

# Committee Agenda



**Webcast  
Meeting**



**Epping Forest  
District Council**

## **AREA PLANNING SUBCOMMITTEE SOUTH** **Wednesday, 18th November, 2009**

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

**Room:** Dining Hall

**Time:** 7.30 pm

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

### **Members:**

Councillors J Hart (Chairman), Mrs L Wagland (Vice-Chairman), K Angold-Stephens, R Barrett, K Chana, Mrs S Clapp, Miss R Cohen, M Cohen, D Dodeja, Mrs A Haigh, J Knapman, R Law, A Lion, 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 - 20)**

To confirm the minutes of the last meeting of the Sub-Committee held on 28 October 2009.

**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 21 - 34)**

(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):

<b>Agenda Item No</b>	<b>Subject</b>	<b>Exempt Information Paragraph Number</b>
Nil	Nil	Nil

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

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

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

**Background Papers:** Paragraph 8 of the Access to Information Procedure Rules of the Constitution define background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) have been relied on to a material extent in preparing the report and does not include published works or those which disclose exempt or confidential information (as defined in Rule 10) and in respect of executive reports, the advice of any political advisor.

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

## **Advice to Public and Speakers at Council Planning Subcommittees**

### **Are the meetings open to the public?**

Yes all our meetings are open for you to attend. Only in special circumstances are the public excluded.

### **When and where is the meeting?**

Details of the location, date and time of the meeting are shown at the top of the front page of the agenda along with the details of the contact officer and members of the Subcommittee.

### **Can I speak?**

If you wish to speak **you must register with Democratic Services by 4.00 p.m. on the day before the meeting.** Ring the number shown on the top of the front page of the agenda. Speaking to a Planning Officer will not register you to speak, you must register with Democratic Service. Speakers are not permitted on Planning Enforcement or legal issues.

### **Who can speak?**

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

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

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

### **What can I say?**

You will be allowed to have your say about the application but you must bear in mind that you are limited to three minutes. At the discretion of the Chairman, speakers may clarify matters relating to their presentation and answer questions from Sub-Committee members.

If you are not present by the time your item is considered, the Subcommittee will determine the application in your absence.

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

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

### **How are the applications considered?**

The Subcommittee will consider applications in the agenda order. On each case they will listen to an outline of the application by the Planning Officer. They will then hear any speakers' presentations.

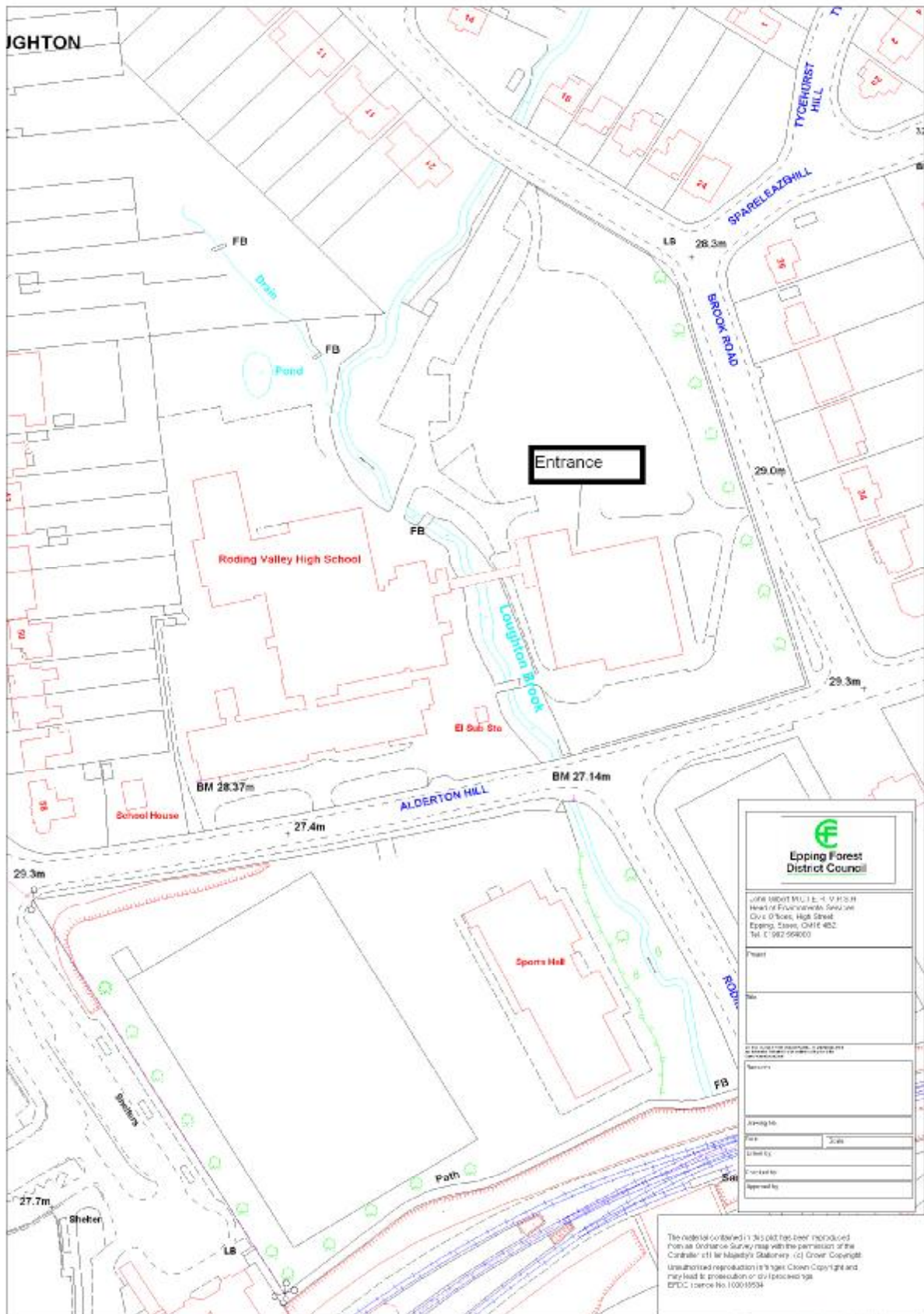
The order of speaking will be (1) Objector, (2) Parish/Town Council, then (3) Applicant or his/her agent. The Subcommittee will then debate the application and vote on either the recommendations of officers in the agenda or a proposal made by the Subcommittee. Should the Subcommittee propose to follow a course of action different to officer recommendation, they are required to give their reasons for doing so.

