

Committee Agenda



**Webcast
Meeting**



**Epping Forest
District Council**

AREA PLANNING SUBCOMMITTEE SOUTH **Wednesday, 13th January, 2010**

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.

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 - 48)

(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. 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.

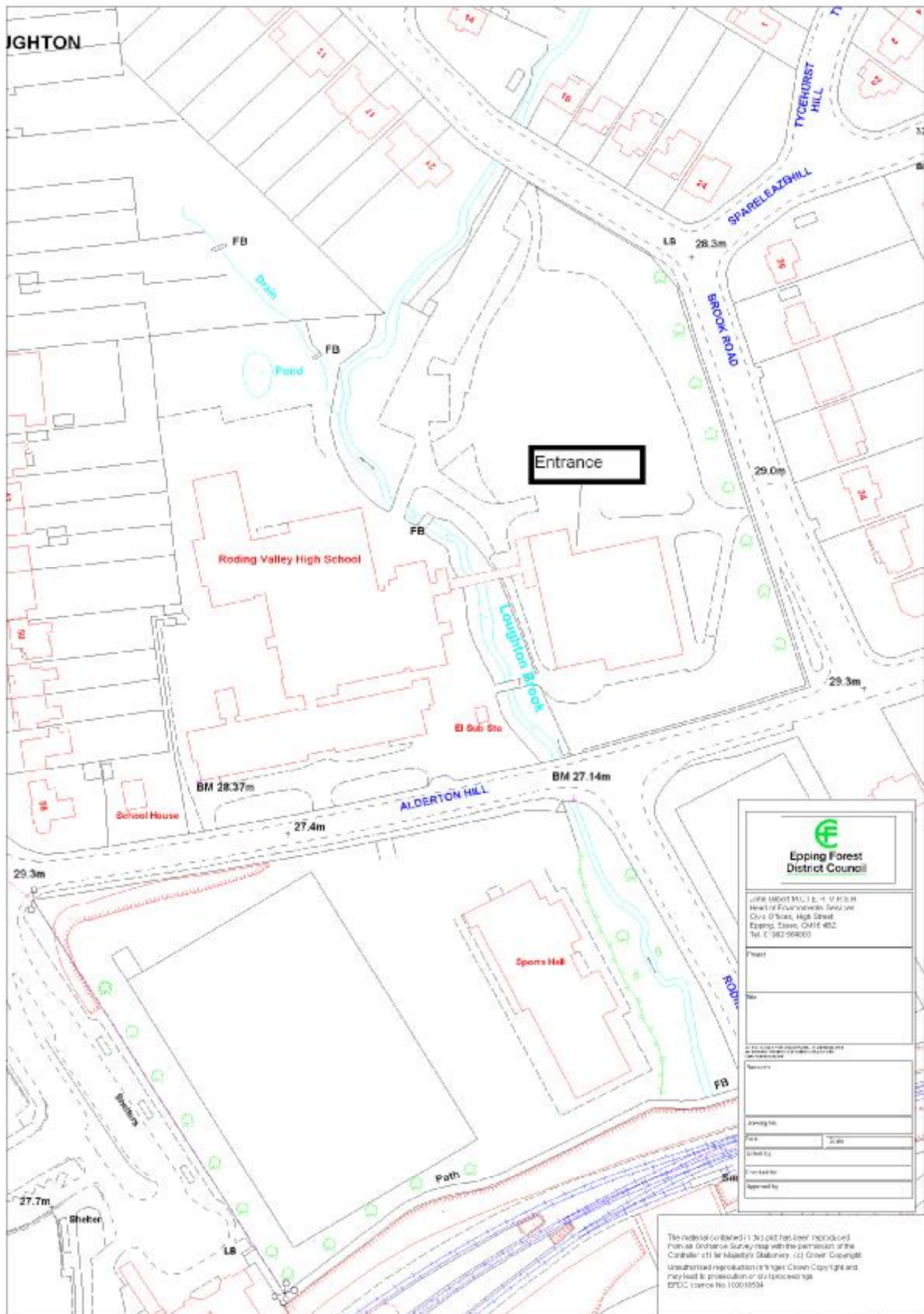
The order of speaking will be (1) Objector, (2) Parish/Town Council, then (3) Applicant or his/her agent. The Subcommittee will then debate the application and vote on either the recommendations of officers in the agenda or a proposal made by the Subcommittee. Should the Subcommittee propose to follow 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:** 9 December 2009
South

Place: Roding Valley High School, Brook Road, Loughton, Essex **Time:** 7.35 - 9.30 pm

Members Present: Mrs L Wagland (Vice-Chairman), K Angold-Stephens, R Barrett, M Cohen, D Dodeja, Mrs A Haigh, J Knapman, R Law, A Lion, J Markham, Mrs C Pond, Mrs P Richardson, B Sandler, Mrs J Sutcliffe, H Ulkun and D Wixley

Other Councillors: -

Apologies: J Hart, K Chana, Mrs S Clapp, Miss R Cohen, G Mohindra, P Spencer and P Turpin

Officers Present: S Solon (Principal Planning Officer), D Clifton (Principal Housing Officer [IT]), A Hendry (Democratic Services Officer) and G J Woodhall (Democratic Services Officer)

70. 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.

71. WELCOME & 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.

72. APPOINTMENT OF A VICE-CHAIRMAN

In the absence of the Chairman, the Vice-Chairman presided over the meeting and invited nominations from the Sub-Committee for the appointment of a Vice-Chairman for the duration of the meeting.

RESOLVED:

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

73. MINUTES

RESOLVED:

That the minutes of the meeting held on 18 November 2009 be taken as read and signed by the Chairman as a correct record.

74. DECLARATIONS OF INTEREST

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

- EPF/2063/09 2 Forest Lane, Chigwell.

(b) Pursuant to the Council's Code of Member Conduct, Councillors Mrs L Wagland, J Knapman, A Lion and B Sandler declared a personal interest in the following items of the agenda by virtue of being members of Chigwell Parish Council. The Councillors had determined that their interest was not prejudicial and would remain in the meeting for the consideration of the applications and voting thereon:

- EPF/2063/09 2 Forest Lane, Chigwell;
- EPF/1554/09 144 Manor Road, Chigwell;
- EPF/1712/09 Brownings Farmhouse, Gravel Lane, Chigwell; and
- EPF/2115/9 30 Chigwell Park Drive, Chigwell.

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

- EPF/2063/09 2 Forest Lane, Chigwell; and
- EPF/1716/09 Beechlands, 42 Alderton Hill, Loughton.

(d) Pursuant to the Council's Code of Member Conduct, Councillors K Angold-Stephens, J Markham, Mrs C Pond and D Wixley declared a personal interest in the following item of the agenda by virtue of being members of 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/1716/09 Beechlands, 42 Alderton Hill, Loughton.

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

- EPF/1716/09 Beechlands, 42 Alderton Hill, Loughton; and
- EPF/1949/09 276 High Road, Loughton.

75. ANY OTHER BUSINESS

It was noted that there was no other urgent business for consideration by the Subcommittee.

76. DEVELOPMENT CONTROL

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

When considering the planning application for 276 High Road in Loughton, the Sub-Committee felt that the occupants of the flats above the property should have also been consulted along with a site notice displayed. The Principal Planning Officer agreed to report back to the Sub-Committee at its next scheduled meeting.

RESOLVED:

That the planning applications numbered 1 – 6 be determined as set out in the attached schedule to these minutes.

77. PROBITY IN PLANNING - APPEAL DECISIONS, APRIL 2009 TO SEPTEMBER 2009

The Principal Planning Officer presented a report regarding the Planning Appeal decisions for the period April to September 2009, highlighting successful appeals whereby the Sub-Committee refused the application contrary to the Planning Officer's recommendation and the award of any costs against the Council where the refusal was found to be unsustainable.

The Principal Planning Officer reported that of the 49 planning appeals during the period, 14 were allowed, which had equated to a rate of 28.6%. The Council's Local Performance Indicator had a target of 25%, which the Council had narrowly failed to achieve during the period but the Council's performance had still improved in comparison with last year. The Council was also unsuccessful in winning any of the six appeals whereby the relevant Sub-Committee had refused the application contrary to the Officer recommendation. Of these six applications, four had been determined by Area Planning Sub-Committee South. During the period, there had been no award of costs made for or against the Council.

The Sub-Committee acknowledged that Members had to consider all aspects of an application very carefully when considering a refusal contrary to the Officer's recommendation. It was also accepted that the Council's scope for action was restricted when there was already an existing consent on the site. The Sub-Committee felt that some further training would be useful, in particular with the consideration of reasons for refusal and examining the circumstances of past planning appeals that had been upheld by the Planning Inspector.

RESOLVED:

That the Planning Appeal decisions for the period April to September 2009 be noted.

78. 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

APPLICATION No:	EPF/2063/09
SITE ADDRESS:	2 Forest Lane Chigwell Essex IG7 5AE
PARISH:	Chigwell
WARD:	Chigwell Village
DESCRIPTION OF PROPOSAL:	TPO/EPF/16/97 Cypress - Fell and replace
DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The 5 semi-mature Hornbeam trees and hedge, of a minimum size to be submitted in writing and agreed by the Local Planning Authority prior to the implementation of the felling, shall be planted in the positions shown on the submitted plan OSEN/09/Rev2 within one month of the implementation of the felling hereby agreed, unless the requirement be varied with the prior written agreement of the Local Planning Authority. If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, dies or becomes seriously damaged or defective another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 2 The work authorised by this consent shall be carried out under the direct supervision of the Local Planning Authority, who shall receive in writing, 5 working days notice of such works.

