

# Committee Agenda



**Webcast  
Meeting**



**Epping Forest  
District Council**

## **AREA PLANNING SUBCOMMITTEE SOUTH** **Wednesday, 17th March, 2010**

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

**Room:** Dining Hall

**Time:** 7.30 pm

**Democratic Services Officer:** Gary Woodhall (Office of the Chief Executive)  
Email: [gwoodhall@eppingforestdc.gov.uk](mailto:gwoodhall@eppingforestdc.gov.uk)  
Tel: 01992 564470

### **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 - 44)**

(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.

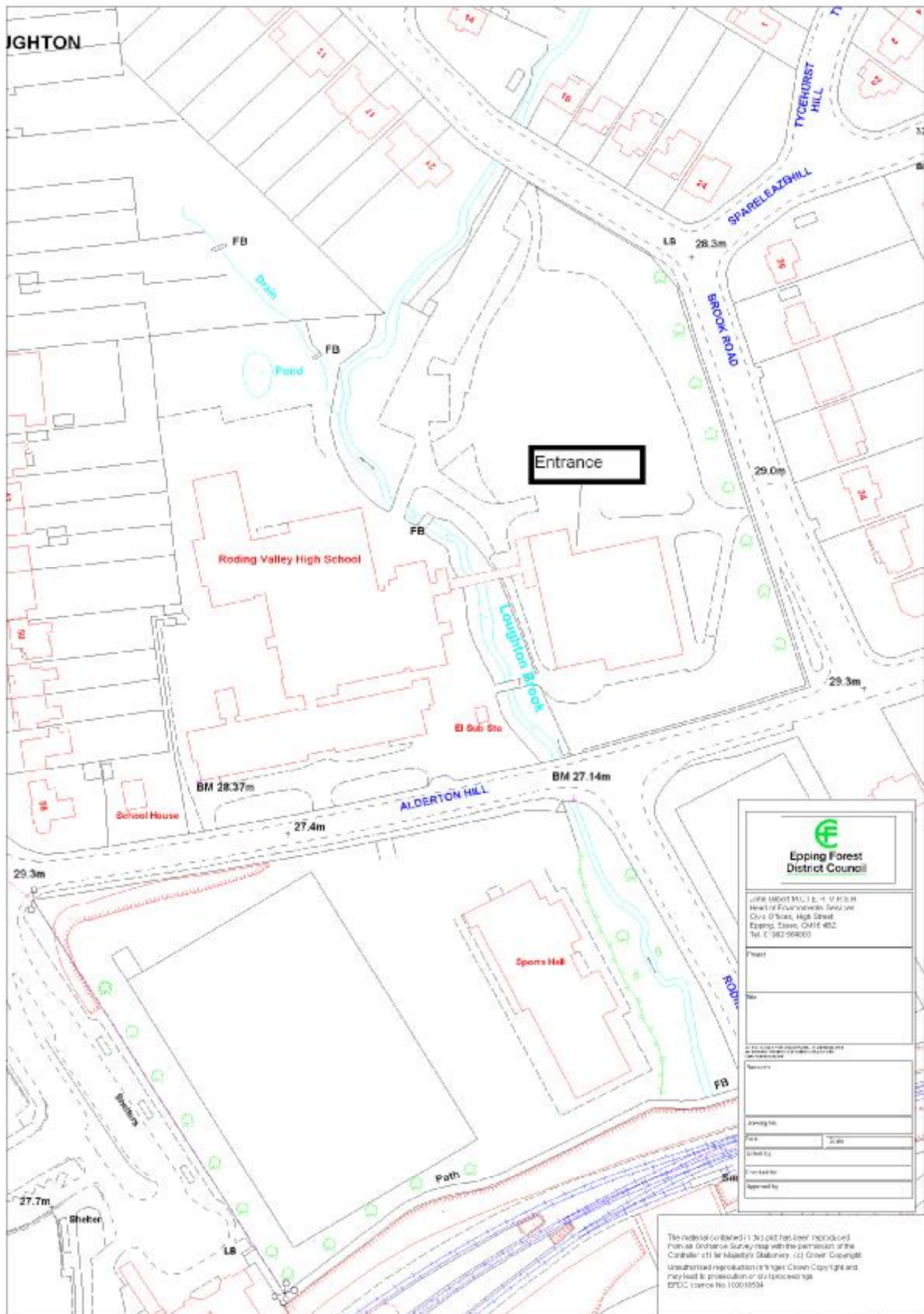
The order of speaking will be (1) Objector, (2) Parish/Town Council, then (3) Applicant or his/her agent. The Subcommittee will then debate the application and vote on either the recommendations of officers in the agenda or a proposal made by the Subcommittee. Should the Subcommittee propose to follow 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:** 24 February 2010  
South

**Place:** Roding Valley High School, Brook Road, Loughton, Essex **Time:** 7.30 - 9.52 pm

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

**Other Councillors:**

**Apologies:** K Chana, Mrs S Clapp, Miss R Cohen, J Knapman, A Lion and G Mohindra

**Officers Present:** S Solon (Principal Planning Officer), M Jenkins (Democratic Services Assistant), D Clifton (Principal Housing Officer [IT]) and R Perrin (Democratic Services Assistant)

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### 93. 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.

### 94. MINUTES

#### RESOLVED:

That the minutes of the meeting held on 3 February 2010 be taken as read and signed by the Chairman as a correct record.

### 95. 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 the Tree Warden. The Councillor had determined that his interest was not prejudicial and he would stay in the meeting for the consideration of the application and voting thereon:

- EPF/2433/09 5 Gainsborough Place, Chigwell, Essex IG7 6LA

(b) 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 personal interests in the following items of the agenda by virtue of being members of Loughton Town Council. The Councillors had determined that their interests were not

prejudicial and that they would stay in the meeting for the consideration of the applications and voting thereon:

- EPF/2320/09 Davenant Foundation School, Chester Road, Loughton IG10 2LD;
- EPF/2509/09 26 Queens Road, Loughton IG10 1RR; and
- EPF/2513/09 Rear of 186 Forest Road, Loughton IG10 1EG

(c) Pursuant to the Council's Code of Member Conduct, Councillor J Markham declared a personal interest in the following item of the agenda. The Councillor had determined that his interest was not prejudicial and that he would stay in the meeting for the consideration of the item and voting thereon:

- EPF/2509/09 26 Queens Road, Loughton IG10 1RR

(d) Pursuant to the Council's Code of Member Conduct, Councillor R Barrett declared a personal interest in the following item of the agenda by virtue of having entered a garden at the rear of the property concerned with a view to assessing the application site. The Councillor had determined that his interest was not prejudicial and that he would stay in the meeting for the consideration of the items and voting thereon:

- EPF/2513/09 Rear of 186 Forest Road, Loughton IG10 1EG

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

- EPF/2433/09 5 Gainsborough Place, Chigwell IG7 6LA

(f) Pursuant to the Council's Code of Member Conduct, Councillor M Cohen declared a personal interest in the following item of the agenda by virtue of his children studying psychology at Davenant Foundation School, which was affected by the development concerned. The Councillor had determined that his interest was prejudicial and that he would leave the meeting for the consideration of the item and voting thereon:

- EPF/2320/09 Davenant Foundation School, Chester Road, Loughton IG10 2LD

(g) Pursuant to the Council's Code of Member Conduct, Councillors J Hart and K Angold-Stephens declared personal interests in the following item of the agenda by virtue of the elder son of Councillor J Hart and the grand children of Councillor k Angold-Stephens attending Davenant Foundation School. The Councillors had determined that their interests were not prejudicial and that they would stay in the meeting for the consideration of the item and voting thereon:

- EPF/2320/09 Davenant Foundation School, Chester Road, Loughton IG10 2LD

(h) Pursuant to the Council's Code of Member Conduct, Councillor J Hart declared a personal interest in the following item of the agenda by virtue of having visited the site concerned with some objectors. The Councillor had determined that

his interest was not prejudicial and that he would stay in the meeting for the consideration of the item and voting thereon:

- EPF/2513/09 Rear of 186 Forest Road, Loughton IG10 1EG

(i) 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 living in the road of the site concerned. The Councillor had determined that her interest was not prejudicial and that she would stay in the meeting for the consideration of the item and voting thereon:

- EPF/2513/09 Rear of 186 Forest Road, Loughton IG10 1EG

(j) Pursuant to the Council's Code of Member Conduct, Councillors D Dodeja, P Spencer and Mrs J Sutcliffe declared a personal interest in the following items of the agenda by virtue of being members of Buckhurst Hill Parish Council. The Councillors had determined that their interests were not prejudicial and that they would stay in the meeting for the consideration of the items and voting thereon:

- EPF/2509/09 26 Queens Road, Loughton IG10 1RR;
- EPF/2513/09 Rear of 186 Forest Road, Loughton IG10 1EG; and
- EPF/0013/10 2 The Cedars, Buckhurst Hill, IG9 5TS

#### **96. ANY OTHER BUSINESS**

It was noted that there was no other business.

