

Committee Agenda



**Webcast
Meeting**



**Epping Forest
District Council**

AREA PLANNING SUBCOMMITTEE SOUTH Wednesday, 26th May, 2010

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

Room: Dining Hall

Time: 7.30 pm

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

Members:

As appointed at Annual Council on 25 May 2010.

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. ENFORCEMENT OF PLANNING CONDITIONS (Pages 21 - 22)

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

8. CONFIRMATION OF TREE PRESERVATION ORDER EPF/60/10 BUCKHURST HILL BAPTIST CHURCH, PALMERSTON ROAD, BUCKHURST HILL (Pages 23 - 24)

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

9. CONFIRMATION OF TREE PRESERVATION ORDER EPF/35/10 TRENT ROAD, BUCKHURST HILL (Pages 25 - 26)

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

10. DEVELOPMENT CONTROL (Pages 27 - 86)

(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.

11. 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.

12. 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.

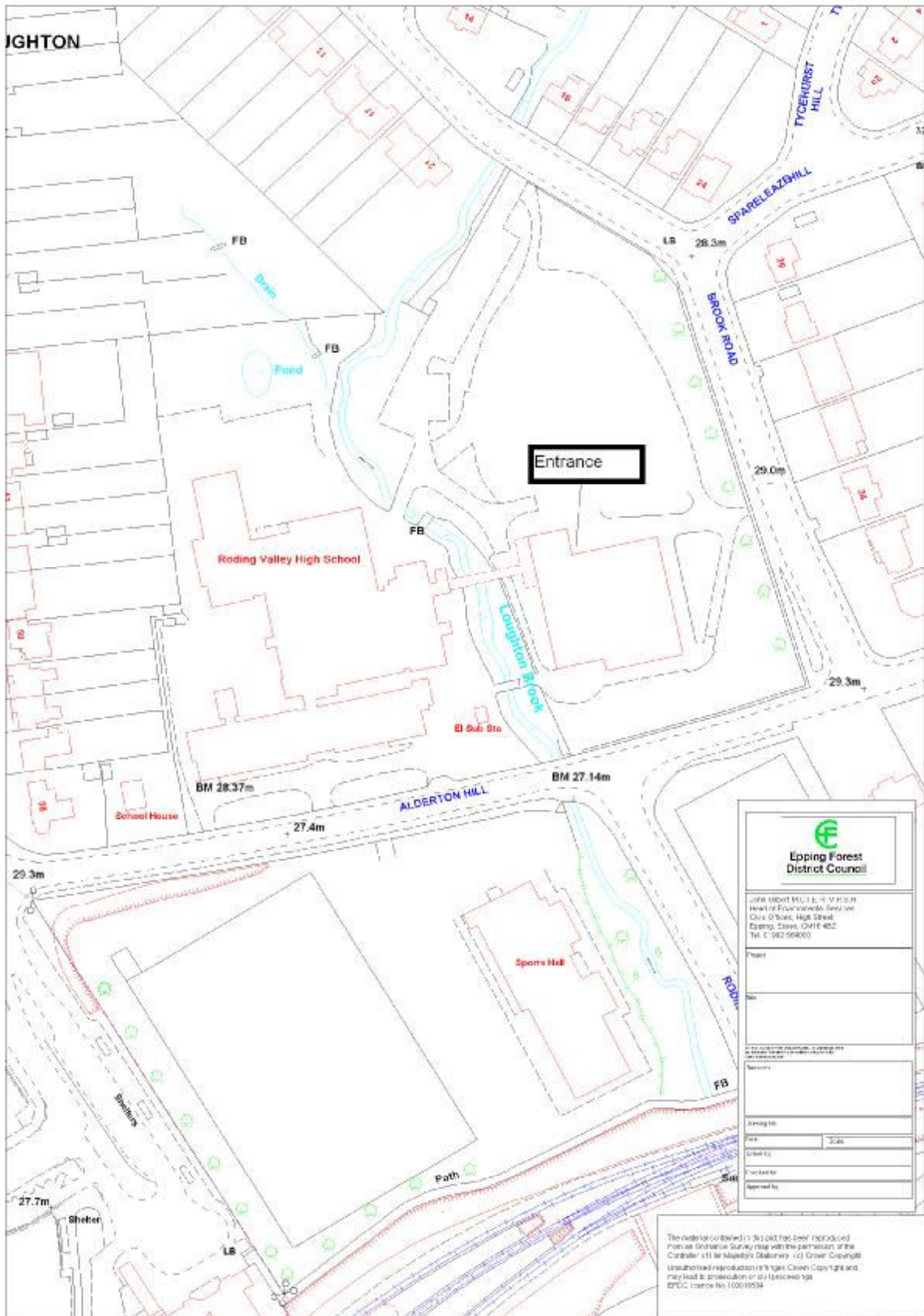
The order of speaking will be (1) Objector, (2) Parish/Town Council, then (3) Applicant or his/her agent. The Subcommittee will then debate the application and vote on either the recommendations of officers in the agenda or a proposal made by the Subcommittee. Should the Subcommittee propose to follow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



