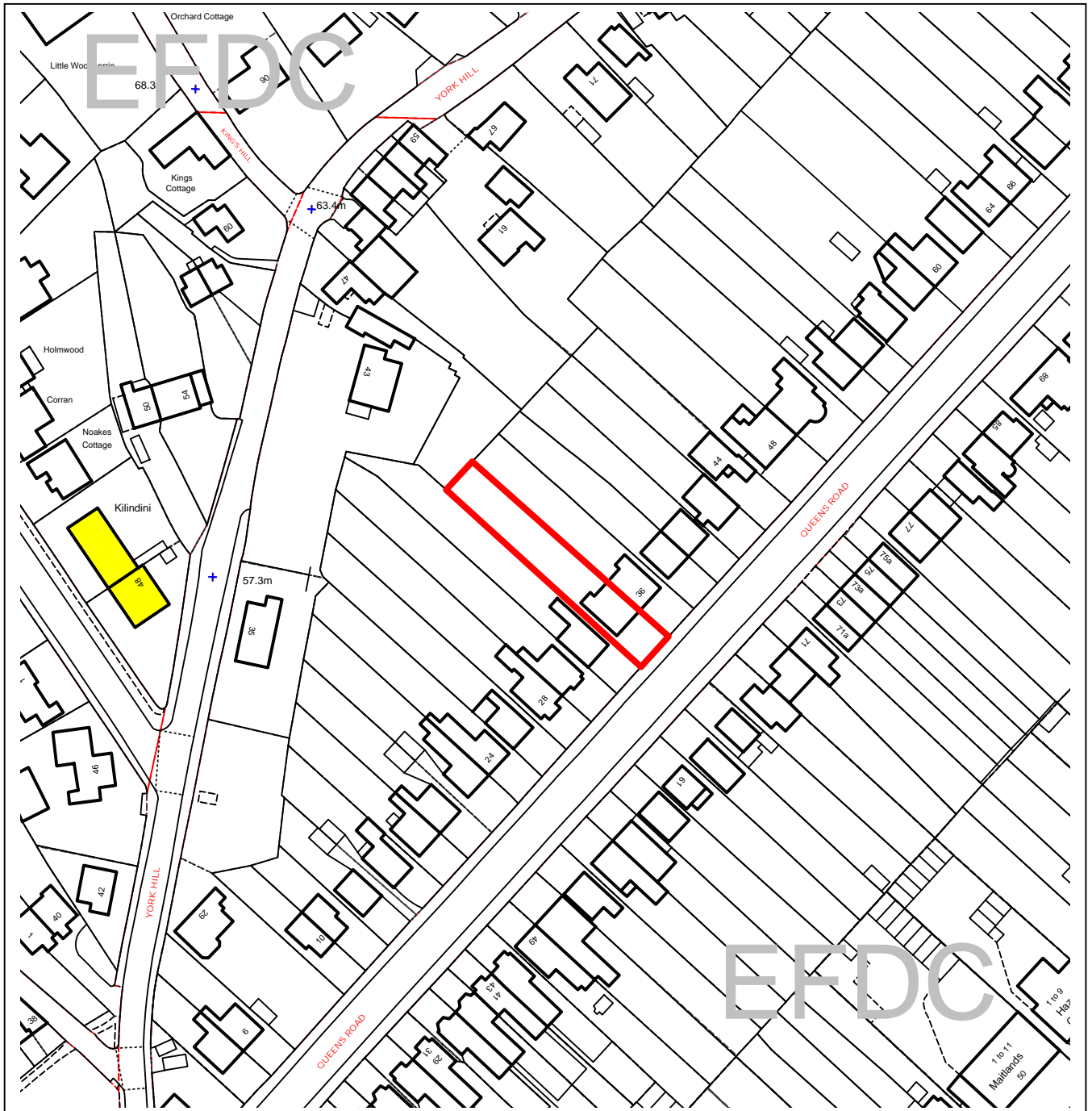
### **Conclusion**

This is a small scale scheme, which can be accommodated without harm to the local area on this site. It will not have an adverse impact on the amenities of any neighbour. The recommendation is therefore for approval.



# Epping Forest District Council

## Area Planning Sub-Committee South



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Agenda Item Number:	6
Application Number:	EPF/0709/09
Site Name:	34 Queen's Road, Loughton, IG10 1RS
Scale of Plot:	1/1250