#### **97. DEVELOPMENT CONTROL**

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

##### **RESOLVED:**

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

#### **98. DELEGATED DECISIONS**

#### **99. EXCLUSION OF PUBLIC AND PRESS**

**CHAIRMAN**

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**Report Item No: 1**

|                                 |                                                      |
|---------------------------------|------------------------------------------------------|
| <b>APPLICATION No:</b>          | EPF/2433/09                                          |
| <b>SITE ADDRESS:</b>            | 5 Gainsborough Place<br>Chigwell<br>Essex<br>IG7 6LA |
| <b>PARISH:</b>                  | Chigwell                                             |
| <b>WARD:</b>                    | Chigwell Row                                         |
| <b>DESCRIPTION OF PROPOSAL:</b> | EPF/13/85/A1<br>T1 - Ash - Fell                      |
| <b>DECISION:</b>                | Granted Permission (With Conditions)                 |

**CONDITIONS**

- 1 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.
- 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**

|                                 |                                                                  |
|---------------------------------|------------------------------------------------------------------|
| <b>APPLICATION No:</b>          | EPF/1748/09                                                      |
| <b>SITE ADDRESS:</b>            | Adjacent 148 Buckhurst Way<br>Buckhurst Hill<br>Essex<br>IG9 6HY |
| <b>PARISH:</b>                  | Buckhurst Hill                                                   |
| <b>WARD:</b>                    | Buckhurst Hill East                                              |
| <b>DESCRIPTION OF PROPOSAL:</b> | Erection of a pair of semi detached houses.                      |
| <b>DECISION:</b>                | Refused Permission                                               |

**REASON FOR REFUSAL**

- 1 By reason of their size, the proposed houses are likely to be occupied by families who, in this locality, are likely to own cars, regardless of how well it is served by public transport. Since the site cannot be safely accessed by motor vehicles, the proposal does not include any provision for off-street car parking in accordance with the minimum standards for trip origins set out in the Essex County Council and Essex Planning Officers Association Parking Standards dated September 2009. Cars owned by the occupants of the houses would therefore have to be kept on the highway. This would exacerbate the demand for on-street parking in the locality, the cumulative impact of which is unsustainable and harmful to the amenities of the locality. the proposed development is therefore contrary to policy ST6 of the adopted Local Plan and Alterations.

**Report Item No: 3**

|                                 |                                                                             |
|---------------------------------|-----------------------------------------------------------------------------|
| <b>APPLICATION No:</b>          | EPF/2320/09                                                                 |
| <b>SITE ADDRESS:</b>            | Davenant Foundation School<br>Chester Road<br>Loughton<br>Essex<br>IG10 2LD |
| <b>PARISH:</b>                  | Loughton                                                                    |
| <b>WARD:</b>                    | Loughton Broadway<br><br>Loughton St Johns                                  |
| <b>DESCRIPTION OF PROPOSAL:</b> | New freestanding two-classroom relocatable building.                        |
| <b>RECOMMENDED DECISION:</b>    | Granted Permission (With Conditions)                                        |

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Proposals for the replacement of the car parking spaces lost by the development shall be submitted to the Local Planning Authority in writing for approval within 3 months of the date of this notice. The approved replacement car parking spaces shall be laid out and constructed within 6 months of their approval and thereafter be retained for the duration of this planning permission.
- 3 The two classrooms hereby approved shall not be used for classes or activities outside of normal school hours i.e. 9am to 4pm Mondays to Fridays.
- 4 No amplified music that is audible at the boundaries of the site shall be played in the building hereby approved.
- 5 The window openings in the south-west facing flank of the building hereby approved shall be fitted with obscure glass .

**Report Item No: 4**

|                                 |                                                   |
|---------------------------------|---------------------------------------------------|
| <b>APPLICATION No:</b>          | EPF/2509/09                                       |
| <b>SITE ADDRESS:</b>            | 26 Queen's Road<br>Loughton<br>Essex<br>IG10 1RR  |
| <b>PARISH:</b>                  | Loughton                                          |
| <b>WARD:</b>                    | Loughton St Johns                                 |
| <b>DESCRIPTION OF PROPOSAL:</b> | First floor rear extension. (Revised application) |
| <b>DECISION:</b>                | Refused Permission                                |

**REASON FOR REFUSAL**

- 1 By reason of its height and rearward projection adjacent tot he site boundary with 28 Queens Road, the proposed extension wuold cause an excessive loss of light to the adjacent patio and ground floor windows at no 28, would appear overbearing when seen from no 28, and would facilitate excessive overlooking of no. 28. The proposed extensions would therefore cause an excessive loss of amenity for the occupants of 28 Queens Road, contrary to policy DBE9 of the Local Plan and Alterations.



**Report Item No: 5**

|                                 |                                                                       |
|---------------------------------|-----------------------------------------------------------------------|
| <b>APPLICATION No:</b>          | EPF/2513/09                                                           |
| <b>SITE ADDRESS:</b>            | Rear of 186 Forest Road<br>Loughton<br>Essex<br>IG10 1EG              |
| <b>PARISH:</b>                  | Loughton                                                              |
| <b>WARD:</b>                    | Loughton Forest                                                       |
| <b>DESCRIPTION OF PROPOSAL:</b> | Demolition of existing buildings and construction of single dwelling. |
| <b>DECISION:</b>                | Refused Permission                                                    |

**CONDITIONS**

- 1 By reason of the bulk, height and design, the proposed house would appear disproportionately large and incongruous within its setting and therefore fail to respect the character of the locality, contrary to policy ENV7 of the East of England Plan and policies CP2 and DBE1 of the adopted Local Plan and Alterations.
- 2 By reason of its bulk, height and design, the proposed house would appear overbearing when seen from adjacent rear gardens. It would therefore cause excessive harm to the amenities enjoyed by the occupants of neighbouring dwellings contrary to policies DBE2 and DBE9 of the Local Plan and Alterations.

**Report Item No: 6**

|                                 |                                                                |
|---------------------------------|----------------------------------------------------------------|
| <b>APPLICATION No:</b>          | EPF/0013/10                                                    |
| <b>SITE ADDRESS:</b>            | 2 The Cedars<br>Buckhurst Hill<br>Essex<br>IG9 5TS             |
| <b>PARISH:</b>                  | Buckhurst Hill                                                 |
| <b>WARD:</b>                    | Buckhurst Hill West                                            |
| <b>DESCRIPTION OF PROPOSAL:</b> | Erection of new attached dwelling with associated car parking. |
| <b>DECISION:</b>                | Granted Permission (With Conditions)                           |

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 3 Prior to the first occupation of the dwelling hereby approved the 1.7 metre high parapet wall/privacy screen (shown on the approved plan BRD/09/053/3 rev. A) shall be erected and permanently retained thereafter.
- 4 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 Schedule 2, Article 2, Part 1, Classes A and E shall be undertaken without the prior written permission of the Local Planning Authority.
- 5 No development shall take place on site, including site clearance, tree works, demolition, storage of materials or other preparatory work, until all details relevant to the retention and protection of trees, hereafter called the Arboricultural Method Statement, have been submitted to the Local Planning Authority and approved in writing. Thereafter the development shall be undertaken only in accordance with the approved details, unless the Local Planning Authority has given its prior written consent to any variation.

The Arboricultural Method Statement shall include a tree protection plan to show the areas designated for the protection of trees, shrubs and hedges, hereafter referred to as Protection Zones. Unless otherwise agreed, the Protection Zones will be fenced, in accordance with the British Standard Trees in Relation to Construction-Recommendations (BS.5837:2005) and no access will be permitted for any development operation.