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

### **Further Information?**

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

# Area Plans Subcommittee South – Location Plan



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## EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

**Committee:** Area Planning Subcommittee **Date:** 28 October 2009  
South

**Place:** Roding Valley High School, Brook Road, Loughton, Essex **Time:** 7.30 - 9.45 pm

**Members Present:** Mrs L Wagland (Chairman), K Angold-Stephens (Vice-Chairman), R Barrett, Mrs S Clapp, Miss R Cohen, M Cohen, D Dodeja, Mrs A Haigh, J Markham, Mrs C Pond and Mrs P Richardson

**Other Councillors:**

**Apologies:** J Hart, J Knapman, R Law, B Sandler, Mrs J Sutcliffe, P Turpin and D Wixley

**Officers Present:** N Richardson (Assistant Director (Development Control)), A Hendry (Democratic Services Officer), G J Woodhall (Democratic Services Officer) and R Perrin (Democratic Services Assistant)

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### 54. 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.

### 55. WELCOME AND INTRODUCTION

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

### 56. ELECTION OF VICE CHAIRMAN

In the absence of the Vice-chairman, the Chairman requested nominations for the role of Vice-chairman.

**RESOLVED:**

That Councillor K Angold-Stephens be elected Vice-chairman for the duration of the meeting.

### 57. MINUTES

**RESOLVED:**

That the minutes of the meeting held on 7 October 2009 be taken as read and signed by the Chairman as a correct record subject to paragraph three on the application for 1 Marjorams Avenue, Loughton (EPF/1514/09) being altered to read 'Church Hill' and not 'Church Road'.

## 58. DECLARATIONS OF INTEREST

a) Pursuant to the Council's Code of Member Conduct, Councillor Mrs P Richardson declared a personal interest in the following item of the agenda by virtue of being members of Loughton Town Council. The Councillor had determined that her interest was not prejudicial and she would remain in the meeting for the consideration of the applications and voting thereon:

- EPF/0375/09 Unit 12, Loughton Business Centre, Loughton.
- EPF/1615/09 13 Eleven Acre Rise, Loughton.
- EPF/1706/09 Former Woolworths, 228 High Road, Loughton.
- EPF/1716/09 Beechlands, 42 Alderton Hill, Loughton.

(b) Pursuant to the Council's Code of Member Conduct, Councillor R Barrett declared a personal interest in the following items of the agenda, by virtue of being a member of Loughton Town Council. The Councillor had determined that his interest was not prejudicial and would remain in the meeting for the consideration of the applications and voting thereon:

- EPF/1615/09 13 Eleven Acre Rise, Loughton.
- EPF/1706/09 Former Woolworths, 228 High Road, Loughton.
- EPF/1716/09 Beechlands, 42 Alderton Hill, Loughton.

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

- EPF/0375/09 Unit 12, Loughton Business Centre, Loughton.
- EPF/1615/09 13 Eleven Acre Rise, Loughton.
- EPF/1706/09 Former Woolworths, 228 High Road, Loughton.
- EPF/1716/09 Beechlands, 42 Alderton Hill, Loughton.

(d) Pursuant to the Council's Code of Member Conduct, Councillor J Markham declared a personal interest in the following items of the agenda, by virtue of being a member of the Loughton Residents Association. The Councillor had determined that his interest was not prejudicial and he would remain in the meeting for the consideration of the application and voting thereon:

- EPF/1615/09 13 Eleven Acre Rise, Loughton.
- EPF/1716/09 Beechlands, 42 Alderton Hill, Loughton.

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

- EPF/1075/09 94 Hainault Road, Chigwell.

## 59. ANY OTHER BUSINESS

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

**60. DEVELOPMENT CONTROL**

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

**RESOLVED:**

That the planning applications numbered 1 – 5 be determined as set out in the attached schedule to these minutes.