Report Item No: 2

APPLICATION No:	EPF/1554/09
SITE ADDRESS:	144 Manor Road Chigwell Essex IG7 5PX
PARISH:	Chigwell
WARD:	Grange Hill
DESCRIPTION OF PROPOSAL:	Installation of roof windows, change of roof space to habitable rooms in roof space above units 8 and 10 in block B, change of previously approved materials.(Amendment to EPF/1530/07)
DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.
- 2 Prior to first occupation of the buildings hereby approved all the proposed high level window openings in the first floor units as identified on the approved plans shall be fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed, and shall be permanently retained in that condition.
- 3 The access shall be laid to a gradient not exceeding 4% for the first 6m from the highway boundary and not exceeding 8% thereafter.
- 4 Prior to the first occupation of the development on site, details of a screening to be erected and built into the balcony to Unit 2 (access stairs which face north and east) on the first floor of Block A (adjacent to 146 Manor Road) as identified on drawing no. 07.125.03 Rev.E, shall be submitted and agreed in writing by the Local Planning Authority. The work shall be completed prior to the first occupation of this unit.
- 5 Prior to first occupation of the development on site, details of a screening to be erected and built into the balcony to Unit 10 on the first floor of Block B as identified on drawing no. 07.125.06 Rev.B, shall be submitted and agreed in writing by the Local Planning Authority. The work shall be completed prior to the first occupation of this unit.

Report Item No: 3

APPLICATION No:	EPF/1712/09
SITE ADDRESS:	Brownings Farmhouse Gravel Lane Chigwell Essex IG7 6DQ
PARISH:	Chigwell
WARD:	Chigwell Row
DESCRIPTION OF PROPOSAL:	Removal of barn and construction of replacement and change of use to ancillary residential accommodation.
DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 3 The proposed barn conversion shall only be used as ancillary accommodation for the existing dwellinghouse and shall not be occupied as a unit separately from the dwelling known as Brownings Farmhouse.

Report Item No: 4

APPLICATION No:	EPF/1716/09
SITE ADDRESS:	Beechlands 42 Alderton Hill Loughton Essex IG10 3JB
PARISH:	Loughton
WARD:	Loughton St Marys
DESCRIPTION OF PROPOSAL:	Renewal of outline planning permission for the erection of a private dwelling house for the proprietor of 'Beechlands'.
DECISION:	That, had the application been one the District Council could decide, the Council would have refused to grant permission.

Members resolved that, had the application been one that the Committee could decide, it would have refused to grant outline planning permission. A letter should be sent to the Planning Inspectorate setting out what the Sub-Committee's decision would have been and the reasons for it in the following terms:

That outline planning permission should be refused for the following reasons:

1. The proposed house would be inappropriate development in a back garden setting, it could set a precedent to encourage other similar developments, it would be out of character with the locality, and would be likely to detract from the amenity and outlook of adjoining residents.
2. Because of its likely height, scale and siting, the proposed house would be likely to be detrimental to the character of the rear garden setting, and would detract from the visual amenity and outlook of adjoining residents.
3. The basis on which the house is proposed is not consistent with the original outline planning permission and indicates it may generate a greater degree of activity that could be harmful to the character of the locality and amenities enjoyed by the occupants of neighbouring dwellings.
4. As a consequence of the above reasons the proposed house would conflict with policies CP2, DBE1, DBE2, and DBE9 of the Adopted Local Plan and Alterations.

Report Item No: 5

APPLICATION No:	EPF/1949/09
SITE ADDRESS:	276 High Road Loughton Essex IG10 1RB
PARISH:	Loughton
WARD:	Loughton St Marys
DESCRIPTION OF PROPOSAL:	Change of use to A5 (Hot food takeaways) and single storey rear extension.
DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Details of the types and colours of the external finishes of the extension hereby approved 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 use hereby permitted shall not be open to customers outside the hours of 0900 to 2300 Monday to Friday and 1000 to 2300 on Saturdays and Sundays.
- 4 No occupation of the premises by the first or any subsequent A5 occupier shall take place prior to the submission and approval in writing by the Local Planning Authority of an appropriate mechanical extraction system designed to suppress and disperse cooking and food preparation fumes.

Prior to the commencement of the use, the system shall be installed strictly in accordance with the approved details and shall thereafter be operated and maintained in full working order at all times in accordance with the manufacturers instructions. The system shall be used at all times that the premises are open for business.

- 5 No development (comprising both the extension and the change of use hereby approved) shall take place until detailed drawings that show adequate provision for foul drainage from the building have been submitted to and approved in writing by the Local Planning Authority. The use hereby approved shall not commence until the approved drainage system has been installed.

Drains serving the kitchen within the building shall be fitted with a grease separator or other means of removal to a specification that is previously approved in writing by the Local Planning Authority. The approved means of grease removal shall be

installed prior to the commencement of the use hereby approved. It shall thereafter be permanently retained and maintained at all times when the premises are in use.

- 6 No development (comprising both the extension and the change of use hereby approved) shall take place until a scheme for the adequate storage of refuse from this use has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out prior to the commencement of the use hereby approved and thereafter retained at all times. The use shall not take place without the approved scheme of refuse storage.
- 7 All demolition, construction and refitting works associated with this permission shall be undertaken within the hours of 0800 to 1800 on Mondays to Fridays and 0900 to 1300 on Saturdays. No work of this kind shall take place on Sundays or Bank Holidays without the prior written approval of the Local Planning Authority.
- 8 The use hereby approved shall not commence until a scheme for the control of rodents is submitted to and approved by the Local Planning Authority.

Report Item No: 6

APPLICATION No:	EPF/2115/09
SITE ADDRESS:	30 Chigwell Park Drive Chigwell Essex IG7 5BD
PARISH:	Chigwell
WARD:	Chigwell Village
APPLICANT:	Mr Peter Spratt
DESCRIPTION OF PROPOSAL:	Proposed double storey side extension, single storey rear extension and loft conversion with two rear dormer windows. (Revised application to EPF/1319/09, which was withdrawn.)
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.
- 3 The first floor flank wall of the side extension hereby approved shall be set a minimum distance of 1 metre from the site boundary with 32 Chigwell park Drive.
- 4 Notwithstanding the details shown on the approved plans, the dormer windows hereby approved shall be constructed in accordance with the following limitations on their dimensions and siting and thereafter be retained as such:
 - i) The dormer windows shall be separated by a minimum distance of 1 metre as measured between their cheeks.
 - ii) No part of the dormer windows shall exceed the height of the highest part of the main roof of the house.
 - iii) The eastern dormer (that nearest 28 Chigwell Park Drive) shall be set a minimum distance of 1 metre from the site boundary with 28 Chigwell Park Drive.
 - iv) The western dormer (that nearest 32 Chigwell Park Drive) shall be set a minimum distance of 200 millimetres from the adjacent hip of the main roof of the house.
 - v) The dormer windows shall be set a minimum horizontal distance of 500mm from the nearest part of the rear wall of the house at first floor level.

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AREA PLANS SUB-COMMITTEE SOUTH

13 January 2010

INDEX OF PLANNING APPLICATIONS/ENFORCEMENT CASES

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1.	EPF/2185/09	1 Alderton Mews Alderton Hill Loughton	Grant Permission (With Conditions)	23
2.	EPF/2191/09	10 Monkchester Close Loughton	Grant Permission	27
3.	EPF/1990/09	Loughton Sports Centre Rectory Lane Loughton	Refuse Permission	31
4.	EPF/2234/09	1 Parsonage Court, Rectory Lane Loughton	Grant Permission (With Conditions)	44

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Report Item No: 1

APPLICATION No:	EPF/2185/09
SITE ADDRESS:	1 Alderton Mews Alderton Hill Loughton Essex IG10 3JE
PARISH:	Loughton
WARD:	Loughton Alderton
APPLICANT:	Mr Adam Waldman
DESCRIPTION OF PROPOSAL:	TPO/EPF/41/88 Pine - Fell and replace
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The work authorised by this consent shall be carried out under the direct supervision of the Local Planning Authority, who shall receive in writing, 5 working days notice of such works.
- 2 A replacement tree or trees, of a number, species, size and in a position as agreed in writing by the Local Planning Authority, shall be planted within one month of the implementation of the felling hereby agreed, unless varied with the written agreement of the Local Planning Authority. If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, dies or becomes seriously damaged or defective another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

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

Description of Proposal:

T1 Pine. Fell and replace.

Description of Site:

The tree stands approximately 13 metres tall, within a group of large shrubs including magnolia, choisya and cherry laurel, which fill the raised bed forming the boundary screen landscape scheme designed for the site between the applicant's front garden and the neighbouring driveway.

Alderton Mews is a modern three dwelling gated residential development located between 73 Alderton Hill and The Hawthorns cul-de-sac further to the north east. Each house is a detached

residential dwelling. The locality is characterised by residential development increasing in levels of housing density at this end of the hill. Evergreen and mixed broadleaf trees populate the generally spacious frontages along Alderton Hill.