This page is intentionally left blank

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Subcommittee **Date:** 28 April 2010
South

Place: Roding Valley High School, Brook Road, Loughton, Essex **Time:** 7.30 - 9.32 pm

Members Present: J Hart (Chairman), Mrs L Wagland (Vice-Chairman), R Barrett, Miss R Cohen, M Cohen, A Lion, J Markham, Mrs C Pond, Mrs P Richardson, P Spencer, Mrs J Sutcliffe and H Ulkun

Other Councillors:

Apologies: K Angold-Stephens, K Chana, Mrs S Clapp, D Dodeja, Mrs A Haigh, J Knapman, R Law, B Sandler, P Turpin and D Wixley

Officers Present: S Solon (Principal Planning Officer), A Hendry (Democratic Services Officer), S G Hill (Senior Democratic Services Officer) and S Mitchell (PR Website Editor)

113. 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.

114. MINUTES

RESOLVED:

That the minutes of the meeting held on 7 April 2010 be taken as read and signed by the Chairman as correct record subject to application 3 (EPF/0114/10), recommendation 2 being referred back to the planning officer for clarification.

115. DECLARATIONS OF INTEREST

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

- EPF/0135/10 36 Fairlands Avenue, Buckhurst Hill
- EPF/0417/10 Monkams Inn, Buckhurst Way, Buckhurst Hill

(b) Pursuant to the Council's Code of Member Conduct, Councillors J Markham and Mrs C Pond declared a personal interest in the following items of the agenda by

virtue of being a members of Loughton Residents Association. The Councillors had determined that their interest was not prejudicial and they would stay in the meeting for the consideration of the applications and voting thereon:

- EPF/0412/10 4 Monkchester Close, Loughton
- EPF/0294/10 13 Eleven Acre Rise, Loughton

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

- EPF/0325/10 18 Alderton Hill, Loughton

(d) Pursuant to the Council's Code of Member Conduct, Councillor M Cohen declared a personal interest in the following item of the agenda by virtue of being slightly aquatinted with the applicant. 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/0003/10 The Grange, 75 High Road, Chigwell

(e) Pursuant to the Council's Code of Member Conduct, Councillor A Lion declared a personal interest in the following item of the agenda by virtue of being aquatinted with a member of the family of the applicant. 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/0003/10 The Grange, 75 High Road, Chigwell

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

- EPF/0412/10 4 Monkchester Close, Loughton
- EPF/0294/10 13 Eleven Acre Rise, Loughton
- EPF/0325/10 18 Alderton Hill, Loughton

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

- EPF/0003/10 The Grange, 75 High Road, Chigwell

116. ANY OTHER BUSINESS

Councillor Mrs Pond asked that an application that had previously been through this Sub-Committee in February this year be investigated and a report brought back to the next meeting of this Panel. There had been concerns raised that the Candy Café had been placing unauthorised chairs and tables on the footway outside their

premises. Members would also like a report on a similar conditions placed on EPF/0114/10 (122 High Road, Loughton) at their last meeting on 7 April 2010.

RESOLVED:

That a report be brought back to the next meeting of this Sub-committee on the on concerns raised about use of the footway for the Candy Café and 122 High Road, Loughton.

117. DEVELOPMENT CONTROL

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

They noted that agenda item 7(4) EPF/0266/10 had been withdrawn.

RESOLVED:

That the planning applications numbered 1 – 7 be determined as set out in the attached schedule to these minutes.