The Arboricultural Method Statement shall include all other relevant details, such as

changes of level, methods of demolition and construction, the materials, design and levels of roads, footpaths, parking areas and of foundations, walls and fences. It shall also include the control of potentially harmful operations, such as burning, the storage, handling and mixing of materials, and the movement of people or machinery across the site, where these are within 10m of any designated Protection Zone.

The fencing, or other protection which is part of the approved Statement shall not be moved or removed, temporarily or otherwise, until all works, including external works have been completed and all equipment, machinery and surplus materials removed from the site.

The Arboricultural Method Statement shall indicate the specification and timetable of any tree works, which shall be in accordance with the British Standard Recommendations for Tree Works (BS.3998: 1989).

The Arboricultural Method Statement shall include a scheme for the inspection and supervision of the tree protection measures. The scheme shall be appropriate to the scale and duration of the works and may include details of personnel induction and awareness of arboricultural matters; identification of individual responsibilities and key personnel; a statement of delegated powers; frequency, dates and times of inspections and reporting, and procedures for dealing with variations and incidents. The scheme of inspection and supervision shall be administered by a suitable person, approved by the Local Planning Authority but instructed by the applicant.

- 6 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.

- 7 The development hereby approved shall not be commenced until the Local Planning Authority gives written approval of written proposals to maintain the openness of land on the site within the vicinity of the horse chestnut tree indicated on drawing no BRD/09/053/3 REV B.

Such proposals should indicate on a plan the extent of land to be maintained in an

open state. Following the substantial completion of the development, the land identified in the approved proposals shall be permanently kept open in accordance with the approved proposals and shall not be enclosed.

## AREA PLANS SUB-COMMITTEE SOUTH

17 March 2010

### INDEX OF PLANNING APPLICATIONS/ENFORCEMENT CASES

| <u>ITEM</u> | <u>REFERENCE</u> | <u>SITE LOCATION</u>                                              | <u>OFFICER<br/>RECOMMENDATION</u> | <u>PAGE</u> |
|-------------|------------------|-------------------------------------------------------------------|-----------------------------------|-------------|
| 1.          | EPF/0061/10      | 7 Church Hill, Loughton                                           | REFUSE                            | 23          |
| 2.          | EPF/0108/10      | Loyola Preparatory School, 103<br>Palmerston Road, Buckhurst Hill | GRANT                             | 27          |
| 3.          | EPF/2493/09      | 24 Kenilworth Gardens,<br>Loughton                                | GRANT                             | 32          |
| 4.          | EPF/2498/09      | 26 Kenilworth Gardens,<br>Loughton                                | GRANT                             | 36          |
| 5.          | EPF/0068/10      | West Hatch High School, High<br>Road, Chigwell                    | GRANT                             | 40          |

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**Report Item No: 1**

|                                 |                                                |
|---------------------------------|------------------------------------------------|
| <b>APPLICATION No:</b>          | EPF/0061/10                                    |
| <b>SITE ADDRESS:</b>            | 7 Church Hill<br>Loughton<br>Essex<br>IG10 1QP |
| <b>PARISH:</b>                  | Loughton                                       |
| <b>WARD:</b>                    | Loughton St Marys                              |
| <b>APPLICANT:</b>               | Miss Amanda King                               |
| <b>DESCRIPTION OF PROPOSAL:</b> | TPO/EPF/29/04<br>T1 Cedar - Fell               |
| <b>RECOMMENDED DECISION:</b>    | Refuse Permission                              |

**REASON FOR REFUSAL**

- 1 It is recognised that the Cedar causes problems that cannot be adequately dealt with by pruning and that there is a diminution of the enjoyment of their property for its owners. However it is considered that the amenity value of the tree, by virtue of its public prominence, contribution to the street scene and to local character and distinctiveness are such that its value to the community should take precedence. The proposal therefore fails to meet policy LL9 of the Council's Adopted Local Plan and Alterations in that it is not justified.

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

**Description of Proposal**

Felling of Cedar.

**Description of Site**

The tree is a fully mature Cedar with a spreading crown held over the roof and the front parking area of the semi-detached property, in a visually important position on Church Hill. What would originally have been the garden has been converted to parking, with a gravel covering. Lower branches of the tree have been removed to give light to windows.

**Relevant History**

The Cedar was protected by TPO/29/04 in 2004 at the request of the then owner; it was considered that the situation of the tree in such close proximity to the property made it likely that there would be questions in the minds of future owners as to its retention and that the Council should have a role in deciding its future.

## **Policies Applied**

LL9 - the Council will not give consent to fell a tree or woodland protected by a TPO unless it is satisfied that this is necessary and justified ... any such consent will be conditional upon appropriate replacement of the tree.

## **Summary of Representations**

6 neighbours were consulted and the following responses have been received:

LOUGHTON TOWN COUNCIL: The Committee objects to applications which will result in 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.

Moreover, the Committee drew attention to this ancient cedar tree which was a relic of the garden of the Uplands mansion, demolished 1900.

HILLS AMENITY SOCIETY: Strongly object to the above proposal. This tree is one of the oldest trees on the Upland Park Estate and faces the York Hill Conservation area. It was sympathetically pruned just over a year ago by the previous owners of the property and should not be removed. (Surely the owners were aware of the tree when they moved to the property)

If allowed to be removed it could cause heave hence considerable damage to the property.

## **Issues and Considerations**

It is suggested that the decision turns upon the balance which is drawn between the visual importance of the tree and its contribution to the character of the town as against the difficulties and concerns which it causes the owners.

The issues cited by the applicants, who have bought the property relatively recently, are as follows:

1. The presence of the tree so close to the house is a safety hazard; there are fears for the stability of the tree in stormy conditions and that it might drop a branch either on the house or on the driveway endangering life or property;
2. Fears for the safety of the children in particular prevents full use of the potential of the roof space as an extra bedroom;
3. It is considered that there may be a subsidence risk.
4. Enjoyment of the house is compromised by the continual need to clean needles and bird droppings in particular from floors and soft furnishings, it being practically impossible to stop them being carried in on shoes from the exterior.
5. It is suggested that the pigeon droppings in particular may be a health hazard.

In relation to the exterior,

1. The parking area to the front cannot generally be used. It is difficult, moreover, to find adequate parking elsewhere. If cars or vehicles are parked beneath the crown of the tree they quickly become covered by droppings and in summer by 'honeydew drip' from aphids. Cleaning vehicles is onerous and expensive.
2. The approach to the house is impossible to keep clean or tidy; needles and small branches drop from the tree and accumulate.
3. There is a danger to visitors.

The application is supported by a letter from a previous tenant of the property who had chosen not to buy the property because of the particular problems caused by the tree. A cutting from a local



paper with details of an Oak in Coles Green that fell onto a house is cited to show that there is a real danger to the house.

#### Dealing in turn with these issues

1. It is **not** considered that the safety risks in respect of this tree are insupportably high; to accept that all large trees within falling distance of properties should be felled would be unacceptable. The Landscape Officer and Arboriculturist considers however that the tree is generally in good health, and can be maintained in a safe condition, subject to selective pruning to lessen the weight of one heavy leading stem, which somewhat unbalances the crown and grows out over the roof.
2. It is accepted that many owners living in this property would worry, and that this might affect decisions as to how fully the house is able to be used, or extended.
3. In relation to subsidence there is no evidence that the foundations are at risk from the tree; given that the property has not been damaged so far, it is unlikely that damage will start at this phase of the tree's life cycle.
4. In relation to the practical issues it is accepted that living with a Cedar tree in such close proximity to the front door will cause difficulties; there are ways of dissuading birds from using the crown as a roost but these are difficult and not necessarily completely effective. This will require much more frequent cleaning than would otherwise be necessary.
5. In extreme situations bird droppings can be a health hazard and precautions would have to be taken, particularly with younger children and hygiene before eating.

#### In relation to the external issues

1. It is accepted that the presence of the tree will make the use of the front garden as parking for vehicles difficult and unsatisfactory. It is also recognised that parking is difficult in the area and that most people would find it desirable to park in the front garden if possible. Bird droppings are corrosive and do spoil paintwork; 'honeydew drip' is damaging to paintwork and is difficult to clean when it occurs in the summer.
2. At present the accumulation of needles does detract from the appearance of the approach to the house, and clearing would be an onerous task.
3. The safety risk to visitors is low, providing the tree is maintained and deadwood removed at intervals.