**61. DELEGATED DECISIONS**

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

**CHAIRMAN**

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**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/0375/09
<b>SITE ADDRESS:</b>	Unit 12 Loughton Business Centre Langston Road Loughton Essex IG10 3FL
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Broadway
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of a palisade fence and access gate on the boundary of units 11 and 12.
<b>DECISION:</b>	Refuse

**REASON FOR REFUSAL**

- 1 The fence would not be a sensible design and acts as an impediment for the turning of vehicles visiting the business units in the immediate locality. It is therefore in breach of condition 9 of planning permission EPF/1494/06 and contrary to Policy ST4 of the Council's Adopted Local Plan and Alterations.

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/1615/09
<b>SITE ADDRESS:</b>	13 Eleven Acre Rise Loughton Essex IG10 1AN
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Marys
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of a four storey, six bedroom house. (Revised application)
<b>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 hereby permitted shall be carried out in accordance with detailed plans and particulars which shall have previously been submitted to and approved by the Local Planning Authority, showing the layout and design of the side boundary walls, pergola and planting details of soft landscaping adjacent to No 14 Eleven Acre Rise
- 3 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 4 Prior to the commencement of development details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected before the occupation of any of the dwellings hereby approved and maintained in the agreed positions.
- 5 Prior to first occupation of the building hereby approved the proposed window openings in the north and south flank 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.
- 6 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority and these facilities installed prior to the commencement of any building works on site, and shall be used to clean vehicles leaving the site.

- 7 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 2, Class A- C shall be undertaken without the prior written permission of the Local Planning Authority.
- 8 No development shall take place until details of earthworks have been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of the proposed mounding to existing vegetation and surrounding landform. Development shall be carried out in accordance with the approved details.
- 9 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.
- 10 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.
- 11 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.

- 12 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.

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/1706/09
<b>SITE ADDRESS:</b>	Former Woolworths 228 High Road Loughton Essex IG10 1EY
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Marys
<b>DESCRIPTION OF PROPOSAL:</b>	Ground floor extension for proposed class B1 use (Office/Light Industrial) and new second floor extension to existing retail unit to provide Class A1 (Retail)/B1 (Offices) and alterations. (Revision to previous withdrawn application)
<b>DECISION:</b>	Grant Permission (With Conditions)

The Committee's attention was drawn to a letter of representation from 4 The Drive, Loughton

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.
- 3 The ground floor extension hereby approved shall be used solely for B1, (offices), and for no other purpose (including any other purpose in Class B1 or B8 of the Schedule to the Town & Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order).
- 4 The second floor extension hereby approved shall be used solely for Class A1 (Retail) and/or B1 (Offices). and for no other purpose (including any other purpose in Class B1 or B8 of the Schedule to the Town & Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order).
- 5 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.
- 6 The proposed second floor windows on the rear elevation, facing west, shall be non-operable and fitted with obscure glazing to a height of 1.7m from the internal floor level of the room these windows serve, and retained as such thereafter.



- 7 Prior to occupation of the development, a Travel Plan shall be submitted and approved in writing by the Local Planning Authority, comprising details to reduce car dependence and vehicle emissions and to establish and encourage the use of alternative transport modes of journeys to and from work during working hours. The provision of the Travel Plan shall be adhered to at all times unless otherwise approved in writing by the Local Planning Authority.

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/1716/09
<b>SITE ADDRESS:</b>	Beechlands 42 Alderton Hill Loughton Essex IG10 3JB
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Marys
<b>DESCRIPTION OF PROPOSAL:</b>	Renewal of outline planning permission for the erection of a private dwelling house for the proprietor of 'Beechlands'.
<b>DECISION:</b>	Deferred

The Committee's attention was drawn to letters of representation from Loughton Town Council, 29, 33, 37, 49, 51 Sparelease Hill and Loughton Residents Association (Plans Group)

This item was deferred in order that Officers can report back this item with further details of the 2 appeal decisions relating to this site.

**CONDITIONS**

- 1 Application for the approval of details reserved by this permission must be made not later than the expiration of three years from the date of this notice. The development hereby permitted must be begun not later than the expiration of two years from the date of the final approval of the details reserved by this permission or, in the case of approval on different dates, the final approval of the last matter approved.
- 2 Details of the design and external appearance of the buildings (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved
- 3 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.

- 4 Prior to the commencement of the development details of the proposed surface materials for the driveway shall be submitted to and approved in writing by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.
- 5 This consent shall inure solely for the benefit of the applicant Dr D. Vive Kananda and for no other person or persons.

**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/1075/09
<b>SITE ADDRESS:</b>	94 Hainault Road Chigwell Essex IG7 5DH
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Grange Hill
<b>DESCRIPTION OF PROPOSAL:</b>	Amendment to EPF/520/08, for retention of enlarged rear dormer window.
<b>DECISION:</b>	Grant Permission (with conditions)

**CONDITIONS:**

- 1 Within 3 months of the date of this permission the current clear windows in the rear dormer shall be removed and replaced with 2 obscure glazed windows in fixed frames to a height of 1.7m as measured from the internal floor level of the room these windows serve, and shall be retained as such thereafter.