Relevant History:

Since the Area Order TPO/EPF/41/88 was served no records exist of works being carried out to the tree subject of this application.

Policies Applied:

Epping Forest District Local Plan and Alterations:
LL9 Felling of preserved trees

Summary of Representations:

LOUGHTON TOWN COUNCIL – Objection. Willing to waive objection if the District Council's arboricultural officers deem the application acceptable, but commented on lack of information provided on the plans.

2 neighbours were notified and the following responses were received.

3 ALDERTON MEWS - Fully support, understand a replacement tree being planted.

LOUGHTON RESIDENTS ASSN - support subject to agreement of EFDC arboriculturalist and replacement being planted.

Issues and Considerations:

Applicant issues

The main reasons put forward to fell the pine tree are the following:

- The tree is causing damage to the boundary wall of the raised planter in which the tree stands. Roots are also claimed to be lifting bricks making up the driveway.

It is clear to see that this young Pine is causing a progressive distortion to the low boundary wall in the form of direct root pressure on it. The wall leans away from the tree and a tapering gap is visible between two sections of wall.

Uneven bricks in parts of the driveway might have developed from the growth of surface roots but this has not been conclusively proven. Together, though these problems indicate that the tree is outgrowing its constrained location.

Planning considerations.

The main planning considerations are:

Visual amenity.

T1 has negligible public amenity due to its location within the back land development. Before entering the private close, a gate must be passed under control. The tree cannot be seen from Alderton Hill and views of it from The Hawthorns are largely obscured by the applicant's house.

Tree condition and life expectancy

The tree is healthy and vigorous but grows in an inclined stem. Its branch structure is compromised by tightly growing leaders competing for dominance. It is foreseeable that the life expectancy for T1 will exceed 20 years.

Suitability of tree in current position

The relationship between the tree and its retaining wall is incompatible due to limited space within the small garden bed which prevents this tree from developing successfully. The high density of shrub planting is in conflict with this young dominant tree, which has a high growth potential into maturity.

Conclusion:

The tree has little public value due to its close position to the boundary wall and inappropriate location. Planning policy demands that tree removal is not simply justifiable but necessary. There is justification to remove this tree on grounds of increasing incompatibility with its planting environment.

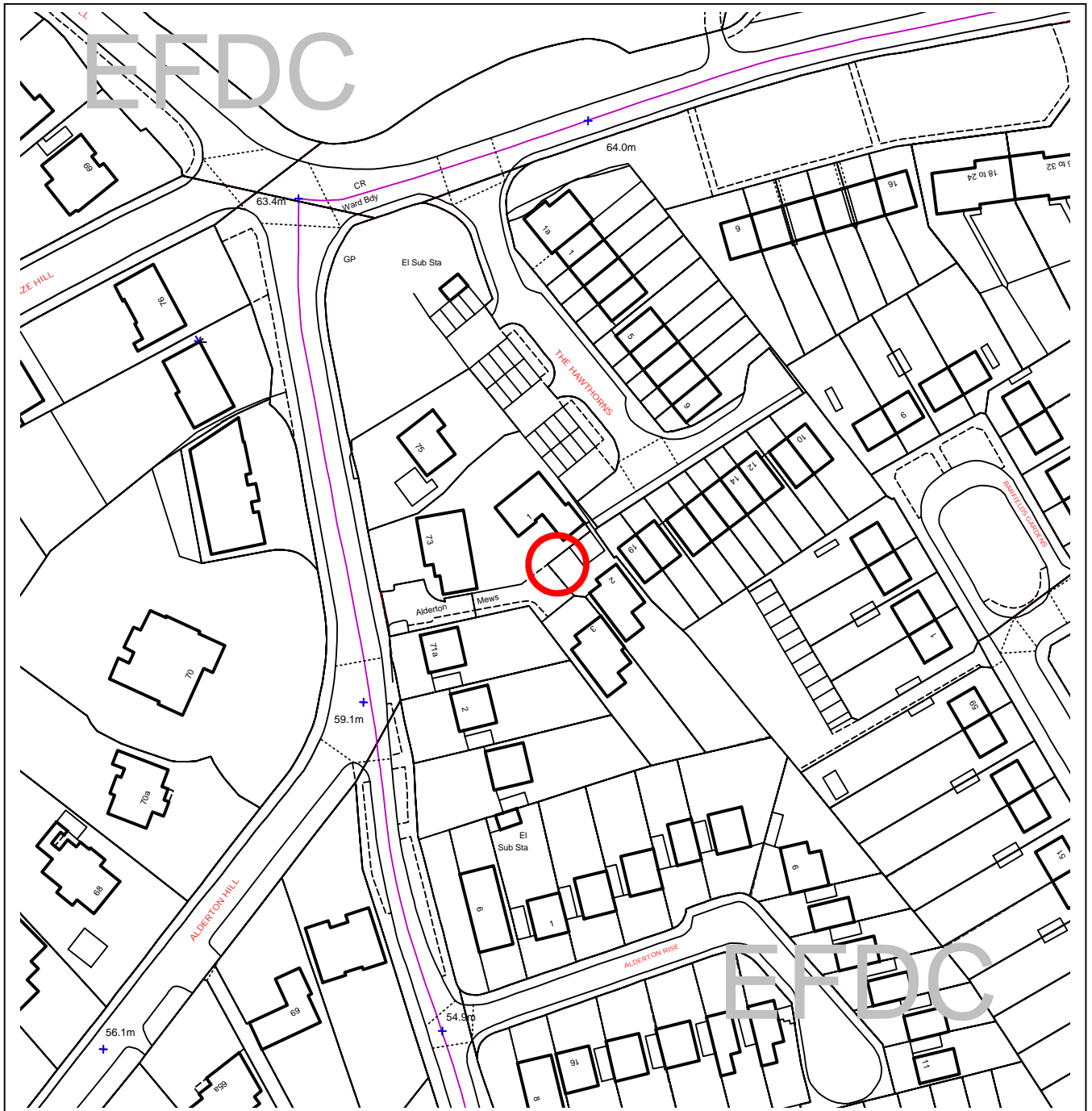
It is recommended to grant permission to this application on the grounds that the reason given justifies the need to remove the tree. The proposal therefore accords with Local Plan Landscape Policy LL9.

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



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	1
Application Number:	EPF/2185/09
Site Name:	1 Alderton Mews, Alderton Hill Loughton, IG10 3JE
Scale of Plot:	1/1250

Report Item No: 2

APPLICATION No:	EPF/2191/09
SITE ADDRESS:	10 Monkchester Close Loughton Essex IG10 2SN
PARISH:	Loughton
WARD:	Loughton St Johns
APPLICANT:	Mr Derek Galliers
DESCRIPTION OF PROPOSAL:	TPO/EPF/07/91 T12 Oak - Fell
RECOMMENDED DECISION:	Grant Permission

CONDITIONS & REASONS

None

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

Description of Site:

10 Monkchester Close is an end terrace property with relatively restricted land. It is built into the slope of the Epping Forest ridge; to the rear is a sunroom and a small paved rear terrace, and to the side a limited garden area between the flank wall and a garage.

The property contains 3 preserved trees, a Eucalyptus in the front garden, and 2 Oaks including the application tree (T1 on the application plan) in the side garden to the west of the house. The wall for the garage had been carefully built around the application tree; the neighbouring Oak emerges through its roof.

Relevant History:

Permission has been given for reduction of the 2 Oaks in 2004 (TRE/609/04). A third Oak, set in the small rear terrace garden to the southwest of the property, was removed by consent in 2005 (TRE/1480/05), to allow reasonable use of the rear terrace, and light into the house, and sunroom in particular.

Policies Applied:

LL9 – Felling of Preserved Trees.

Summary of Representations:

4 neighbours were consulted and the following responses were received:

LOUGHTON TOWN COUNCIL – The Town Council objects to inappropriate treatment being carried out to any significant tree, and also objects to any application to fell such a protected tree. It therefore objected to this application.

LOUGHTON RESIDENTS ASSOCIATION – Objection: The reason given for wanting to fell the tree are that it occupies too much of a small garden. However, we assume that the tree was there before the house was built, and that the owners knew the position when they bought the property. It is not clear whether any other options have been pursued.

Issues and Considerations:

The reasons given for the application are as follows:

1. The tree is over-dominant of the main garden available to the applicants. Even with pruning their enjoyment of their garden is unreasonably restricted because of its presence. This means that the garden cannot be enjoyed for a sitting out area, but also it cannot be used to dry washing etc because of bird droppings from birds roosting in its branches.
2. There is also unreasonable shading of the side rooms of the house.
3. The applicants point to the greater amenity value and public prominence of the other Oak, T2.

It is suggested that the main considerations are:

1. Is the loss of usability of the side garden and the shading of the property unreasonable?
2. Would there be any significant loss of public amenity were the felling to be agreed?

Loss of Amenity

The owners have a paved rear garden that wraps around the rear and North West sides of the property. It comprises a narrow rear terrace behind a sunroom that extend the living room (shading of both of which was the reason accepted for the felling of the third oak in 2005) and a small triangular shaped side garden, approx 4m at its widest, where this tree stands. It is enclosed by the detached garage. The reasons given for this application are in part similar to those given in respect of the 2005 application, although there were structural issues in that instance as well. By most standards it is judged that the total area of garden is very restricted. The side garden is entirely dominated by the two Oaks, of which the application tree has the largest impact. There is no sunshine at most times of day. The space is not useable as a garden. The rear terrace and sunroom now have morning sun, but this is lost in the afternoon. It is therefore accepted that the reasons given are valid, and that the restriction of use of the garden in particular is still above what would normally be considered acceptable.