Against that has to be set the loss of character that would arise from the felling of the tree, which Members will be aware makes a very significant contribution to the northern approach to Loughton town centre.

#### **Conclusion**

On balance it is suggested that the visual importance of the tree should take priority. The Landscape Officer will give advice to the owners on pruning but Members should recognise that this will have an impact only on lowering the risk of a heavy branch being shed from the upper crown and with dropping of deadwood, but will not assist with many of the other issues. Refusal is therefore recommended in line with LL9.



# Epping Forest District Council

## Area Planning Sub-Committee South



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|                            |                                   |
|----------------------------|-----------------------------------|
| <b>Agenda Item Number:</b> | 1                                 |
| Application Number:        | EPF/0061/10                       |
| Site Name:                 | 7 Church Hill, Loughton, IG10 1QP |
| Scale of Plot:             | 1/1250                            |

**Report Item No: 2**

|                                 |                                                                                                                                              |
|---------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|
| <b>APPLICATION No:</b>          | EPF/0108/10                                                                                                                                  |
| <b>SITE ADDRESS:</b>            | Loyola Preparatory School<br>103 Palmerston Road<br>Buckhurst Hill<br>Essex<br>IG9 5NH                                                       |
| <b>PARISH:</b>                  | Buckhurst Hill                                                                                                                               |
| <b>WARD:</b>                    | Buckhurst Hill West                                                                                                                          |
| <b>APPLICANT:</b>               | Loyola Preparatory School                                                                                                                    |
| <b>DESCRIPTION OF PROPOSAL:</b> | TPO/EPF/15/94<br>T9 Birch - Fell<br>T10 and T11 Birch - Crown reduce 15 - 20%<br>T12 Sycamore, T13 Birch and T14 Sycamore - Crown reduce 20% |
| <b>RECOMMENDED DECISION:</b>    | Grant Permission (With Conditions)                                                                                                           |

**CONDITIONS**

- 1 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.
- 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.
- 3 The crown reduction authorised by this consent to T10, T11, T12, T13 and T14 shall be by no more than 20%.
- 4 All work authorised by this consent shall be undertaken in a manner consistent with British Standard 3998 (1989) (or with any similar replacement Standard).
- 5 The works hereby authorised shall not be undertaken after a period of three years from the date of this consent has expired.

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

### **Description of Proposal:**

T9. Birch: Fell.

T10, T11 & T13. Birch: Crown reduce by 15-20%.

T12 & T14. Sycamore: Crown reduce by 20%.

### **Description of Site:**

T9 stands approximately 13 metres tall, at the end of a group of mature trees, including the two sycamores and three other birches listed to be pruned. The group occupies a swathe of the school play area; made up of seating clusters on unsurfaced ground, hard standing and pathways to climbing frames and ball courts. This space is immediately to the rear of the main assembly hall and means of entry and exit at the start and end of school days. This zone of concentrated use is greatly enhanced by the canopy of shade trees.

The group is of relatively uniform age and is largely unmanaged despite the considerable construction and school activities that have occurred around them. The public visibility of the trees is limited to long views from Russell Road, which is further restricted by the 1.8 metre tall boundary wall.

### **Relevant History:**

Since TPO/EPF/15/94 was served, records show no pruning works relating to this group of trees.

The extension of the school within the last six years placed all these trees under considerable threat and root damage was inevitable where excavations occurred at such close range to the T9, in particular.

### **Policies Applied:**

#### **Epping Forest District Local Plan and Alterations:**

LL09 Felling of preserved trees.

LL08 Pruning of preserved trees.

### **Summary of Representations:**

No neighbours were notified because of the enclosed location of the tree; remote from neighbouring properties.

BUCKHURST HILL PARISH COUNCIL – made no objection but would request that works are undertaken with the supervision of the arboricultural officer.

### **Issues and Considerations:**

#### **Applicant issues**

i) The main reasons put forward to fell the birch tree are the following:

- The tree sports two basal fungal fruiting bodies, which are likely to indicate lower stem and root decay.

It is clear that this tree is in a weakened condition from the numerous areas of branch dieback in the upper crown. While the identification of the fungus growing at the base of the trunk is not certain, it has been suggested that it belongs to a family of a heart rotting fungi, which presents considerable risk to the tree's long term stability. In a busy location such as this, immediate attention must be paid to the potential danger facing children and their carers using the space directly beneath the tree.

ii) The reasons given to prune the five other trees; T10-T14 are to improve light into this area of the playground.

#### Planning considerations

i) The main planning considerations in respect of the felling of T9 Birch are:

#### Visual amenity

This birch has low public amenity due to its location within in the sunken rear play area of the large school building. Screening from distant views of the trees occurs from the fencing surrounding the games courts and further diminishes the visual impact of this tree.

#### Tree condition and life expectancy

The tree is declining with extensive deadwood in the upper crown. It is foreseeable that the life expectancy for T9 will not exceed 10 years.

#### Suitability of tree in current position

The tree is close to the entrance used as a major access point to the school and overhangs seating and play areas. A risk of falling debris exists and therefore its function as a canopy and screen has been invalidated by the risk posed. It is no longer suitable in this position.

ii) Pruning considerations for T10, T11 and T13; Birch and T12 and T14; Sycamore

The relatively light crown management specifications will not harm the trees' appearance or threaten their health and are acceptable in this case.

#### **Conclusion:**

The tree has little public value due to its concealed position at the back of the school at a lower level than any public vantage point. Its declining condition prompts action to avert possible collapse and subsequent damage and injury. Planning policy demands that tree removal is not simply justifiable but necessary. There is justification to remove this tree on grounds of its risk of its collapse.

It is recommended to grant permission to the application to fell T9 Birch on the grounds that the reason given justifies the need to remove the tree. The proposal therefore accords with Local Plan Landscape Policy LL9.

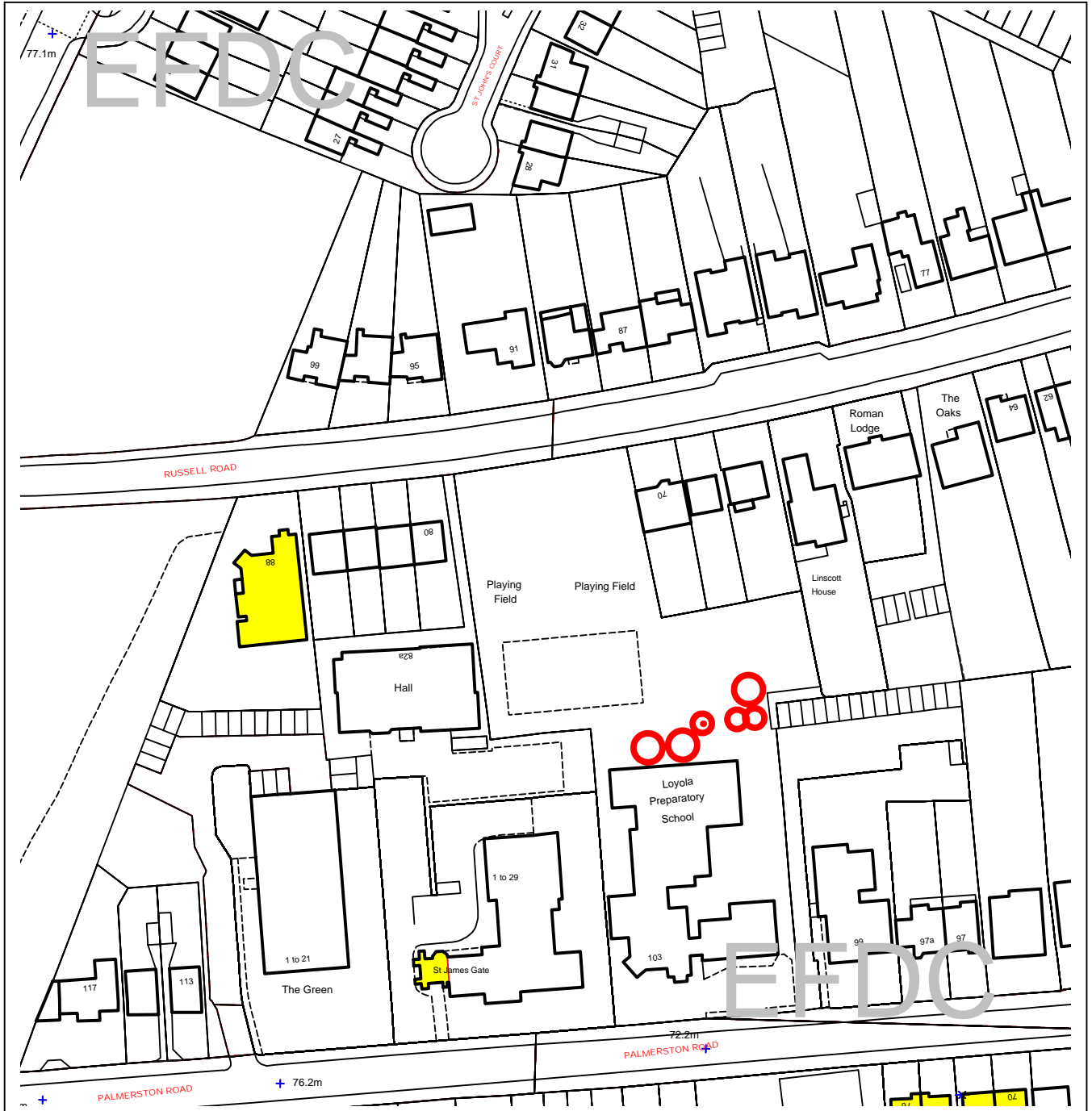
It is recommended to grant permission to allow 15 -20% crown reduction to T10, T11 and T13 Birch and T12 and T14 Sycamore on the grounds that the trees will not be harmed visually or physically by properly performed works. The proposal therefore accords with Local Plan Landscape Policy LL8. It should be noted that this part of the application falls within officer delegated powers but has been included in this report for the purposes of clarity.