## AREA PLANS SUB-COMMITTEE SOUTH

Date 18 November 2009

### INDEX OF PLANNING APPLICATIONS/ENFORCEMENT CASES

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1.	EPF/1907/09	72 Queen's Road, Buckhurst Hill, Essex IG9 5BS	Grant Permission	23
2.	EPF/1812/09	7 Chigwell Park, Chigwell, Essex IG7 5BE	Grant Permission (With Conditions)	26
3.	EPF/1952/09	39 the Lindens, Loughton, Essex IG10 3HS	Grant Permission (With Conditions)	30

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**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/1907/09
<b>SITE ADDRESS:</b>	72 Queen's Road Buckhurst Hill Essex IG9 5BS
<b>PARISH:</b>	Buckhurst Hill
<b>WARD:</b>	Buckhurst Hill West
<b>APPLICANT:</b>	The Letmore Group
<b>DESCRIPTION OF PROPOSAL:</b>	Retrospective application for retention of new fascia and projecting signs externally illuminated. (Revised application)
<b>RECOMMENDED DECISION:</b>	Grant Permission

**CONDITIONS**

None

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

**Description of Proposal:**

The proposal is for the retention of a fascia sign measuring 4475mm x 813mm above the front elevation of the shop and a small projecting sign measuring 813mm x 813mm. The signs are 2.35m approx from the ground and coloured red and white.

**Description of Site:**

The site is a retail outlet on Queen's Road close to the corner with Kings Place. The shop is bordered on both sides by similar sized properties and is within the Town Centre Boundary of Buckhurst Hill.

**Relevant History:**

EPF/0659/80 - Provision of external staircase to existing 1st floor flat. Grant Permission (with conditions) - 30/05/1980.  
EPF/0323/93 - Change of use from shop to estate agents (A2 Use)(ground floor only). Grant Permission (with conditions) - 27/07/1993.  
EPF/0115/96 - Change of use from shop to food and drink (A3) use (ground floor only). Refuse Permission - 11/03/1996.  
EPF/1169/04 - Single storey extension to rear of offices. Grant Permission (with conditions) - 23/08/2004.  
EPF/0547/07 - First floor rear extension. Grant Permission (With Conditions) - 05/07/2007.  
EPF/2167/08 - Retention of new fascia and projecting signs externally illuminated. Refuse Permission - 22/01/2009.

### **Policies Applied:**

Policy DBE13 – Advertisements.

### **Summary of Representations:**

13 properties were consulted, no responses were received.

PARISH COUNCIL: Objection. The proposed sign is out of keeping with the existing streetscene, the bright red frontage of the sign is obtrusive and the lighting is overly prominent.

### **Issues and Considerations**

The main issue to consider is any possible impacts the proposed sign would have on the immediate area in terms of design and on neighbour amenity.

#### **Considerations**

Local Plan policy DBE13 advises that illuminated signs should be in keeping with the building in relation to materials, colours and proportion and should not affect the amenity of nearby residential properties.

Whilst the Parish Council have objected to the bright red frontage, it was the brightness of the illumination that justified a refusal of consent on the last application by this Committee. The size of the lettering, the position of the projecting sign at fascia level above the shopfront is all in keeping and similar to those that exist in this commercial area. In fact, the only element of the signage that means it requires consent is the illumination. The rest of the sign is the company design and matches the colour and style of the shopfront. Churchills signs exist in many other similar localities.

The illumination of the sign had been an issue; being extremely bright and therefore out of keeping. But since the last refusal, the applicant has added a luminosity diffuser which has significantly reduced the level of luminance to an appropriate level. At night when it is lit, the illumination is now reduced by 60% of its previous light spillage and is more subdued and in keeping with the street scene. The signage now adopts less prominence within the streetscene and its traditional style generally adds to the character of this part of Queens Road.

The occupant of No72 stated that the sign would block views of his fascia sign when viewed coming down Queen's Road. The projecting sign is fairly typical of other projecting signs in the area or on a shopfront such as that which prevails in the area. However, decisions on adverts shall only be made in the interests of amenity and public safety, not on matters of trade competition or blocking of other signs. In any case, next door's sign is visible coming uphill along Queens Road and only noticeable when close to the shop in any case.

### **Conclusion:**

The illumination level has overcome the previous reason for refusal and the signs will not harm amenity or public safety. It is therefore recommended for approval.





# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	1
Application Number:	EPF/1907/09
Site Name:	72 Queen's Road, Buckhurst Hill, IG9 5BS
Scale of Plot:	1/1250

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/1812/09
<b>SITE ADDRESS:</b>	7 Chigwell Park Chigwell Essex IG7 5BE
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Chigwell Village
<b>APPLICANT:</b>	Mr Kashif Muhammed
<b>DESCRIPTION OF PROPOSAL:</b>	Retention of garage with a reduced height of 2.5m.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 The reduction in height of this garage, to 2.5m, as shown on the plans hereby approved, shall be completed within 4 months of the date of this decision notice.
- 2 The garage outbuilding hereby approved shall not be used as primary living accommodation, e.g. as a living room, bedroom, kitchen.
- 3 No openings or windows, other than those shown on the plans hereby approved, shall be installed in this garage outbuilding without a further planning application being submitted and approved.

*This application is before this Committee since the recommendation differs from the expected views of the local council (pursuant to section P4, schedule A (g) of the Councils delegated functions).*

**Description of Proposal:**

This application is for the retention of an existing currently unauthorised garage but with reduced height of 2.5m.

**Description of Site:**

A large two storey semi detached house located at the junction of Chigwell Park with Tudor Close in a residential area. The garage is located in the rear garden with access off Tudor Close, and measures 8.2m long by 4.8m wide. The garage has a very shallow monopitch roof which falls from 3.2m to 3m in height.