The Tree's Amenity Value

The tree is medium sized, healthy and with a good life expectancy. However, its lateral growth has been restricted by the trees on either side and it is not a prominent specimen. From Monkchester Close it is partially hidden behind T2. It is visible from the nearby public allotments to the west and glimpsed across them from Stony Path. However T1 is in the same line of sight. Given that T2 is to be retained removal of T1 would not have an excessive adverse impact on public amenity. Its

removal would give the opportunity for the form of T2 to be improved, where currently its side growth is restricted because of the shading effect of the application tree.

Replacement Planting

Policy LL9 calls for replacement planting where agreement is given to felling a preserved tree. In this instance, however, it is considered that the reasons given for the felling preclude planting at the site of the existing tree, at any rate with any tree large enough to have any significant public value. In practice there is also no other position where a tree could be planted on land available to the applicants. In this instance therefore it is recommended that no replanting condition be imposed.

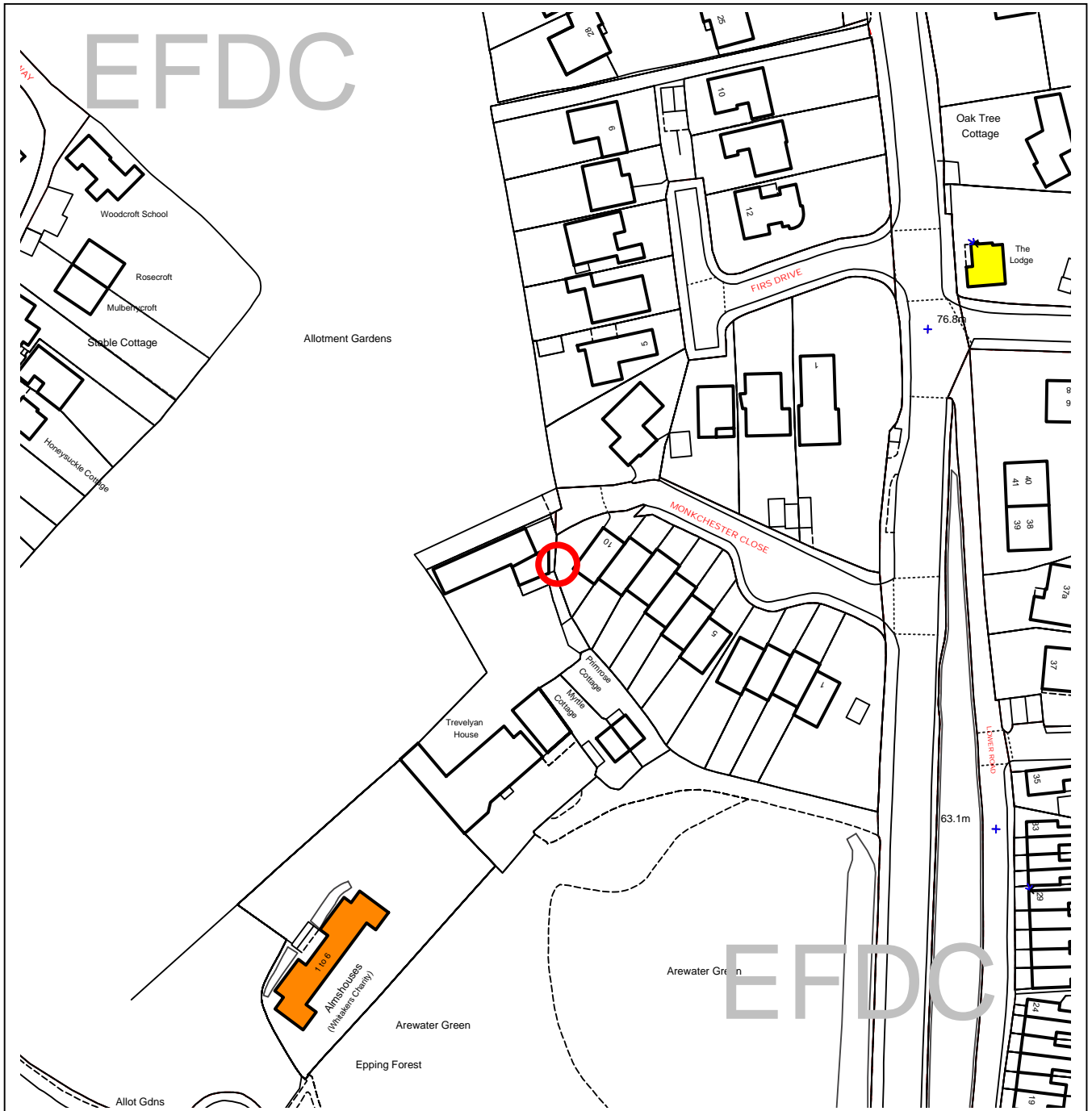
Conclusion

The garden which is currently available to the property even with the previous removal of the Oak in 2005 would still be considered by most people unsatisfactory and not properly useable as a result of the application tree. As a mature Oak it clearly has biodiversity value; however its visual importance is restricted. If it were to be removed the loss would be mitigated by the retention of T2, which is close by, a larger and older tree, and whose form could be improved as a result. Therefore it is considered that the reasonable need for a useable garden and to a lesser extent sunlight to the property should take precedence.



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	2
Application Number:	EPF/2191/09
Site Name:	10 Monkchester Close, Loughton IG10 2SN
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/1990/09
SITE ADDRESS:	Loughton Sports Centre Rectory Lane Loughton Essex IG10
PARISH:	Loughton
WARD:	Loughton St Marys
APPLICANT:	Mr Sav Atkar
DESCRIPTION OF PROPOSAL:	Demolition of Loughton Sports Centre. Proposal for 85 bed care home development with car parking and landscaped secure garden areas.
RECOMMENDED DECISION:	Refuse Permission

REASONS FOR REFUSAL

- 1 The proposal would result in the loss of a local sports facility. No provision is made for replacement sports facilities and it has not been demonstrated that the facilities provided on the site previously were surplus to demand, contrary to Government advice contained within Planning Policy Guidance Note 17.
- 2 The number and size of the car parking spaces proposed falls significantly below the required standards, contrary to policy ST6 of the Adopted Local Plan and Alterations.
- 3 The proposed building, due to its bulk and design, in particular its roof form and the length of the eastern elevation, would be harmful to both the character and appearance of the area and to the setting of the adjacent Grade II Listed Building, Loughton Hall, contrary to policy HC12 of the Adopted Local Plan and Alterations.
- 4 Insufficient information has been provided regarding the proposed levelling of the site to enable a full consideration as to how these works would affect trees both within the application site and those protected trees on neighbouring land, contrary to policy LL11 of the Adopted Local Plan and Alterations.

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

Description of Proposal:

This application seeks planning permission for the demolition of the sport centre and the redevelopment of the site with an 85 bed care home for the elderly. The care home would have accommodation spread across four floors, including the roof space. The building would be at one level, achieved by a cut and fill method for levelling the site. This would leave the site

approximately at or marginally below existing level adjacent to Loughton Hall, but raised by 1.2 metres on the southern site boundary.

The proposed building would be 'T' shaped, retaining a distance of 10.3 metres between its eastern elevation and Loughton Hall. The roof of the building would be hipped, with large central sections of flat roof. There would be some gables around the building to break the elevations and add interest. The materials proposed include clay roof tiles, and a mixture of render and brick elevational treatment.

It is proposed to retain the high wall within the car park and to partially retain the brick wall between the car park and the main site (although this would need to be reduced in size in order for the existing materials to be utilised to repair the damaged sections of the wall). The remainder of the boundary would have 1.8 metres high steel hoop top railings.

27 car parking spaces are shown on the submitted plans, although three of these would not be independently accessible. Two spaces are shown as being suitable for disabled access, although due to the nature of the proposed parking layout, there would be scope for additional parking spaces to be designated for disabled use without any revision, if deemed necessary (i.e. the two end spaces close to the drive). However, the proposed parking space dimensions do not comply with the revised parking standards adopted by Essex County Council in September this year.

Description of Site:

The application site comprises an area of approximately 1.07 acres. The site has an irregular shape and is occupied by the now vacant Loughton Sport Centre building, located at the north end of the site. To the south of the site the land level drops quite considerably and a tennis court is situated at the lower ground level. The submitted Design and Access Statement identifies the change in levels as being 1.3 metres. The tennis court is overgrown and has clearly not been in use for a considerable period of time. To the east of the site is Loughton Hall, a Grade II listed building which is presently being converted into a care home.

The sport centre building is staggered in height, with the western side of the building being only a single storey and the remainder of the building having a height equivalent to two storeys, with a shallow pitched roof above. The two storey element of the building is separated from Loughton Hall by a distance of approximately 15 metres. A single storey link section attaches the front two storey element of the building, which has a monopitch roof, rising towards the front of the site, resulting in this part of the building having an industrial appearance when viewed from the car parking area to the front of the site.