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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|                            |                                                                         |
|----------------------------|-------------------------------------------------------------------------|
| <b>Agenda Item Number:</b> | <b>2</b>                                                                |
| Application Number:        | EPF/0108/10                                                             |
| Site Name:                 | Loyola Preparatory School, 103 Palmerston Road, Buckhurst Hill, IG9 5NH |
| Scale of Plot:             | 1/1250                                                                  |

**Report Item No: 3**

|                                 |                                                          |
|---------------------------------|----------------------------------------------------------|
| <b>APPLICATION No:</b>          | EPF/2493/09                                              |
| <b>SITE ADDRESS:</b>            | 24 Kenilworth Gardens,<br>Loughton,<br>Essex<br>IG10 3AF |
| <b>PARISH:</b>                  | Loughton                                                 |
| <b>WARD:</b>                    | Loughton Roding                                          |
| <b>APPLICANT:</b>               | Mr G Hawkey                                              |
| <b>DESCRIPTION OF PROPOSAL:</b> | Construction of an outbuilding to rear garden.           |
| <b>RECOMMENDED DECISION:</b>    | Grant Permission (With Conditions)                       |

**CONDITIONS**

- 1 The outbuilding hereby approved shall not be used for any purpose that is not ancillary to the use of 24 Kenilworth Gardens as a single dwellinghouse.
- 2 No door or window openings shall be made in the roof or in the following elevations of the outbuilding hereby approved:  
North-west elevation.  
South-east elevation.  
North-east elevation above the lowest eaves level of the building.  
South-west elevation above the lowest eaves level of the building.
- 3 Notwithstanding the provisions of Class A of Part 2 of Schedule 2 to 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 means of enclosure shall be constructed in the rear garden of 24 Kenilworth Gardens that either completely or partially separates the outbuilding hereby approved or its curtilage from the remainder of the garden without the written consent of the Local Planning Authority.

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

**Description of Proposal:**

The proposal is to construct a single storey outbuilding at the rear boundary of the site, measuring 7.0m x 5.35m. The structure would have a dual pitched roof to a height of 4.2m. A pair of doors would open into the rear garden with a door on the side elevation opening to an entryway which runs along the rear boundary. The building would fill the plot width. The proposed use is for a gym.



### **Description of Site:**

Kenilworth Gardens, and the immediate area, is made up of short rows of two storey terrace housing and the proposal site is a middle terrace dwelling. The outbuilding would be adjacent to a rear entryway which has been named on the submitted plans Abbey Mews. However no such address exists in the vicinity and the entryway is similar to other examples in the area providing access to the rear of properties. A similar building has been completed at No28 and is currently in use as ancillary accommodation and No26 has submitted a similar scheme. Rear gardens in the vicinity are deep at approximately 24m.

### **Relevant History:**

No Relevant History.

### **Policies Applied:**

Policy DBE1 – Design of New Buildings

Policy DBE2 – Effect on Neighbouring Properties

Policy DBE9 – Loss of Amenity

### **SUMMARY OF REPRESENTATIONS:**

(6 properties consulted – 1 reply)

TOWN COUNCIL: Objection. The committee objected to this application as it was contrary to Policies DBE1 (i) & (ii) DBE2 and DBE9 (i) & (ii) as the proposed siting would have a detrimental impact on the streetscene and cause overlooking in both Kenilworth Gardens and Highland Avenue. Parking issues in the area would be exacerbated. Concern about inaccuracies in the plan as access roads serving Kenilworth Gardens and Highland Avenue is labelled “Abbey Mews” giving the impression it is a street rather than an access road. If council is minded to approve the town council would like a condition prohibiting the use of the outbuilding as a residential dwelling. The council drew attention to the submitted objection letter stating that the approved outbuilding at No28 was being used as a dwelling and asked that the Enforcement Department investigate this.

35 HIGHLAND AVENUE: Objection. Proposed building is overbearing. Parking will be an issue. Appearance of the building is not satisfactory and it is not appropriate for the area.

### **Issues and Considerations:**

The main issues to consider are any potential loss of amenity and the design of the structure and its relationship within the local streetscene.

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

The proposed structure will fill the space in the bottom section of the garden adjacent to the access lane. The outbuilding is of a similar size to one approved and completed at No28. There is also an application to be determined by the committee for a similar building at No26. The outbuilding is relatively large given the narrow width of the plots in Kenilworth Gardens. However it is situated at the bottom of these long gardens and would therefore have no significant impact on the appearance of the area. The design is similar to others approved and is fairly standard. There are also examples, varying in styles, of similar outbuildings in the vicinity. The applicant has stated an intention to use the building as a gym and from this perspective it is of a reasonable size. The materials as indicated on the proposed plans and application form are acceptable. Many of the

outbuildings along the rear access roads in the vicinity are in a dilapidated state and a new building would have no adverse impact on the existing streetscene.

#### Impact on Neighbours Amenity

The building would be located at the rear of the deep garden at the boundary of the site and as such impact on neighbour amenity would not give great cause for concern. The Parish Council has raised concerns of overlooking into neighbouring properties. The plan as submitted would not result in overlooking, since their openings would only be at ground floor level looking into the garden or into the accessway at the rear of the site. However in order to prevent the subsequent insertion of further openings, such as in the roof plane or gable ends, which would have the potential to overlook adjacent gardens it would be reasonable to prohibit the making of such openings by way of an appropriate condition on any consent granted.

#### Other Matters

The Parish Council and a neighbour objection letter have highlighted concerns that the proposed outbuilding could be used for residential purposes. The agent of the applicant has indicated through correspondence that the intention is to use this building as a gym. This would not cause undue concern. However the proposed building is residential in appearance with direct access into the lane at the rear of the site such that it could be sectioned off and used as separate accommodation. If this and the neighbouring outbuilding at No26 were used as separate dwellinghouses there is the potential for a loss of privacy and amenity to neighbouring occupants. There is also the concern that the structure would provide a poor standard of primary living accommodation. There is further concern that if the outbuilding was used for any business purpose beyond that which is merely ancillary to the use of 24 Kenilworth Gardens as a single dwellinghouse this would be detrimental to the living conditions of neighbouring residents through potential noise and associated movements. Although such business use and use as a separate dwellinghouse would require planning permission of itself, having regard to the form and use of similar development elsewhere in the locality, it is appropriate to impose conditions on any consent given restricting the use of the building to ancillary purposes only and to prevent the physical subdivision of the property.