**Relevant History:**

EPF/936/09 - Planning permission refused for retention of new outbuilding in rear garden as a garage.

### **Policies Applied:**

DBE1 - Design of new buildings;  
DBE2 – Effect on neighbouring properties;  
DBE9 – Loss of amenity;  
ST4 – Road safety.

### **Summary of Representations:**

CHIGWELL PARISH COUNCIL – comments not yet available on the date of drafting this report (5/11/09), and the parish committee meets on 10/11/09. The parish may well wish to object to the application and hence this report for Area Plans South has been prepared so that a committee decision can be made before the 8 weeks target date expires.

22 neighbours have been consulted and 2 replies have been received as of 5/11/09 - see below. However, regrettably, the initial notification letter did contain a syntax error and for the avoidance of doubt neighbours have been re-consulted, and any further replies will be reported orally at Committee.

20 TUDOR CLOSE – Object - Drivers of cars leaving the garage are in the road before being able to see, and hence this is a hazard to road safety. Also an increasing number of commuters using Chigwell station are parking in this part of Tudor Close further impeding driver visibility. Further, the garage is an eyesore detracting from views in the road.

1 TUDOR CLOSE – Object – Plans do not appear to be drawn to scales shown since, if they are, height of finished building still stands above 2.5m restriction. Height of surrounding fences has been exaggerated such that new height of building appears less overbearing to its surroundings. Regularisation of illegally built building is against spirit of natural justice. First application refused on other grounds besides height, including position adjoining highway – lowering height does not change its position relative to highway. Safety hazard to pedestrians and cars coming into Tudor Close from Chigwell Park. Factual error in original post-construction application regarding removal of trees. Believe that internal floor area of 34 sq.m. means that Building Regulations consent should have been sought. Building is still wider and longer than other garages in area and remains bulky, overbearing, out of scale and will have unacceptable visual impact.

### **Issues and Considerations:**

This outbuilding was erected earlier this year. However, following planning enforcement team investigations the outbuilding was found not to fall within permitted development guidelines because it is more than 2.5m. in height and is located within 2m. of a boundary.

A planning application was subsequently lodged (EPF/936/09) for retention of this outbuilding, which has a height between 3m and 3.2m. This application was refused on grounds that its size and prominence detracts from the amenity and outlook of residents in the neighbouring no.1 Tudor Close, that its height and position detracts from visual amenity in the street scene, and that drivers of cars exiting the garage have insufficient sightlines to see pedestrians on the pavement.

Following this refusal the planning enforcement team wrote to the applicant requesting him to remove this unauthorised outbuilding – stating that failure to comply with this request would result in legal action being taken to secure its removal. However, this current application has now been submitted which proposes to reduce the height of the garage to 2.5m in height – that is a height at which the garage could have been originally built without the need for planning permission.

The principal reason for the earlier refusal was the adverse impact of the south flank of the garage (3.2m in height) on the front garden/drive area, and front aspect, of no. 1 Tudor Close. The garage

is now 0.7m lower and would only project 0.7m above the height of the boundary fence which lies close to the south flank of the garage. This reduction in height does lessen the impact of the garage and the amenity and outlook of neighbours in no.1 Tudor Close would not now be significantly affected.

Similarly the lower height of the garage would reduce its prominence in the street scene. Although 'up and over' metal doors on the back edge of pavement are not particularly attractive this issue would not justify a reason to refuse planning permission.

The 'inadequate sightlines of pedestrians' reason for refusal on the previous application was a subsidiary reason for refusal. The level of pedestrian use on the pavement is low (Tudor Close is a cul-de-sac) and garages located on the back edge of pavements is not an uncommon feature in urban areas. The County Council highways officer confirms that refusal of the proposal on grounds of inadequate sightlines would not be justified given the quiet nature of the road.