118. 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

This page is intentionally left blank

Report Item No: 1

APPLICATION No:	EPF/0412/10
SITE ADDRESS:	4 Monkchester Close Loughton Essex IG10 2SN
PARISH:	Loughton
WARD:	Loughton St Johns
DESCRIPTION OF PROPOSAL:	TPO/EPF/07/91 T8 Oak - Fell
DECISION:	Refuse Permission

REASON FOR REFUSAL

- 1 Insufficient reason has been provided to justify the removal of the tree on the site, which is contrary to policy LL09 of the Council's Adopted Local Plan and Alterations..

Report Item No: 2

APPLICATION No:	EPF/0003/10
SITE ADDRESS:	The Grange 75 High Road Chigwell Essex IG7 6DL
PARISH:	Chigwell
WARD:	Chigwell Village
DESCRIPTION OF PROPOSAL:	Demolish outbuilding and construct a four bedroom house within curtilage of existing plot.
DECISION:	Refuse Permission

REASON FOR REFUSAL

- 1 The proposed dwelling would be an inappropriate development within the Metropolitan Green Belt which is by definition harmful. No very special circumstances exist which are sufficient to outweigh this harm and the development is therefore contrary to National guidelines and to policy GB2A of the Adopted Local Plan and Alterations.
- 2 By reason of the subdivision of the site to create a new planning unit with its associated additional activity and as a consequence of the height and bulk of the proposed house, the development would have an excessive adverse impact upon the openness, rural character and visual amenities of the Green Belt, contrary to policies CP2 and GB7A of the Adopted Local Plan and Alterations.
- 2 Insufficient information has been submitted to enable full consideration of the impact of the proposed development on trees within the application site, contrary to policy LL10 of the Adopted Local Plan and Alterations.

Report Item No: 3

APPLICATION No:	EPF/0135/10
SITE ADDRESS:	36 Fairlands Avenue Buckhurst Hill Essex IG9 5TF
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
DESCRIPTION OF PROPOSAL:	Rear conservatory.
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 two rooflights nearest the boundary of the site with 35 Fairlands Avenue, as shown on drawing no. 1011/10A, shall be obscure glazed and permanently maintained as such.

Report Item No: 4

APPLICATION No:	EPF/0266/10
SITE ADDRESS:	1/1A Warren Hill Loughton Essex IG10 4RL
PARISH:	Loughton
WARD:	Loughton Forest
DESCRIPTION OF PROPOSAL:	Erection of three detached dwellings and all associated works, and removal of Section 52 Agreement.
DECISION:	Withdrawn from agenda by Officers

Report Item No: 5

APPLICATION No:	EPF/0294/10
SITE ADDRESS:	13 Eleven Acre Rise Loughton Essex IG10 1AN
PARISH:	Loughton
WARD:	Loughton St Marys
DESCRIPTION OF PROPOSAL:	Erection of a four storey, six bedroom house. (Amended application to EPF/1615/09 with increased basement area, additional window in flank wall at basement level and revised internal layout at ground floor level)
DECISION:	Refuse Permission

REASON FOR REFUSAL

- 1 The proposed development has the potential to cause excessive harm to the neighbouring properties in amenity and functional terms and would consequently amount to a poorly designed overdevelopment of the site. Insufficient information has been submitted to demonstrate the proposal would have an acceptable relationship to neighbouring properties in those terms and therefore it is contrary to policies DBE1 and DBE2 of the adopted Local Plan and Alterations.

Report Item No: 6

APPLICATION No:	EPF/0325/10
SITE ADDRESS:	18 Alderton Hill Loughton Essex IG10 3JB
PARISH:	Loughton
WARD:	Loughton St Marys
DESCRIPTION OF PROPOSAL:	External remodelling to include front, sides and rear two storey extensions, extensions to existing roof. (Revised application)
DECISION:	Refuse Permission

REASONS FOR REFUSAL

- 1 By reason of its excessive height and massing adjacent to the site boundaries, the proposed development would appear over dominant in relation to 16 Alderton Hill, and excessively large in relation to the width of the site. Consequently it would amount to an over development of the front of the site that fails to respect its setting to the detriment of the street scene. The proposal is therefore contrary to policy ENV7 of the East of England Plan and policies CP2 and DBE10 of the Local Plan and Alterations.
- 2 By reason of its excessive height, massing and rearward projection on the boundary with 16 Alderton Hill, the proposed development would have an excessively overbearing impact on the adjacent part of the rear garden and rear elevation of 16 Alderton Hill. That relationship would cause excessive harm to the amenities enjoyed by the occupants of that house and the harm caused would be exacerbated by the difference in levels between 16 and 18 Alderton Hill. The proposal is therefore contrary to policy DB£9 of the Local Plan and Alterations.