A pedestrian link is provided across the north-western corner of the car park through an area of woodland to the access road along Rectory Lane. A second pedestrian link provides access through the site alongside the tennis court and to Epping Forest College, situated to the rear of the site at a lower ground level. The links are not public footways maintained by the Highway Authority. Vehicular access to the site is via the access road running parallel with Rectory Lane. The car park to the front of the Sport Centre is located at the end of the drive and is separated from the sport centre building by a brick wall, approximately 1.7 metres in height. At the time of the officer's site visit the car park was entirely empty - however, this is not surprising bearing in mind that both Loughton Hall and the Sport Centre are presently vacant. Along the northern boundary of the car park there is a high brick wall.

The site is located within an area designated as open space within the Local Plan.

Relevant History:

Loughton Hall

EPF/2131/06 & EPF/2132/06 - Planning and Listed Building applications for change of use to a residential care home - approved.

EPF/0202/09 & EPF/0208/09 - Planning and Listed Building applications for the erection of a three storey side extension (on the side closest to Loughton Sport Centre) – approved – not yet commenced.

Loughton Sport Centre (non-planning related)

In September this year a decision was taken by Cabinet to vary a restrictive covenant to enable Epping Forest College to sell this site for a residential care home development. Whilst it was envisaged that the development would enable the provision of sports facilities for the college and the local community, the Cabinet was concerned about the state of the College's finances and felt that it was more likely that any capital receipt from the sale of the land would be used to service the College's debt, rather than to provide new sports facilities. However, it was felt that the College should focus upon the provision of education for the young people of the District, with the new sports facilities being provided when funding became available.

Policies Applied:

National Planning Policy

Planning Policy Guidance Note 17: Planning for Open Space, Sport and Recreation

East of England Plan

ENV6 – Historic Environment

ENV7 – Quality in the Built Environment

Adopted Local Plan and Alterations

DBE1 – New Development

DBE2/9 – Neighbouring Amenity

DBE3 - Development in Urban Areas

DBE8 - Private Amenity Space

HC12 – Development Affecting the Setting of a Listed Building

NC4 - Protection of Established Habitats

RP4 - Development of Contaminated Land

CF2 - Health Care Facilities

LL6 – Protection of Open Spaces

LL11- Landscaping Schemes

CP1 - Achieving Sustainable Development Objectives (ii, iv, v)

CP2 – Protecting the Quality of the Rural and Built Environment (iv)

CP3 – New Development

CP4 - Energy Conservation

CP5 - Sustainable Building

CP7 - Urban Form and Quality

ST4 – Road Safety

ST6 - Vehicle Parking

I1A - Planning Obligations

Summary of Representations:

Notification of this planning application was sent to Loughton Town Council, Sport England, County Highways and 27 neighbouring properties. A notice was also displayed at the site. The following representations have been received:

LOUGHTON TOWN COUNCIL. Objection. The Committee was concerned that this large development would adversely affect the setting of Loughton Hall, a listed building immediately adjacent to the proposed site, and therefore OBJECTED to this application which was contrary to Policy HC 12 of Epping Forest District Council's adopted Local Plan and Alterations. It also regretted the loss of so many trees to facilitate the proposed project. Moreover, part of the site was zoned in the District's Local Plan as Urban Open Space.

The Committee considered the proposed erection of 1.8 metre high metal balustrade boundary fencing would have a serious and harmful effect on the adjoining listed building. In addition, the plans showed the erection of a 4 metre high wall that blocked continued access to the footpath running from Borders Lane to Loughton Hall and Rectory Lane, and sought its protection and retention.

The Committee was extremely disappointed by the possible loss of a busy, established and important community sports centre, partly paid for by public subscription, which had been compounded by the closure of other sports facilities in the district, with no guarantee of these ever being replaced. It was felt the removal of this sports facility was in stark contrast to the Government's current 'Change 4 Life' scheme promoting health and fitness for all within the community.

Additionally, in light of comments made by the local PCT that the continued expansion of care homes caused undue strain on the present health care system in the District, the Committee considered the present proposal was undesirable, and that there was no demonstrable need for an additional care home of this size.

However, if the District Council was minded to grant this planning application, the Committee suggested every effort should be made to ensure that a very considerable Section 106 contribution of around £500,000 be sought, and used towards the health and sports infrastructure in order to replenish the benefit to the town that would have been lost.

Planning conditions should be imposed to protect the footpath, and to improve the appearance of the proposed fences.

SPORT ENGLAND. Objection. Sport England opposes the redevelopment of existing sports facilities except where it can be proven that the facility is genuinely redundant and there is no demand for a replacement based on a thorough local assessment. Loughton Sports Centre closed in early 2009. Limited information has been submitted with the application in relation to demonstrating that the facility is genuinely redundant and that a need no longer exists to retain the site for sports use. If sufficient demand does not exist for retaining or replacing the sport centre, the proposed development would have potential to accord with our policy and the guidance of PPG17. In order for the applicant to evidence that the facility is redundant and there is no demand for a replacement, the following points will need to be addressed:

- Further information needed in relation to the facilities formerly provided in the site, are there major qualitative deficiencies that would be difficult to address without significant investment, are there maintenance issues that would affect its viability as a sport centre?

- Design and Access Statement alleges the site was unable to compete with Loughton Leisure Centre - need information in relation to what facilities are provided and why Loughton Sports Centre's facilities cannot compete.
- Design and Access Statement refers to the College's proposals for sports and outdoor facilities. Require further information in relation to what facilities are proposed by the college and what the status is of these facilities - e.g. do they have planning permission? Is funding secured?
- Any information relating to replacement provision within the vicinity of the site of facilities which have been lost.
- Information relating to the use of the sport centre by sports clubs (e.g. block bookings) and where, if anywhere, these clubs have been relocated to.
- Any information relating to the marketing of the site as a sports facility - including the length of time it was marketed for, how the site was marketed, reasons for lack of interest in retaining the site as a sports facility and any sports clubs which were approached through the marketing exercise.

It is not relevant to Sport England's consideration that Loughton Sports Centre was not a local authority sports facility. Policy does not distinguish between public and private facilities as all facilities contribute towards meeting community needs.

Sport England would be prepared to consider withdrawing their objection if either the above considerations were satisfactorily addressed and it was demonstrated that the facility is genuinely redundant; or if equivalent facilities were provided on another site; or if an appropriate financial contribution towards replacement/enhancement of local indoor sports facility provision is made.

LOUGHTON RESIDENTS ASSOCIATION. Objection. Object on the grounds of inadequate parking. Evidence is based on elsewhere in the country, but nature of Loughton is such that residents (and family) may travel from London and staff may live further afield too due to local house prices. Please confirm that the pedestrian link through the site will remain. Loss of a valuable sports facility with no guarantee that they will be re-provided elsewhere (College has financial difficulties which make re-provision less likely). Applicants should be asked whether it has been marketed for a reasonable period of time at a fair market rent to reflect the lawful use. Support comments made by Loughton Town Council that if the application is granted, £500,000 should be provided through a S106 for sports provision and health infrastructure (85 care residents must inevitably put extra strain on local NHS services).

COUNTY HIGHWAYS. No objection. Request a Green Travel Plan and a contribution from the applicant of £3,000 towards monitoring of the Travel Plan. Also raise concern regarding the amount of car parking and the tandem layout.

Issues and Considerations:

The main issues in this case are the impacts of the proposed development on

1. The amenities of neighbouring occupiers;
2. The character and appearance of the area;
3. The setting of the listed building;
4. The loss of the existing sports facility;
5. Highways and Parking matters;
6. Loss of open space; and
7. Planning Obligations.

The Impact on Neighbouring Occupiers

There are no residential properties within the vicinity of the site which would be affected by the proposed development.

The use is considered to be compatible with the permitted use of Loughton Hall which is presently being renovated as a care home.

The proposed development would not directly look into any primary windows to habitable rooms within Loughton Hall, either as existing or as shown on the approved plans for the three storey side extension. There would be some overlooking of the gardens to the rear of Loughton Hall. However, as these gardens would be for communal use, it is not considered that there would be a material loss of privacy.

There would, however, be a considerable reduction in afternoon/evening sunlight due to the depth of the proposed building and its height. However, due to the width of the garden at Loughton Hall, it is not considered that this loss would justify the refusal of planning permission. For the same reason, it is not considered that the likely reduction in outlook would justify refusing planning permission.

Level of Amenity for Future Occupiers

The bedrooms within the care home would all be of a similar size (minimum 16.1m²) and would all have ensuite bathrooms. Whilst the rooms appear to be fairly small, the Design and Access Statement confirms that they would meet the required standards. All bedrooms would have an external window and it is, therefore, considered that they would have a satisfactory level of amenity. Several day rooms and associated communal facilities would also be provided within the home.

The main area of garden would be located to the south west of the building, an area containing several trees. Due to the presence of mature trees outside the site, this area would be unlikely to receive high levels of sunlight. Notwithstanding this, there would be several smaller areas of amenity space around the site, which would be landscaped to create individual patio areas. It is considered that the level of amenity space is satisfactory and it is noted that its location in relation to the building results in it being easily accessible for the intended residents of the care home.

Impact on the Character and Appearance of the Area

This existing building has a dated and somewhat tired appearance and, as a result, the redevelopment of the site presents an opportunity to improve the appearance of the site and make a positive contribution to the character and appearance of the area, particularly in relation to the adjacent Loughton Hall.