### **Conclusion:**

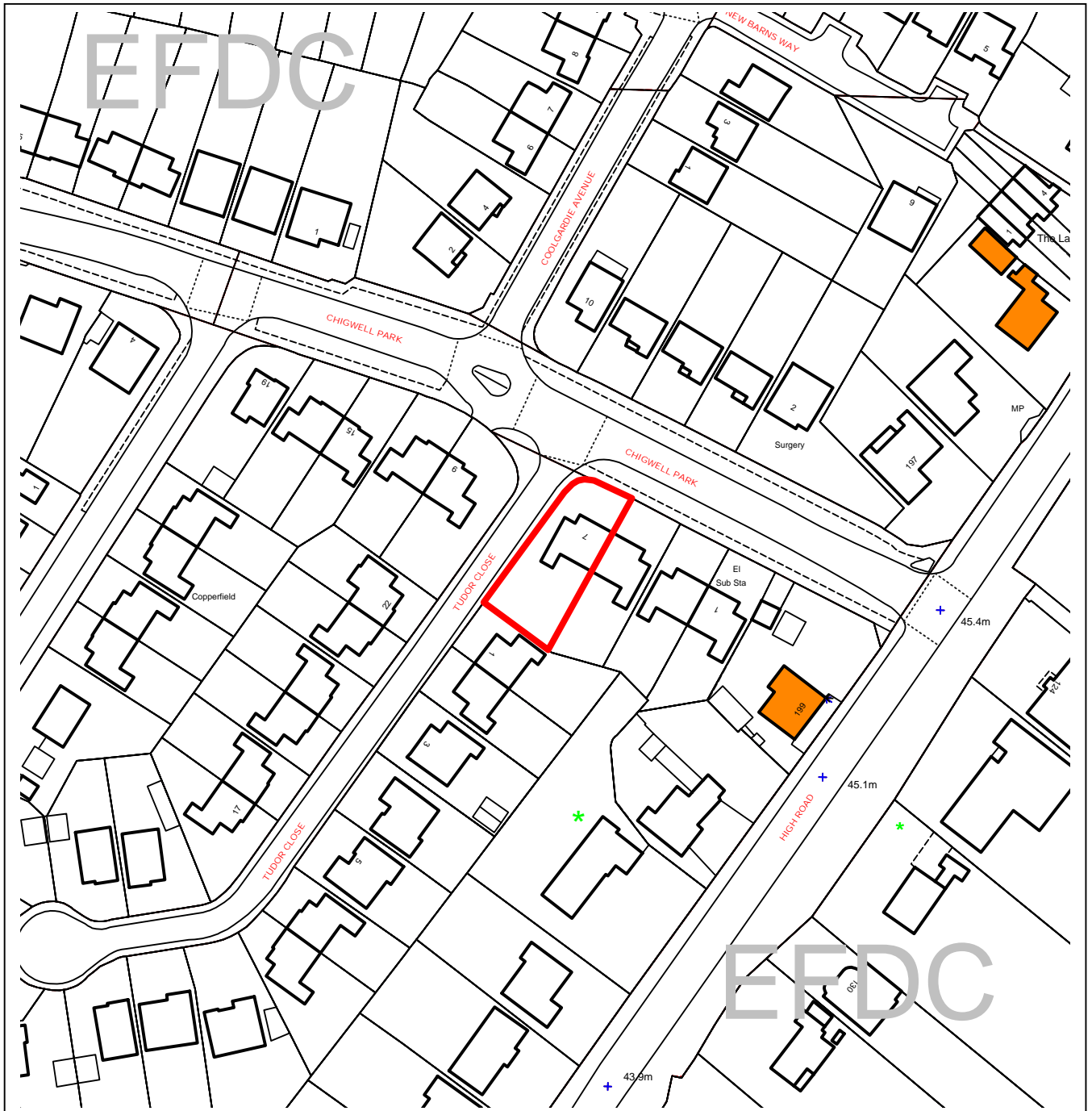
This is an unusual application seeking to reduce the size of an unauthorised garage outbuilding to a size that would not initially have needed planning permission. Many 'permitted development' outbuildings have some adverse effect on neighbouring properties or the street scene. This is the case here but the adverse effect would now be smaller as compared to the existing garage on the site, and would not justify a refusal of consent. It would also be difficult to justify the expediency of taking enforcement action to secure the removal of this garage if the Council had refused an application to reduce it to a size allowed under permitted development.

It is therefore recommended that planning permission be granted, subject to conditions prohibiting the use of the garage as further primary living accommodation i.e. as a bedroom/living room, and not allowing further window openings to be formed without the grant of further planning permission. These conditions are considered expedient to exercise control over privacy and possible overlooking issues. Finally, given that this unauthorised outbuilding causes a loss of amenity in its current form, another condition proposed requires that works to lower the height of this garage be completed within 4 months of the date of the decision.



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	2
Application Number:	EPF/1812/09
Site Name:	7 Chigwell Park, Chigwell, IG7 5BE
Scale of Plot:	1/1250

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/1952/09
<b>SITE ADDRESS:</b>	39 The Lindens Loughton Essex IG10 3HS
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Alderton
<b>APPLICANT:</b>	Mr Paul Marianayagam
<b>DESCRIPTION OF PROPOSAL:</b>	Two storey rear extension, loft conversion and conversion of garage into habitable room.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.
- 3 Prior to the commencement of the development hereby approved, a plan showing the location of at least one off-street parking space at the property is to be submitted to and approved in writing by the Local Planning Authority. The development is to be built in accordance with the approved parking plan and retained as such thereafter.

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

*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:**

Revision to two previous planning permissions for a two storey rear extension and conversion of garage into habitable rooms linked by a small infill extension to the main house. The rear extension would project back by a maximum of 4.5m on the ground floor and 3.5m on the first floor with a 1.7m high rendered masonry screen wall to the side and partly coming around to the side to join a 1.1m high safety rail/balustrade beyond. The roof above will match the height of the existing main roof ridge and finished with a tiled hipped roof sloping on three sides with a rear facing central dormer to serve a room in the roof space.

Other revised alterations include an extra first floor side window on the road side and roof lights in 2 groups of 4 in the existing roof slope on the front elevation.

### **Description of Site:**

The application site comprises of a two-storey detached dwelling with detached garage and store building located on the west side of The Lindens. The house has an original two storey extension at the rear, partly along the rear of the house, adjacent to the road side. The area is approximately 15 year old built residential neighbourhood with a variety of styles comprising of predominantly two-storey detached dwellings. There is hard standing at the side of the property for parking with sufficient amenity space provided at the rear garden. Neighbouring property at the rear has an existing rear conservatory. The house flanks onto the estate road with the front facing south onto a private road serving nos. 39, 40 and 41. No. 38 is to the north and has its side wall just beyond the application site's rear garden.