Report Item No: 7

APPLICATION No:	EPF/0417/10
SITE ADDRESS:	Monkhams Inn Buckhurst Way Buckhurst Hill Essex IG9 6HY
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill East
DESCRIPTION OF PROPOSAL:	Erection of single storey kitchen extension and external cold store and associated mechanical ventilation. Erection of smoking shelter. Change of finish of two gable walls to render. Erection of fixed garden umbrella.
DECISION:	Deferred

This item was deferred to allow for negotiation with the applicant to seek the relocation of the proposed smoking shelter.

This page is intentionally left blank

Report to Area Plans South Sub-Committee

Date of meeting: 26 May 2010

Subject: Enforcement of planning conditions



**Epping Forest
District Council**

**Officer contact for further information: Stephan Solon Ext 4018
Democratic services: Rebecca Perrin Ext 4532**

Recommendation(s):

None. This report is for information only.

Background:

At the last meeting of this Sub-Committee Councillor Mrs Pond requested an investigation into the enforceability of a condition imposed on the grant of planning permission for the mixed use of 238 High Road, Loughton for purposes as a shop and a café (Use Classes A1 and A3), ref EPF/2300/09 and a report brought back to the next meeting of the Sub-Committee. Members also requested a report on the enforceability of a similar condition imposed on a planning permission for the use of 122 High Road, Loughton as a restaurant (Use Class A3), ref EPF/0114/10.

Condition 2 of planning permission EPF/2300/09 states:

The footway adjacent to the shopfront shall not be used for stationing tables, chairs, outdoor heaters, planters or other furniture.

The stated reason for the condition is:

To safeguard the vitality and viability of the Loughton High Road town centre and in the interests of the visual amenities of the locality.

Condition 2 of planning permission EPF/0114/10 states:

The footway adjacent to the shopfront and the public paved area on the north east boundary of the site shall not be used for stationing tables, chairs, outdoor heaters, planters or other furniture.

The stated reason for the condition is:

In the interests of the visual amenities of the locality and to ensure the paved area remains in public use.

Allegations have been made that the conditions have been breached and planning enforcement investigations carried out.

The investigation into the alleged breach of condition 2 of planning permission EPF/0114/10 found none of the areas outside the shop were being used for stationing tables and chairs etc.

The investigation into the alleged breach of condition 2 of planning permission EPF/2300/09 found tables and chairs were being stationed on an area of private forecourt adjacent to the shopfront. The Planning Enforcement Team are concerned that the use of the word footway in the condition may have the effect of making the condition unenforceable in relation to the area of private forecourt because "footway" is defined in the Highways Act 1980 as a part of the highway and a private forecourt is not necessarily part of the highway. Consequently, at the last meeting of this Sub-Committee Members expressed concern that the conditions may not be adequately enforceable. This report addresses those concerns.

Report Detail:

Section 66 of the Highways Act 1980 states "footway" means a way comprised in a highway which also comprises a carriageway, being a way over which the public have a right of way on foot only. A private forecourt may or may not be dedicated as part of a highway. The definition given in the Highways Act is only relevant to matters governed by the Highways Act.

The word "footway" is not unique to the Highways legislation and also has an ordinary meaning as a path for pedestrians only.

All planning permissions given by the District Council are given under the Town and Country Planning Act 1990. Section 336 of the 1990 Act defines footpath and highway in the same terms as they are defined in the Highways Act 1980. It does not give any definition for a footway.

Since the Town and Country Planning Act 1990 does not define "footway" and since planning permissions EPF/2300/09 and EPF/0114/10 were clearly given under the 1990 Act, the definition of footway in the Highways Act should not be applied to the word "footway" in condition 2 of those permissions. The Highways Act 1980 has nothing to do with those permissions and condition 2 of the permissions is clearly intended to apply to the entire area between the shopfront and adjacent carriageway.