However, it is considered that the design of the proposed building fails to fully take advantage of this opportunity. The proposed building has clearly been designed to maximise the development potential of the site. It is considered that this has resulted in a design which is dominated by the scale and bulk of the proposed development. The development has a generally bland appearance, although the use of Juliet balconies and, to some extent, the mix of materials, does add some element of interest. It is also considered that the roof height is out of proportion with the remainder of the elevation. Whilst no part of the proposed flat roof would be visible from the ground, it would be clear from ground level that the building has a flat roof to the centre due to the proportions of the roof.

It is considered that the eaves height of the proposed building needs to be lower; to accommodate a roof of improved proportion and the section of flat roof needs to be significantly reduced. Whilst there is a need to reduce the scale and bulk of the building overall, the appearance of the building could also be improved by the use of vertical changes in the finishing materials, for example, the use of different materials on the projecting gables. This would be of most significance to the relatively unbroken eastern elevation of the building.

Impact on the Setting of the Listed Building

At present, the single storey elements of the sport centre building are barely visible from the car park over the brick wall. As a result, there is a considerable visual break between the sport centre and Loughton Hall. The proposed development would result in this gap being reduced by approximately one third, although the single storey element would be almost entirely removed with only bin stores being present between the proposed building and Loughton Hall.

The proposed building would be higher than the existing sport centre, having an eaves height of 8.2 metres and a ridge height of 11.1 metres. The existing building has a (two storey) eaves height of approximately 5.8 metres and a ridge height of approximately 7.6 metres.

Due to its increased height and proximity to Loughton Hall, the proposed building would clearly have a greater impact on the setting of Loughton Hall than the existing sport centre. Notwithstanding this, it is recognised that the height remains slightly subservient to Loughton Hall and a reasonable width of open space is retained between the two buildings. Accordingly, it is considered that the site may be capable of sustaining a building of the height proposed without being detrimental to the setting of Loughton Hall, subject to it having a sympathetic design.

It is the view of Officers that the design proposed, however, is not sympathetic to the setting of Loughton Hall, primarily to the scale of the development proposed and the resultant bulk of the building. Whilst it would not be good practice to require a design which created a pastiche of Loughton Hall, it is considered that elements of the design could be incorporated to result in a development that has a better quality of design overall and an improved relationship with Loughton Hall. In particular, it is suggested that the height of the roof of the proposed building needs to be greater in proportion to the remainder of the elevation, as discussed above. Furthermore, the proposed building would have a length in excess of 56 metres (compared to the sport centre which is approximately 35 metres in length). This continuous depth of building, broken only by the gable sections which project by approximately 0.5 metre would extend along almost the full depth of the rear gardens of Loughton Hall. Due to its height and length, it is considered that this would be harmful to the setting of Loughton Hall, particularly as, due to the shape of the site, the separation distance between the building and the site boundary is substantially reduced in comparison to that at the front of the site immediately adjacent to Loughton Hall.

Loss of the Sports Facility

This proposal would result in the loss of an existing sports facility (albeit one which has been closed for several months) and makes no provision for any replacement facilities elsewhere.

Government advice contained within Planning Policy Guidance Note 17 (PPG17) is very clear, it states '*existing open space, sports and recreational buildings should not be built on unless an assessment has been undertaken which has clearly shown the open space or buildings and land to be surplus to requirements*'. The guidance recognises that not all facilities are of equal merit and that some may, therefore, be available for alternative uses. It is further stated that '*in the absence of a robust and up-to-date assessment by a local authority and applicant for planning permission may seek to demonstrate through an independent assessment that the land or buildings are surplus to requirements., Developers will need to consult the local community and demonstrate that their proposals are widely supported by them*'.

In recent years Loughton has benefited from significant development of sport and leisure facilities, in particular, Loughton Leisure Centre and the Football Academy in Langston Road. As such, it is thought to be possible that a survey, such as that referred to in PPG17, may conclude that the facilities on this site are surplus to requirements, or indeed largely surplus to requirements, enabling any shortfall to be accommodated elsewhere. However, in the absence of such information being submitted by the applicant, it is not possible to reach this conclusion and accordingly the Government's advice is clear - existing sports buildings should not be built on.

The representation received from Sport England in objection to the application requests further information from the applicant, to enable full consideration to be given as to whether or not the facility is genuinely redundant. Upon receipt of such information, the Council would be able to fully consider the implications of losing the sports use of this site and may be able to grant planning permission, in accordance with the advice in PPG17.

Because this application does not relate to the loss of playing fields, Sport England is acting as a non-statutory consultee. Accordingly, the Council, as local planning authority, is free to take a decision contrary to this objection without the need to refer the matter to the Government Office. Notwithstanding this, it is the opinion of Officers that this application has been submitted prematurely and that full consideration of the implications of the loss of the sport centre cannot be fully considered until the applicant has conducted a survey into local sports provision.

In response to the objection from Sport England, the applicant has submitted a letter, providing limited information relating to sports provision within Loughton. They state that "*The Debden Community Association has given up its lease and has found alternative accommodation for the various clubs at venues such as the Football Academy and Debden Park School. Since the Sports Hall was built there have been three new leisure centres provided locally (David Lloyd, Virgin Leisure Centre and Loughton Leisure Centre). There remains the Debden Sports Club while the Football Academy has extended sports facilities in Langston Road*". This information is not considered to be sufficient to address the concerns set out above, particularly as it does not give details of all the clubs/activities which formerly used the sport centre and details of where they have all been relocated.

The applicant also states that The Debden Community Association will benefit from being given free access to the redundant land adjacent to the site to enable them to build further facilities of their own. It is also stated that the college is about to sign an undertaking confirming that a new sports facility will be provided when funding becomes available. However, as the applicant's agent has advised that they are not prepared to enter into a Section 106 agreement to secure this, it is considered that little weighting can be applied to this when the application is determined. Furthermore, even if the applicant/college was prepared to enter into such an agreement, careful consideration would need to be given as to whether or not the obligation was deliverable. Bearing in mind the situation with the College's finances, this may not be the case.

Highways and Parking

There is no change proposed to the existing vehicular access to the site and this is acceptable. With regard to parking, the existing parking area is proposed to be retained and the plans indicate that this would provide 27 spaces, although only 24 of these would be independently accessible. The parking bays measure 4.8 x 2.4 metres and a minimum distance of 7 metres is retained between the car parking spaces to provide access.

The revised parking standards require one space per full time staff member and one space per three beds within a residential care home. Provision of disabled spaces is to be considered on the merits of the development proposed, but it is anticipated that provision would be higher than the business and recreational standards set out in the document.

The application form states that 85 members of staff would be employed on a full time basis. Due to the nature of the proposed use, these staff members would not all be present on the site at any one time. The Design and Access Statement predicts that maximum staffing would be during the daytime and that it is expected that during the day there would be up to 28 people working. Application of the revised parking standards generates a requirement for a minimum of 57 spaces. Accordingly, there is a considerable shortfall, as the application proposes less than half of this requirement.

The revised dimensions for car park spaces require a minimum of 2.9 metres by 5.5 metres and a separation of 6 metres between parking spaces. Whilst the required length can be achieved due to the distance separating the bays, application of the minimum width would necessitate a further reduction in the number of spaces.

The County Council have requested a Green Travel Plan and a financial contribution of £3,000 towards the cost of monitoring the travel plan. This would enable the occupiers of the care home to promote more sustainable methods of transport. Whilst the provision of a travel plan may result in justification for the Council accepting a level of car parking slightly below the normal standard, it is the opinion of Officers that it would not make the considerable shortfall in this application acceptable.

Loss of Open Space

The proposed development would result in the loss of an area of open space, as designated within the Local Plan. The area included within the local plan has experienced considerable development since the publication of the plan, not least by the development of Epping Forest College.

Policy LL6 of the local plan requires that, when granting planning permission, the Council is satisfied that the predominantly open nature of the remainder of the site is retained. This would not be the case in this instance, as the bulk of the site would be occupied by the proposed building. The policy appears to make the assumption that the site would be open at present, whereas this is clearly not the case in this instance. Furthermore, the purpose of this policy is to retain the visual amenity, nature conservation, historic or other cultural interest and the use of the site for relaxation, recreation or education. It is considered that a reduction to the overall bulk of the building proposed would be favourable under this policy. However, having regard to the existing building on the site and due to the size of the area of designated land surrounding the development site, it is not considered that the harm arising from the loss of the open space would be so material as to justify the refusal of planning permission.

This policy also requires that the scheme provides for the appropriate management of the site to retain its visual importance, nature conservation, or recreational potential. If planning permission is granted, planning conditions can be imposed requiring the submission of soft and hard landscaping details to ensure the area around the site is both visually acceptable and provides a useful facility for residents. Furthermore, a planning condition could be used to require the provision of bat boxes around the building, if considered necessary, which would improve nature conservation.

Planning Obligations

Through consultation with interested parties, two suggestions have been made in respect of planning obligations which could be sought. Firstly, Essex County Council has requested a Green Travel Plan and a payment of £3,000 towards the monitoring of a plan. Secondly, Loughton Town Council, supported by Loughton Residents Association have suggested a financial contribution of £500,000 towards replacement sports facilities within the locality. The merits of these suggestions will be considered in turn.