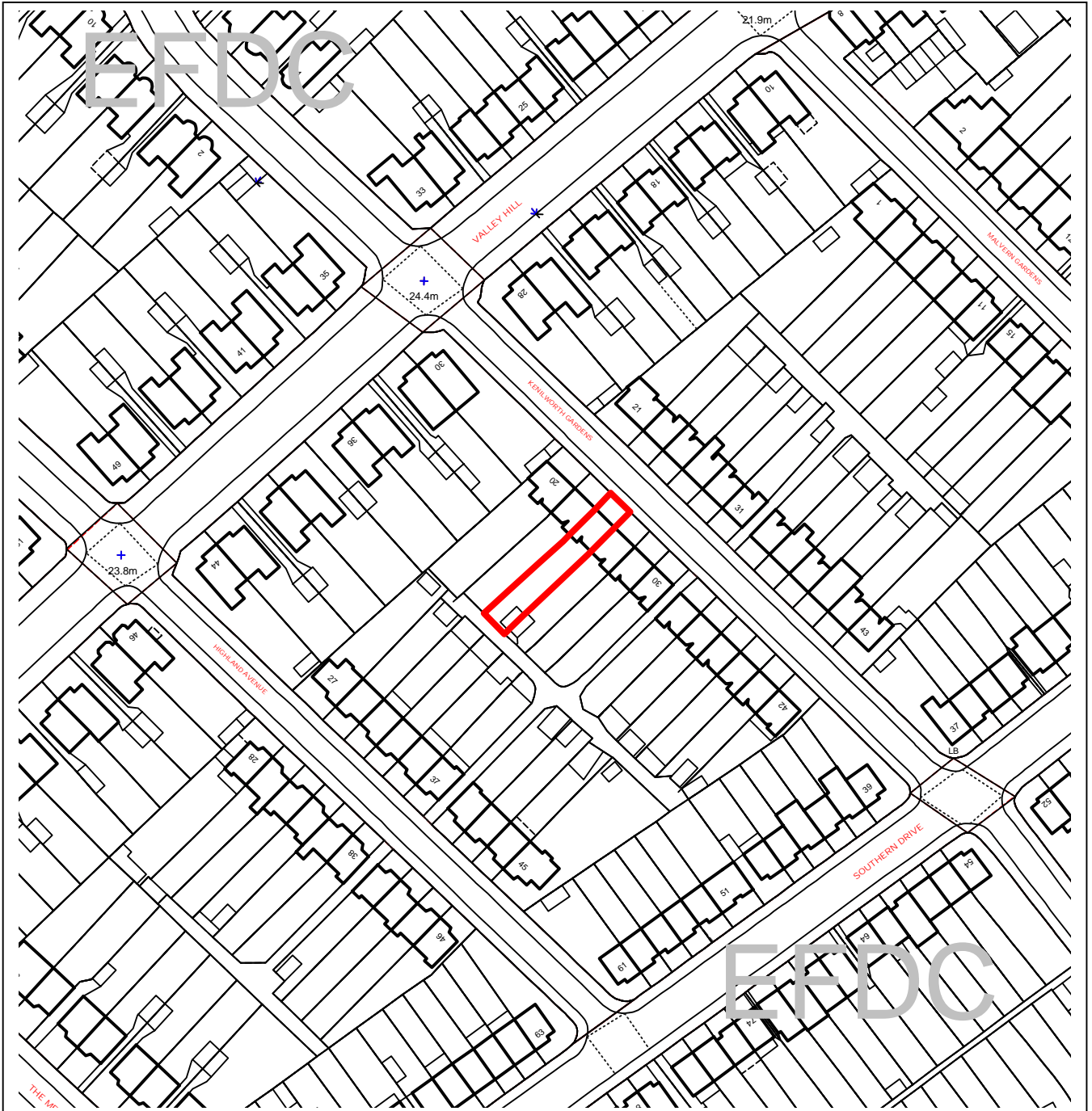
#### **Conclusion:**

The proposed outbuilding is considered acceptable, however it is deemed necessary to control its use and safeguard the amenities of neighbouring properties by condition. On that basis this application is recommended for approval.



# Epping Forest District Council

## Area Planning Sub-Committee South



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|                            |                                           |
|----------------------------|-------------------------------------------|
| <b>Agenda Item Number:</b> | <b>3</b>                                  |
| Application Number:        | EPF/2493/09                               |
| Site Name:                 | 24 Kenilworth Gardens, Loughton, IG10 3AF |
| Scale of Plot:             | 1/1250                                    |

**Report Item No: 4**

|                                 |                                                        |
|---------------------------------|--------------------------------------------------------|
| <b>APPLICATION No:</b>          | EPF/2498/09                                            |
| <b>SITE ADDRESS:</b>            | 26 Kenilworth Gardens<br>Loughton<br>Essex<br>IG10 3AF |
| <b>PARISH:</b>                  | Loughton                                               |
| <b>WARD:</b>                    | Loughton Roding                                        |
| <b>APPLICANT:</b>               | Mr Neauson                                             |
| <b>DESCRIPTION OF PROPOSAL:</b> | Construction of outbuilding to rear garden.            |
| <b>RECOMMENDED DECISION:</b>    | Grant Permission (With Conditions)                     |

**CONDITIONS**

- 1 The outbuilding hereby approved shall not be used for any purpose that is not ancillary to the use of 26 Kenilworth Gardens as a single dwellinghouse.
- 2 No door or window openings shall be made in the roof or in the following elevations of the outbuilding hereby approved:  
North-west elevation.  
South-east elevation.  
North-east elevation above the lowest eaves level of the building.  
South-west elevation above the lowest eaves level of the building.
- 3 Notwithstanding the provisions of Class A of Part 2 of Schedule 2 to 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 means of enclosure shall be constructed in the rear garden of 26 Kenilworth Gardens that either completely or partially separates the outbuilding hereby approved or its curtilage from the remainder of the garden without the written consent of the Local Planning Authority.

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

**Description of Proposal:**

The proposal is to construct a single storey outbuilding at the rear boundary of the site, measuring 7.0m x 5.35m. The structure would have a dual pitched roof to a height of 4.2m. A pair of doors would open into the rear garden with a door on the side elevation opening to an entryway which runs along the rear boundary. The building would fill the plot width. The proposed use is for playroom/art studio.

### **Description of Site:**

Kenilworth Gardens, and the immediate area, is made up of short rows of two storey terrace housing and the proposal site is a middle terrace dwelling. As with the application at the adjacent property No24 (EPF/2493/09) the outbuilding would be adjacent to a rear entryway which has been named on the submitted plans Abbey Mews. However no such address exists in the vicinity and the entryway is similar to other examples in the area providing access to the rear of properties. A similar building has been completed at No28 and is currently in use as ancillary accommodation and as stated No24 has submitted a similar scheme. Rear gardens in the vicinity are deep at approximately 24m. Work is in progress on a loft conversion and single storey rear extension, seemingly under permitted development regulations.

### **Relevant History:**

No Relevant History.

### **Policies Applied:**

Policy DBE1 – Design of New Buildings

Policy DBE2 – Effect on Neighbouring Properties

Policy DBE9 – Loss of Amenity

### **SUMMARY OF REPRESENTATIONS:**

(6 properties consulted – 1 reply)

TOWN COUNCIL: Objection. The committee objected to this application as it was contrary to Policies DBE1 (i) & (ii) DBE2 and DBE9 (i) & (ii) as the proposed siting would have a detrimental impact on the streetscene and cause overlooking in both Kenilworth Gardens and Highland Avenue. Parking issues in the area would be exacerbated. Concern about inaccuracies in the plan as access roads serving Kenilworth Gardens and Highland Avenue is labelled “Abbey Mews” giving the impression it is a street rather than an access road. If council is minded to approve the town council would like a condition prohibiting the use of the outbuilding as a residential dwelling. The council drew attention to the submitted objection letter stating that the approved outbuilding at No28 was being used as a dwelling and asked that the Enforcement Department investigated this.

35 HIGHLAND AVENUE: Objection. Proposed building is overbearing. Parking will be an issue. Appearance of the building is not satisfactory and it is not appropriate for the area.

### **Issues and Considerations:**

The main issues to consider are any potential loss of amenity and the design of the structure and its relationship within the local streetscene. The considerations are almost identical to the application at No24 and therefore a similar set of conclusions will be apparent.