Having regard to the purpose of the conditions, their use of the word "footway" is most appropriately given its ordinary meaning. That meaning does not distinguish between any area of highway or private forecourt between a shop front and carriageway of the adjacent highway.

Conclusion:

The second conditions of planning permissions EPF/2300/09 and EPF/0114/10 do not distinguish between areas of highway and private forecourt. They are clearly intended to apply to the entire area between the shopfront and carriageway of the adjacent highway. The effect of the conditions is that no part of that area can be lawfully used for the stationing of tables and chairs, etc, without planning permission. Since no such planning permission exists any breach of those conditions is capable of being enforced against by the District Council. The District Councils Planning Enforcement Team is now taking steps to verify and, if necessary, secure compliance with the requirements of the conditions.

Report to Area Planning Subcommittee South

Date of meeting: 26 May 2010

Subject: Confirmation of Tree Preservation Order EPF/60/10
Buckhurst Hill Baptist Church, Palmerston Road, Buckhurst Hill



**Epping Forest
District Council**

Officer contact for further information: Melinda Barham (Ext 4120)
Democratic Services: R Perrin

Recommendation:

That Tree Preservation Order EPF/60/10 is confirmed without modification

Background:

Tree Preservation Order EPF/60/10 was made to protect 4 individual trees on the north boundary of the property which run alongside Palmerston Road.

Objection to the Tree Preservation Order:

An objection to the Order has been received in respect of all four trees from Buckhurst Hill Baptist Church.

The objection is made on the grounds that:

- 1 –The church intends to construct an extension which may affect these trees.

The Director of Planning and Economic Development comments as follows:

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

Conclusions:

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

This page is intentionally left blank

Report to Area Planning Subcommittee South

Date of meeting: 26 May 2010

Subject: Confirmation of Tree Preservation Order EPF/35/10
Trent Road, Buckhurst Hill



**Epping Forest
District Council**

Officer contact for further information: Christopher Neilan (Ext 4117)
Democratic Services: R Perrin

Recommendation:

That TPO/EPF/35/10 be confirmed without modification.

Background

Tree Preservation Order 35/10 aims to protect a single Hawthorn tree standing at the front of 5, Trent Road, Buckhurst Hill. It is set somewhat to the side of the property and within a private right of way that extends to the back of No 5, serving also as a rear entrance for No's 6 and 7 Trent Road.

Objection to the Tree Preservation Order:

An objection has been received from the owner of 6 Trent Road, supported by a petition. The petition is signed by residents of Hills Road, Church Road and from 6 properties within Trent Road.

The petition carries no information other than that the signatories request that the order be revoked. The reasons given by the objector in her letter is as follows: that the tree is self seeded; that it is large, unclipped and uncared for, and that it is blocking her right of way.

The Director of Planning and Economic Development comments as follows:

There is no dispute that the lower branches from the Hawthorn currently block the private access. However, the Councils' Principal Officer Landscape and Arboriculture has written to all concerned to agree that the lower branches may be removed, providing it is done carefully, as work that may be considered "de minimis" and thus exempt from the need for formal permission. This would allow reasonably free use of the access. He has further advised that it would accord with policy to grant consent for a pruning of the crown of the tree, subject to a proper application being made.

Before making the order careful consideration was given to whether the amenity value of the tree provided sufficient justification. The original request for a TPO cited the lack of other trees, and in particular it's attractive show of spring flowers and berries in autumn, and the importance of retaining it against the likelihood of its being removed to clear the access.

The form of the houses in Trent Road limits space for any greenery directly on the street. The rear garden of one property, in Church Road, has a tree within it that

rises above the wall to have some impact on the street scene. Otherwise the protected tree is the only significant greenery within the very urban setting. As stated in the request Hawthorn is attractive throughout the summer, as well as good for wildlife, and responsive to careful pruning. In this context, therefore, it is felt, after carefully weighing the issue, that the making of the order to prevent removal of the tree was justified.

Further it is considered that the slight difficulty or limitation that would be experienced in using the private right of way following removal of the lower branches as already agreed is not sufficiently great that it justifies removal of what is an important asset in this particular location.

Conclusion

Despite the objection and the petition it is therefore concluded that the public interest would be best served by confirmation of TPO/EPF/ 35/10, without modification.