The use of a Green Travel Plan would be in accordance with local plan policies which encourage alternative methods of transport to private car use. It would be particularly necessary in this instance, if the Council accepted the provision of car parking at a significantly reduced level. It is considered that the cost of monitoring such a plan arises directly from the development proposed and it is therefore appropriate for the developer to meet this cost, having regard to both local plan policy (I1A) and national planning guidance presented in Circular 05/05: Planning Obligations.

With regard to the proposed financial contribution towards replacement sports provision, it is not considered that this would be justified. Firstly, a planning obligation under Section 106 of the Planning Act should be necessary to address some harm arising from the development proposed. In this case, the degree of harm caused by the proposed development cannot be quantified, due to the lack of evidence submitted by the applicant in relation to the sports provision which will be lost and the provision elsewhere within the locality. If there is a surplus of sports provision within the locality, then it would be the case that the change of use of the site would not be harmful and the development should, under those circumstances, proceed without the need for a financial contribution. If, however, such a study revealed that there was a shortfall in a particular area due to the closure of Loughton Sport Centre, then a financial contribution could be used to facilitate the replacement of that particular activity elsewhere (as suggested by Sport England). However, the sum would need to be proportionate and there would need to be a strong likelihood of the replacement provision being deliverable. It is not considered to be appropriate for a sum to be sought speculatively, in advance of such evidence being submitted to the Council for its consideration.

Other matters

Trees and Landscaping - The woodland surrounding the application site is protected by a Woodland Tree preservation Order - as a result all vegetation, regardless of age, is protected. The woodland is relatively dense, and as a result the main area of amenity space would be in shade most of the time. Due to the lack of very detailed information relating to the proposed change in levels (both on plan and in the Arboricultural Report) it is not possible to make an informed assessment of the impact that this will have on trees both within and beyond the application site.

Employment Generation - the proposal would generate 85 full time jobs and further part-time jobs in addition. It is anticipated that these would require a range of skill levels (the applicant suggests 12 x qualified nursing staff, 44 x care assistants, 26 x catering and household and 3 x administration/maintenance) and as a result, would be likely to be available to people locally.

Wildlife - studies submitted with the application identify the site as being a suitable habitat for reptiles, including grass snakes, slow worms and common lizards. However, they have found no evidence of such species being present on the site. Potential has also been identified for nesting birds and roosting bats to be present on the site. With regard to the bats, the study suggests that trees with a moderate-low potential to support a bat roost should be 'soft felled' (a technique involving a more cautious felling process where lowering and cushioning techniques are used to reduce the impact of felling). Bat boxes may also be provided on the proposed building. These matters are capable of being controlled by planning condition, if consent is granted.

Japanese Knotweed - Studies submitted with the application have identified that the site contains the invasive weed, Japanese Knotweed. The use of a standard planning condition will ensure the removal of this weed from the site.

Waste Storage and Refuse Collection - Whilst buildings appearing to be bin stores are shown on the proposed site plan, no further detail has been provided. Further information may be required by planning condition, to ensure that the provision is appropriate for the level of waste/recycling which would need to be stored on site and to ensure that their location is suitable for collection. The bin stores would need to accommodate 4 waste bins and 4 recycling bins.

Contaminated Land - The applicant has submitted a preliminary land contamination investigation report. This has identified potentially significant concentrations of brown asbestos, Polycyclic Aromatic hydrocarbons and Total Petroleum hydrocarbons on the site. The Council's contaminated land officer has, therefore suggested that if planning permission is granted a condition is attached requiring a phased contaminated investigation and any necessary mitigation arising from that investigation.

Archaeology - The site has been identified by Essex County Council as being likely to contain archaeological deposits. Accordingly they suggest the use of a standard planning condition to secure the implementation of a programme of archaeological work.

Renewable Energy/Sustainability - A Sustainable Energy Statement has been submitted with the application and considers a variety of technologies that could be utilised to incorporate renewable energy sources into the buildings, in addition to considering elements of the proposed layout which would reduce energy demand. In particular, rainwater harvesting and the use of photovoltaics on the flat roof have been identified as being of benefit. A wind turbine has also been considered, although the study has identified that this would need to be at least 25 metres in height to be viable. At this height, it is probable that this would have an undesirable impact on the setting of Loughton Hall.

Fire and Rescue - Essex County Fire and Rescue Service have identified that there would be a need for additional water supplies for fire fighting purposes arising from the proposal. This information has been forwarded to the applicant, but is not for consideration as part of this planning application as it is a matter to be considered under the Building Regulations.

College Finances - Epping Forest College is recognised to be an institution of significant community benefit, both for residents of Loughton and elsewhere within the District. It is noted that regard was had to this when the decision was taken by the Cabinet earlier this year to vary the restrictive covenant to allow the development of a care home on this site. However, this decision was taken outside of the planning process. Whilst there might be some merit in considering the proposal as some sort of enabling development for services provided by the College, no such case has been submitted with this planning application and it is not, therefore, considered by Officers that any significant weight can be given to this matter when this application is determined.

Conclusion:

In light of the above appraisal, it is considered that the development proposed has some merit. The provision of additional care homes is encouraged by local plan policy and the development proposed would provide a facility for which there is demand within the District. Furthermore the development would result in the creation of a considerable number of jobs, some of which may be filled by local residents.

However, it is considered that this application has been submitted prematurely. Full consideration needs to be given to the implications arising from the loss of Loughton Sport Centre on this site and, if necessary, replacement provision needs to be made. Furthermore, it is considered that the design of the proposed building is harmful to both the character and appearance of the area and to the setting of the adjacent listed building, due to its scale, bulk and design. The proposed level of car parking is significantly below the required standard and inadequate information has been submitted to enable a full consideration of the impacts of the proposed levelling of the site on surrounding trees, which are protected by a Woodland TPO.

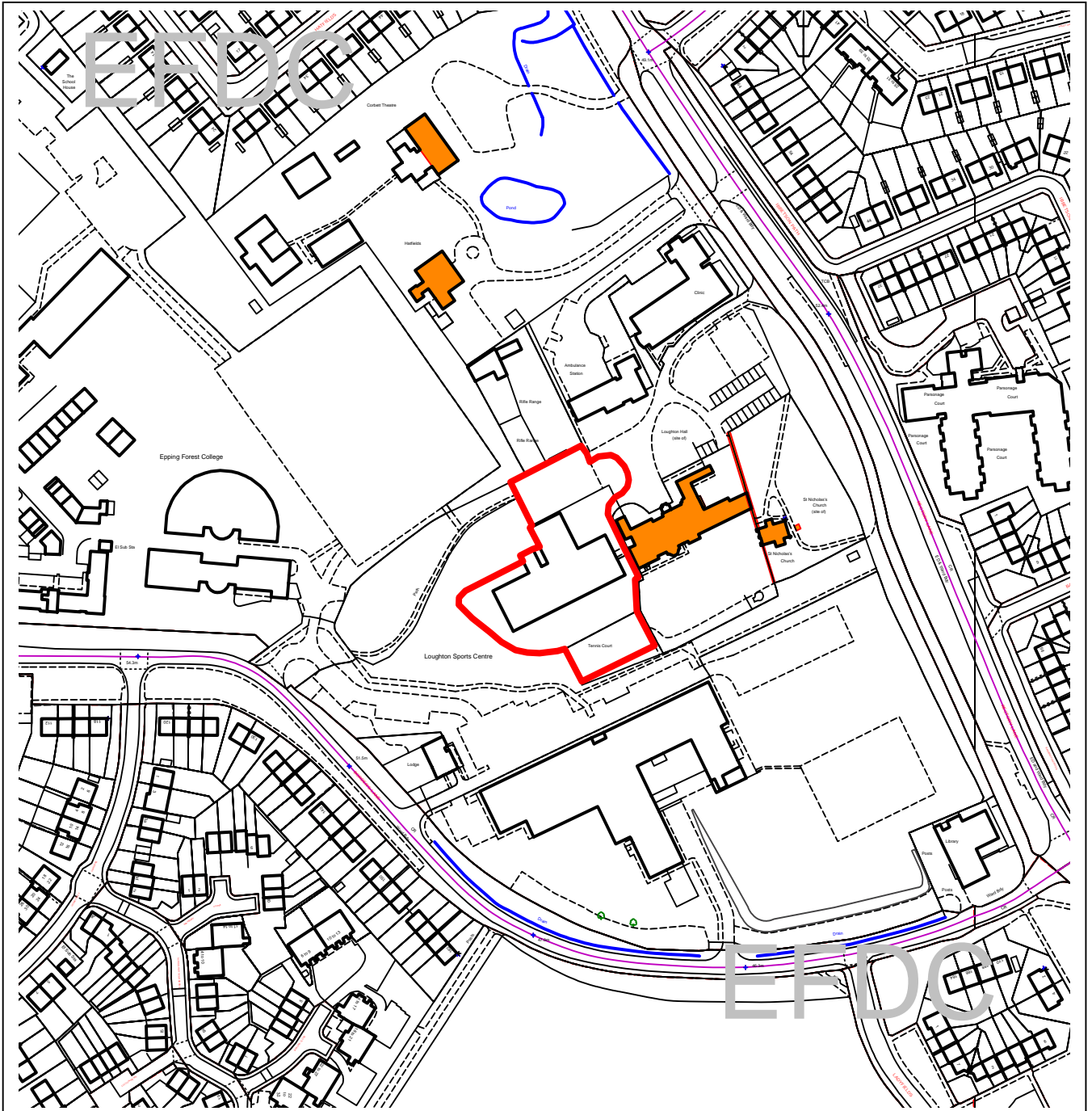
Providing that the issue relating to sports provision can be addressed, it is likely that alterations necessitated by the observations above (particularly in relation to design and car parking provision) will result in a reduction to the number of rooms provided in any care home on the site. However, in the Design and Access Statement, the applicants advise that an optimum care home would have between 60-90 beds. As the current proposal is for a care home towards the upper end of that scale, it is assumed that some reduction may be achieved without harming the deliverability of the proposed development.