### **Relevant History:**

EPF/0434/00: Part conversion of garage to gym/games room. – Refused permission: 14/04/2000. Reason for refusal: *The proposal would result in inadequate off-street parking facilities and give rise to additional indiscriminate on-street parking at and within the vicinity of the site, contrary to Policy T16 of the adopted Local Plan.* Appeal lodged and dismissed 21/11/2000

EPF/1967/05: two-storey rear extension and loft conversion – Refused permission: 22/12/2005: Reason for refusal: *The proposed two-storey rear extension and loft conversion would be an incongruous addition that, by reason of its size, scale and prominent position in the street scene, would result in a disproportionate addition, seriously harming the appearance and character of the dwelling in particular, and the street scene as a whole, contrary to policy DBE10 of the adopted Local Plan*

EPF/0945/06: Two-storey rear extension and loft conversion. (Revised application) - Granted.

EPF/0284/07: Amendment to planning approval EPF/945/06 for a two storey rear extension and loft conversion and alterations - Granted

EPF/1518/08: Two storey rear extension and conversion of garage into habitable room - Granted.

### **Policies Applied:**

#### Local Plan:

DBE2 – Effects on Neighbouring Properties

DBE9 – Not result in excessive loss of amenity to neighbouring properties

DBE10 – Design of Residential Extensions

ST6 – Parking Standards

### **Summary of Representations Received:**

11 properties were consulted and the following responses were received:

TOWN COUNCIL – The Committee objected to this application owing to the sheer bulk of the proposed works in this corner development, which would cause substantial overlooking and loss of privacy to neighbouring properties, particularly no. 38 The Lindens, caused by the obtrusion of a rear dormer and front facing velux windows, as well as a balcony that extended across most of the first floor rear elevation. The Committee also considered the development would have a deleterious effect on the surrounding streetscene totally transforming its existing character. It was therefore deemed to be contrary to Policies DBE9 (i) & (ii) and DBE 10 (i) & (ii) of Epping Forest District Council's adopted Local Plan and Alterations.

Moreover, the loss of the garage combined with the lack of adequate parking provision to be provided would only serve to exacerbate onstreet parking at this locality.

The Committee was also concerned to read, in an accompanying letter from the applicant, that the District council Planning Officer was said to have approved "in principle" this planning application.

38 THE LINDENS: Object to balcony that will overlook rear and front garden and large enough for at least 4/5 people, dormer overlooks and impact on my privacy, overdevelopment and changes road scene, size and style of building is out of character with neighbouring properties, particular kerb-side appeal of my property. Had no objection to 2006 application that had no balcony, dormer or French upper doors.

96 THE LINDENS: Parking would be an issue with 6/7 bedrooms and overcrowd the road especially with conversion of garage, balcony not in keeping with street scene because of prominent position of the house in the road, gross overdevelopment of the site, not in keeping.

36 THE LINDENS: Alterations too extensive and invasion of my privacy, scale of dormer and balcony out of keeping, drain issue in the area.

40 THE LINDENS: Object. Substantially out of keeping with the street scene, overdevelop the site, unsympathetic, increase no. of habitants with the proposed extension and garage conversion will exacerbate parking problem in the road, application is retrospective and erected metal work for the new roof.

37 THE LINDENS: Object, overbearing and out of scale, style and character with neighbouring properties, not in keeping with the street scene.

### **Issues and Considerations:**

The principal issues to consider with this application are whether the proposed development will be harmful to the street scene, visual and residential amenity in respect of the occupants of neighbouring residential properties.

### **Background**

Work commenced on site and investigation by enforcement officers revealed that what was being built was not in accordance with approved planning permissions for the site. As can be seen in the planning history, there are at least 2 planning permissions that have not lapsed which have approved a two storey rear extension with a balcony.

The 2006 permission had two dormers on the rear roof slope of the proposed two storey rear extension with a ground floor rear extension beyond.

The 2007 permission infilled the void between the two dormers to make a single elongated dormer and added a balcony on the roof of the ground floor extension but with an above eye-level high wooden screen on both sides, partly wrapping around the rear with a painted steel hand rail in between. Side windows were proposed on the road side. This permission included the small ground floor infill between the existing garage and the house.

The 2008 permission abandoned the rear dormer and instead proposed two full roof height, rear facing roof gables over the proposed first floor, but retained the balcony and hand rail, though with smaller side screen that did not wrap partly around the rear.

### **Design Considerations**

- The application is a further revision to previous approvals for a two storey rear extension. The applicant appears to have gone back to the 2007 permission, but rather than have wooden screens, he has started to build these in solid blockwork to then render these to match the rest of the flank wall of the extended house. The wooden screen would be more pleasing on the eye and a softer design approach to that proposed here. However, the render wall is only 1m deep and on balance, is not considered to be harmful to the appearance of the street scene.



The alterations to the front roof slope, showing roof lights, are permitted development and therefore do not require planning permission.

- It is considered that overall the additions to the house would be acceptable in relation to the property and the wider area when viewed from the rest of The Lindens. There is an original two storey rear extension towards the road side, and the addition will extend 1.5m beyond this (with the rendered screen a further 1m beyond). The design of the balcony makes it appear reasonable in the street scene.
- The currently detached garage would be expanded to adjoin the main property but this is minimal and represents no significant difficulty in design terms, particularly as it shows a pitched roof rather than the flat roof as previously approved.
- As required by the 2008 permission, should permission be granted then it shall be with a requirement for a parking space to the front garden to go with that available in front of the converted garage. As on the previous permissions, this provision would be acceptable and be similar to the parking provision in the surrounding houses.