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

The proposed structure will fill the space in the bottom section of the garden adjacent to the access lane. The outbuilding is of a similar size to one approved and completed at No28. There is also an application to be determined by the committee for a similar building at No24. The outbuilding is relatively large given the narrow width of the plots in Kenilworth Gardens. However it is situated at the bottom of these long gardens and would therefore have no significant impact on the appearance of the area. The design is similar to others approved and is fairly standard. There are also examples, varying in styles, of similar outbuildings in the vicinity. The applicant has stated

an intention to use the building as a playroom/art studio and from this perspective it is of a reasonable size. The materials as indicated on the proposed plans and application form are acceptable. Many of the outbuildings along the rear access roads in the vicinity are in a dilapidated state and a new building would have no adverse impact on the existing streetscene.

### Impact on Neighbours Amenity

The building would be located at the rear of the deep garden at the boundary of the site and as such impact on neighbour amenity would not give great cause for concern. The Parish Council has raised concerns of overlooking into neighbouring properties. The plan as submitted would not result in overlooking, since their openings would only be at ground floor level looking into the garden or into the accessway at the rear of the site. However in order to prevent the subsequent insertion of further openings, such as in the in the roof plane or gable ends, which would have the potential to overlook adjacent gardens it would be reasonable to prohibit the making of such openings by way of an appropriate condition on any consent granted.

### Other Matters

The Parish Council and a neighbour objection letter have highlighted concerns that the proposed outbuilding could be used for residential purposes. The agent of the applicant has indicated through correspondence that the intention is to use this building as a playroom/art studio. As with the application for a gym this would not cause undue concern. However this proposed building is also residential in appearance, indeed identical to the gym structure, with direct access into the lane at the rear of the site such that it could be sectioned off and used as separate accommodation. If this and the neighbouring outbuilding at No24 were used as separate dwellinghouses there is the potential for a loss of privacy and amenity to neighbouring occupants. There is also the concern that the structure would provide a poor standard of primary living accommodation. There is further concern that if the outbuilding was used for any business purpose beyond that which is merely ancillary to the use of 26 Kenilworth Gardens as a single dwellinghouse this would be detrimental to the living conditions of neighbouring residents through potential noise and associated movements. Although such business use and use as a separate dwellinghouse would require planning permission of itself, having regard to the form and use of similar development elsewhere in the locality, it is appropriate to impose conditions on any consent given restricting the use of the building to ancillary purposes only and to prevent the physical subdivision of the property.

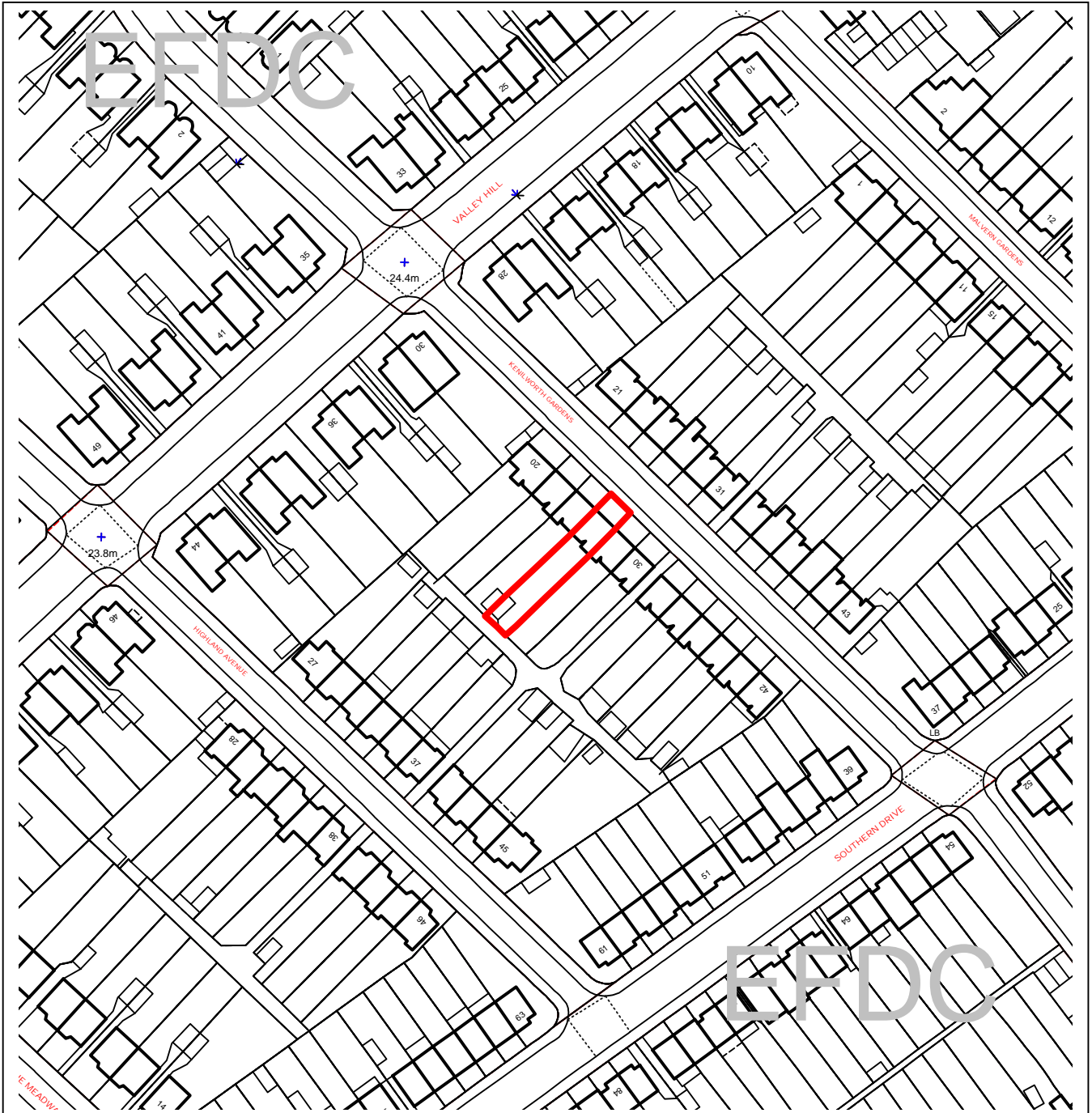
### Conclusion:

The proposed outbuilding is considered acceptable, however it is deemed necessary to control its use and safeguard the amenities of neighbouring properties by condition. On that basis this application is recommended for approval.



# Epping Forest District Council

## Area Planning Sub-Committee South



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|                            |                                             |
|----------------------------|---------------------------------------------|
| <b>Agenda Item Number:</b> | <b>4</b>                                    |
| Application Number:        | EPF/2498/09                                 |
| Site Name:                 | 26 Kenilworth Gardens, Loughton<br>IG10 3AF |
| Scale of Plot:             | 1/1250                                      |

**Report Item No: 5**

|                                 |                                                                                              |
|---------------------------------|----------------------------------------------------------------------------------------------|
| <b>APPLICATION No:</b>          | EPF/0068/10                                                                                  |
| <b>SITE ADDRESS:</b>            | West Hatch High School<br>High Road<br>Chigwell<br>Essex<br>IG7 5BT                          |
| <b>PARISH:</b>                  | Chigwell                                                                                     |
| <b>WARD:</b>                    | Chigwell Village                                                                             |
| <b>APPLICANT:</b>               | Mr Michael Decaux                                                                            |
| <b>DESCRIPTION OF PROPOSAL:</b> | New area of tarmac paving to provide 14 car parking spaces adjacent to existing access road. |
| <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.

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

**Description of Proposal:**

This application seeks planning permission for the creation of 12 additional car parking spaces to the side/rear of the sixth form block.

**Description of Site:**

The application site contains West Hatch High School and its associated grounds. The area on which the car parking is proposed is presently grassed, although not part of a playing field. There is a low wall adjacent to the access road and there is some informal parking located beyond the end of the wall. At the time of the officer's site inspection (during school hours) the main car park was used almost to its full capacity.

**Relevant History:**

None directly relevant – approvals in recent years to increase classroom capacity.



### **Policies Applied:**

#### East of England Plan

ENV7 – Quality in the Built Environment

#### Adopted Local Plan and Alterations

ST1 – Location of Development

CP2 – Protecting the quality of the rural and built environment

DBE1 – Design of new buildings

ST4 – Road Safety

ST6 - Vehicle Parking

### **Summary of Representations:**

Notification of this application was sent to Chigwell Parish Council and to 17 neighbouring properties.