For the reasons set out above, it is recommended that planning permission is refused.



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	3
Application Number:	EPF/1990/09
Site Name:	Loughton Sports Centre, Rectory Lane, Loughton, IG10
Scale of Plot:	1/2500

Report Item No: 4

APPLICATION No:	EPF/2234/09
SITE ADDRESS:	1 Parsonage Court, Rectory Lane Loughton Essex IG10 2BB
PARISH:	Loughton
WARD:	Loughton Broadway
APPLICANT:	Housing Services - EFDC
DESCRIPTION OF PROPOSAL:	Proposed conversion of single dwelling house into office space for EFDC's careline service. Office to become extension of existing office area. Development also proposes new front entrance screen, opening alterations, new air conditioning unit and roof balustrade.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.
- 3 The proposed office accommodation, shall only be used in conjunction with the administration of the Council's Careline alarm systems, and shall not be used independently.

This application is before this Committee since it is an application for the Council's own development or is on its own land or property that is for disposal (Pursuant to Section P4, Schedule A (e) of the Council's Delegated Functions).

Description of Proposal:

This application follows an approval earlier this year, which proposed the conversion of a two storey dwelling into ground floor offices and a first floor one bedroom flat. This current application proposes the conversion of the two storey dwelling in its entirety into offices. Minor alterations to exterior of the building are also proposed. Further to the proposed ramp, handrail and replacement doors which were subject to the previous approval, this application also proposes the infilling of the ground floor front windows and the addition of an air conditioning unit and balustrade to the section of flat roof along the centre of the building.

Description of Site:

The application site forms part of Parsonage Court, a 1980s development that provides 42 flats, 5 mobility flats and 2 houses (nos. 1 and 2) which is in use as an elderly persons sheltered housing unit. Parsonage Court is a detached two-storey block located on the eastern side of Rectory Lane, which is accessed via its own private driveway from Ibbetson Path to the north.

The two-storey element of the building to which the application relates, provides a single shared entry point through a ramped and stepped up access which provides access to the offices, presently occupied by Careline (no. 2 Parsonage Court), and an unoccupied two-storey warden's flat (no. 1 Parsonage Court).

Relevant History:

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

EPF/0313/09. Conversion of single dwelling house into ground floor offices and first floor flat for elderly person including minor works to no. 2 and surrounding external areas. Approved 16/04/09.

Policies Applied:

East of England Plan

ENV7 – Quality in the Built Environment

Adopted Local Plan and Alterations

DBE1 – Design of New Buildings

DBE2/9 - Impact of New Development

Summary of Representations:

This report has been prepared in advance of the close of the public consultation period, which expires on 29th December 2009.

Notification of this planning application has been sent to the 48 neighbouring properties (all within Parsonage Court) and to Loughton Town Council. A site notice has also been displayed in Ibbetson Path, close to the site entrance.

LOUGHTON TOWN COUNCIL: No objection, but expressed a concern that it was preferable for Careline staff to have offices offsite, in favour of the increased need for housing for the elderly.

To date, no other representations have been received, but any that are subsequently received will be reported verbally at the meeting.

Issues and Considerations:

The main issue to be considered when determining this application is the loss of an unoccupied, two-storey residential unit (the warden of Parsonage Court resides elsewhere), as a result of the proposed change of use and the impacts of the proposed development on the amenities of the occupiers of neighbouring dwellings and on the character and appearance of the area.

The principle of converting the ground floor warden's flat into offices has been deemed acceptable under planning applications EPF/1611/05 and EPF/0313/09.

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

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

Although this application now proposes the change of use of the whole of the building to offices and would result in the loss of the one bedroom unit approved on the earlier application, it is considered that this is justified by the need to provide additional office space for Careline.

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

The amended details to the exterior beyond those which already have approval involve the erection of an air conditioning unit and associated balustrade to the flat roof section of the building and the infilling of the front ground floor windows.

The proposed air conditioning unit and balustrade would be located in the recessed section of the building and would only be visible when viewed directly from the front of the building. The door providing access to the roof would be located towards the centre of the building and the air conditioning unit would be further towards the rear. The balustrade would be set back from the front elevation of the building by a distance in excess of 2 metres. There would be no material harm to visual amenity arising from these alterations. 1 and 2 Parsonage Court are separated from the main building by a balcony link at first floor level. Accordingly, there would not be any material loss of amenity to residents of Parsonage Court.

The in-filled windows would be recessed from the main front façade by a depth of 2cm, which would provide a small break in the elevation.

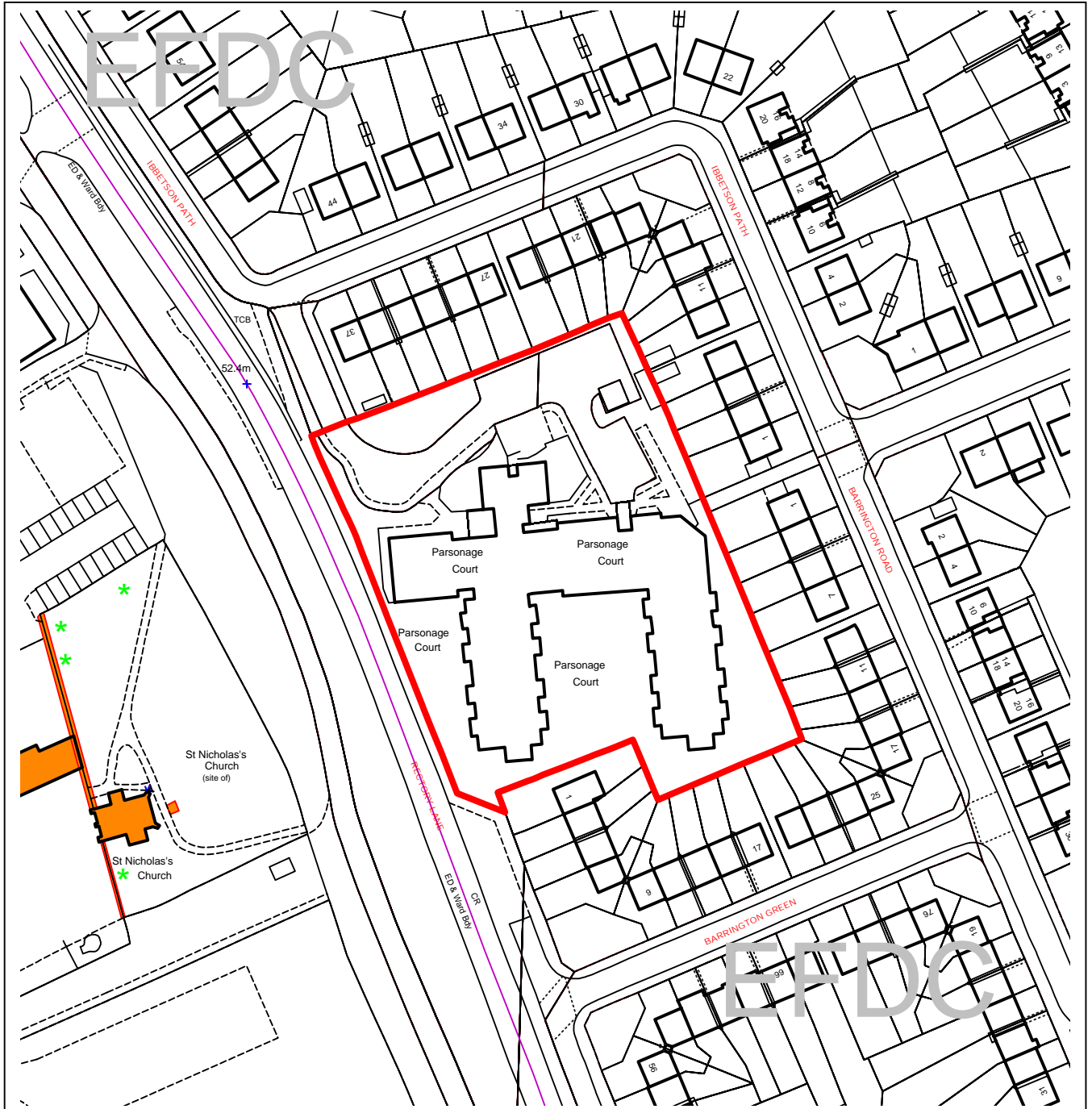
Conclusion

In light of the above appraisal, the development will provide much needed office accommodation that will serve elderly residents within the community. There would be no harm to both the character and appearance of the area or to the amenities of the occupiers of neighbouring dwellings. Existing car parking facilities within the site are adequate. Accordingly, it is recommended that planning permission be granted.



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	4
Application Number:	EPF/2234/09
Site Name:	1 Parsonage Court, Rectory Lane Loughton, IG10 2BB
Scale of Plot:	1/1250

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