### Residential Amenity

- The converted garage would retain the existing 10.1m length and 4.5m height and as such there would not be any significant additional effects from the conversion.
- There would potentially be overlooking from the rear balcony into the garden of no. 38 The Lindens, to the rear, but the partial wrapping around of the screen wall will help to limit this. The balcony and the rear dormer would mainly face a blank side gable of their house, and thus would not cause unacceptable overlooking into the facing property itself.
- No.36 is further over to the north-west, but the existing roof of the garage and the proposed screen helps to prevent undue overlooking and loss of privacy.
- There are no significant visual effects to neighbouring residents from this proposal. Neighbours' objections to the dormer and the balcony have been noted, but these already have the benefit of planning permissions.

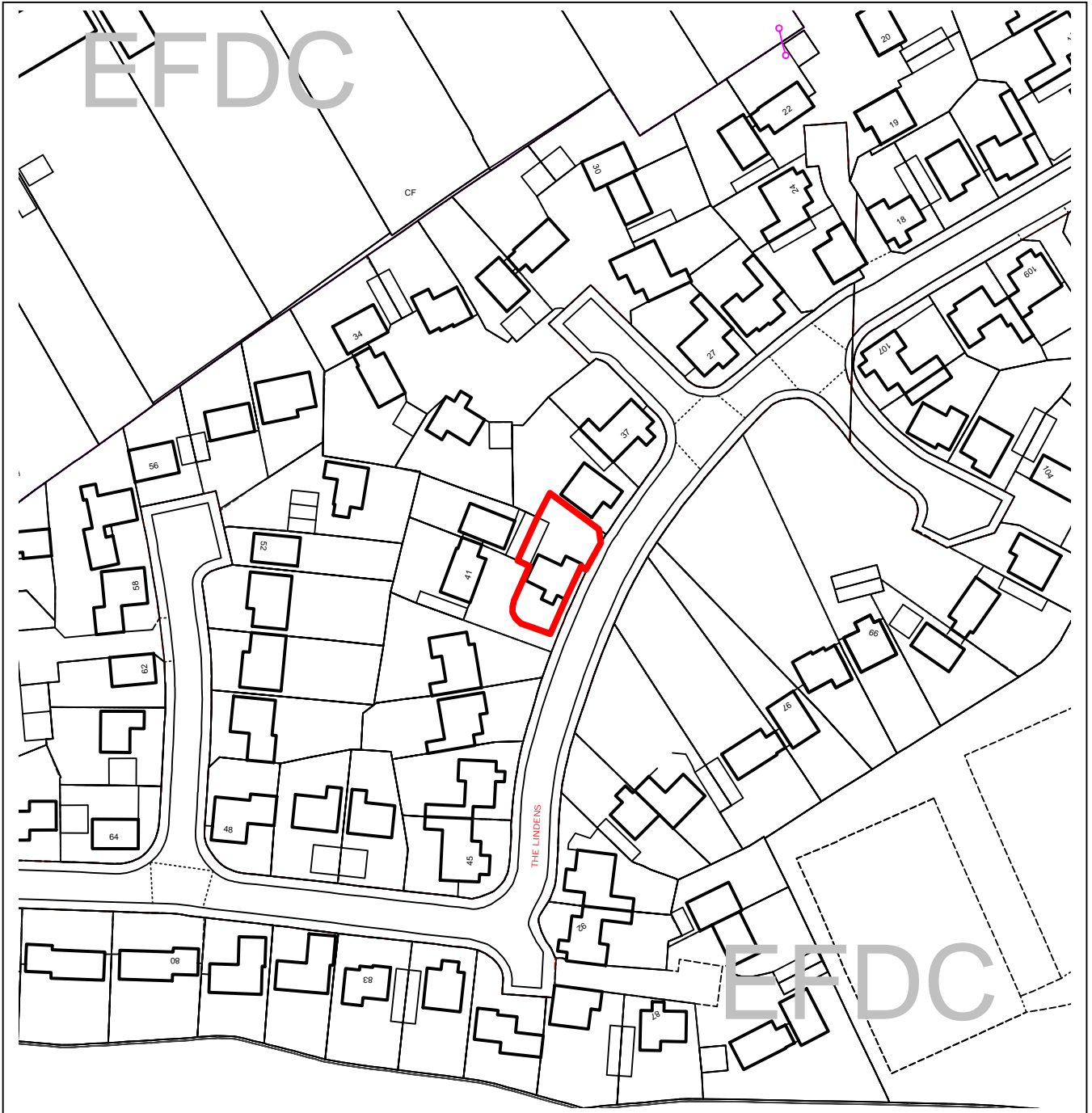
### Conclusion

The construction of the extension has raised objections from surrounding residents, but there is no change to the size and scale of the development from those approved previously. The changes are not substantial and the design of the screen walls, on balance, is considered to be acceptable. The proposal complies with the relevant policies of the Local Plan listed above. The application 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>3</b>
Application Number:	EPF/1952/09
Site Name:	39 The Lindens, Loughton, IG10 3HS
Scale of Plot:	1/1250