The following representations have been received:

CHIGWELL PARISH COUNCIL: The Council objects to this application as there is an absence of a Green Travel Plan, there is ample public transport in the area and the parking should only be used for sixth form pupils.

Following receipt of the above objection, the applicant's agent has submitted a response on behalf of West Hatch High School stating:

1. The school has a current travel plan which was compiled in November 2009. It was not submitted with the application because we understood that such a plan would not normally be necessary for a relatively small-scale development. The school will provide a copy if the Council wish to see it.
2. There is no regular public transport serving the school, the nearest tube station/bus stop being  $\frac{3}{4}$  mile in one direction and a bus stop being  $\frac{1}{2}$  mile in the other direction. The busy road between the school and the station has pavement only on one side for part of the distance.
3. The proposed parking spaces are in fact intended exclusively for 6<sup>th</sup> formers to use.

In relation to items 2 and 3 it may assist the Council to know that although 12 new car spaces will be created it is not anticipated that the numbers of cars parking at the school will increase as a result. At present the 6<sup>th</sup> formers are parking on various grass / gravel areas. The new spaces will provide dry hard standing for existing cars which already park on the school grounds. We do not anticipate that "ad-hoc" car parking will be pushed out to other areas of the school grounds as a result. The school is also encouraging 'car share' with a view to reducing overall traffic levels.

### **Issues and Considerations:**

*The main issues to be considered in this application are:*

1. The impact on the character and appearance of the area;
2. The acceptability of the proposed parking; and
3. Highway safety.

### Impact on Character and Appearance

The creation of the car parking spaces as proposed would not result in any detrimental harm to visual amenity within the site.

### Acceptability of the Proposed Parking

West Hatch High School presently has 114 car parking spaces and following the proposed additional parking provision this would be increased to 126 spaces.

The School has 1294 students, including a sixth form comprising 353 students. The Council's parking standard for schools is a maximum of one space for 15 students. For higher education facilities it is one space per 15 students for staff parking and one space per 15 students for student parking. Application of the standard for schools, with an additional provision of one space per 15 sixth form pupils (to take account of the higher education function) suggests a maximum parking provision for the school of 86 staff spaces and 23 student spaces. This would suggest that the existing car parking provision is satisfactory.

However, the Council's car parking policy is specifically designed to be applied to assessment of car parking levels within new developments. This is not an application for a new development, but an application for additional car parking to meet a shortfall which has been identified within an existing institution. The demand for car parking is not, therefore, theoretical, but an on-site reality. The applicant's agent has advised that it is not the School's intention to attract more cars onto the site, but to accommodate vehicles which are presently informally parked around the school grounds. Such parking was evident during the Planning Officer's site inspection. Bearing this in mind, it is considered that the acceptance of the additional car parking in excess of the Council's normal standard is justified in this instance.

Whilst the school is served by public transport (bus routes 667 and 804), these services are very limited with arrivals at the School at 0826, 0831 and 0840 and departures at 1535 (x2) and 1540, which does not appear to provide for any extra curricular activities which may take place before or after the normal school day, nor does it accommodate staff who may be working on the site before and after the normal school day. However, the school is also located approximately 1 kilometre from Chigwell Underground station, which is considered to be a reasonable walking distance for students.

Chigwell Parish Council has suggested that the car parking should only be available for use by sixth form students. The applicant's agent has confirmed that this is the School's intention and the location of the proposed additional parking in close proximity to the Sixth Form building suggests that this is likely. It is considered that the School should be capable of managing its on-site parking and it is not, therefore considered to be necessary to apply a planning condition restricting the use of the additional parking.

The proposed parking spaces would be 3 by 5 metres, meeting the width requirements of the revised parking standards, but falling short of the revised bay length standard of 5.5 metres. A distance of 6 metres would be retained between the bays and the storage containers on the opposite side of the road to provide manoeuvring space.

Having regard to the location of the parking area and bearing in mind that it is intended to provide additional spaces for an existing use, the deviation from the preferred length of parking spaces is acceptable.

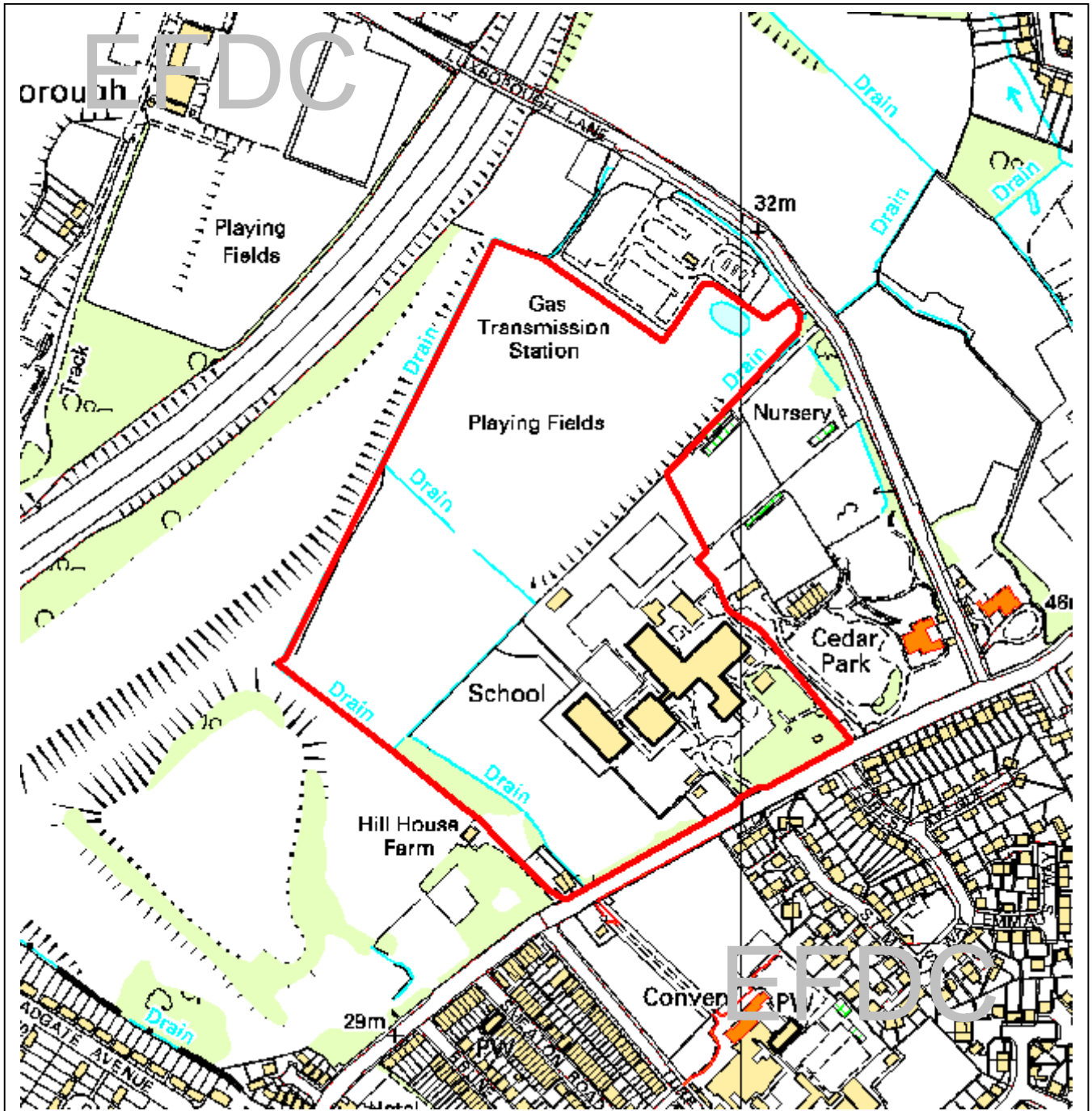
**Conclusion:**

In light of the above appraisal, the concerns of the Parish Council with regard to this application are noted. However, it is considered that the additional parking is justified in this instance by the existing demand generated by the School, which is evident on site. It is, therefore, recommended that planning permission be granted.



# Epping Forest District Council

## Area Planning Sub-Committee South



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|---------------------|-----------------------------------------------------|
| Agenda Item Number: | 5                                                   |
| Application Number: | EPF/0068/10                                         |
| Site Name:          | West Hatch High School, High Road Chigwell, IG7 5BT |
| Scale of Plot:      | 1/5000                                              |