AREA PLANS SUB-COMMITTEE SOUTH

Date 26 May 2010

INDEX OF PLANNING APPLICATIONS/ENFORCEMENT CASES

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1.	EPF/0686/10	52 Church Lane Loughton	Grant Permission (With Conditions)	29
2.	EPF/2361/09	Garden Centre 212, Manor Road Chigwell	Refuse Permission	33
3.	EPF/0320/10	113 & 115 Grange Crescent Chigwell	Grant Permission (Subject to Legal Agreement)	46
4.	EPF/0417/10	Monkhams Inn Buckhurst Way Buckhurst Hill	Grant Permission (With Conditions)	59
5.	EPF/0428/10	Holly House Private Hospital High Road Buckhurst Hill	Grant Permission (With Conditions)	64
6.	EPF/0488/10	Loyola Preparatory School 103 Palmerston Road Buckhurst Hill	Grant Permission (With Conditions)	77
7.	EPF/0520/10	74 and 76 Hainault Road Chigwell	Grant Permission (With Conditions)	82

This page is intentionally left blank

Report Item No: 1

APPLICATION No:	EPF/0686/10
SITE ADDRESS:	52 Church Lane Loughton Essex IG10 1NU
PARISH:	Loughton
WARD:	Loughton St Marys
APPLICANT:	Mr Andy Sharp
DESCRIPTION OF PROPOSAL:	TPO/EPF/14/83 T3 Ash - Fell and grind stump
RECOMMENDED DECISION:	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 All work authorised by this consent shall be undertaken in a manner consistent with British Standard 3998 (1989) (or with any similar replacement Standard).
- 4 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:

T3. Ash: Fell.

Description of Site:

T3 stands approximately 8 metres tall, at the eastern corner of a well groomed and well established shrubbed and tree populated, gently sloping garden. The immediate vicinity is occupied by the applicant's swimming pool and tennis court and a similar court in the neighbouring property.

The site is enclosed by hedges and tall ash and coniferous trees, which provide a high level of privacy to the property.

Relevant History:

Since the service of TPO/EPF/14/83 records show no permissions for works to this or other preserved trees at this property.

Historically, the site had been well covered by four protected trees but the tennis court construction has resulted in the loss of T4 a Sycamore. T1 Ash is also missing and may have been removed in the course of changing the fence line of the property. T2 Ash remains and a second large ash stands close by. No records Together they screen views from Whitehills Road.

Policies Applied:

Epping Forest District Local Plan and Alterations:

i) LL09 Felling of preserved trees.

SUMMARY OF REPRESENTATIONS:

One immediate neighbour was notified but no representations were received.

LOUGHTON TOWN COUNCIL –were willing to waive their objection should the council officer deem the proposal acceptable.

LOUGHTON RESIDENTS ASSOCIATION – objected to the application but if a satisfactory replacement tree can be agreed by the tree officer then the objection may be withdrawn.

Issues and Considerations:

Applicant issues

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

- The tree is a poor specimen
- The tree is damaging the fence to the neighbouring garden and causing concerns from falling limbs and debris.

Planning considerations

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

Visual amenity

This Ash has minimal public amenity due to its location in a secluded and screened off part of the rear garden. It forms part of a group of three trees at the corner of the manicured garden. The two ornamental cypress trees are currently suppressed by this ivy infested tree and would benefit from more space and light to develop without the dominant neighbour. The loss of T3 would have no discernible impact on public amenity.

Tree condition

The tree is a modest specimen but not a poor specimen. However, it is heavily infested with ivy, which is approaching the outer crown. The tree has normal levels of vigour but will become threatened by the advance of the ivy unless this is removed. Ultimately the ivy will shade out the foliage and stress the tree with detrimental consequences

Suitability of tree in current position

The tree is at the boundary fence between the applicant's property and 4 Wellfields. Concerns have been expressed by the neighbours about damage to the fence and problems associated with overhanging growth dropping debris onto their property. Because the garden is well planted with ornamental garden trees the dominant ash is not suitable for the best development of these currently suppressed trees. A site discussion with the applicant has produced a beneficial replacement solution located at the front boundary, where a well chosen tree will make a positive contribution to the street scene of Church Lane and Wellfields.

Conclusion:

The tree has minimal public value due to its hidden position and modest size for a tree of this species. The opportunity to improve the landscape character of this part of Church Lane by planting an attractive specimen in a prominent position lends weight to the argument to allow the tree to be felled.

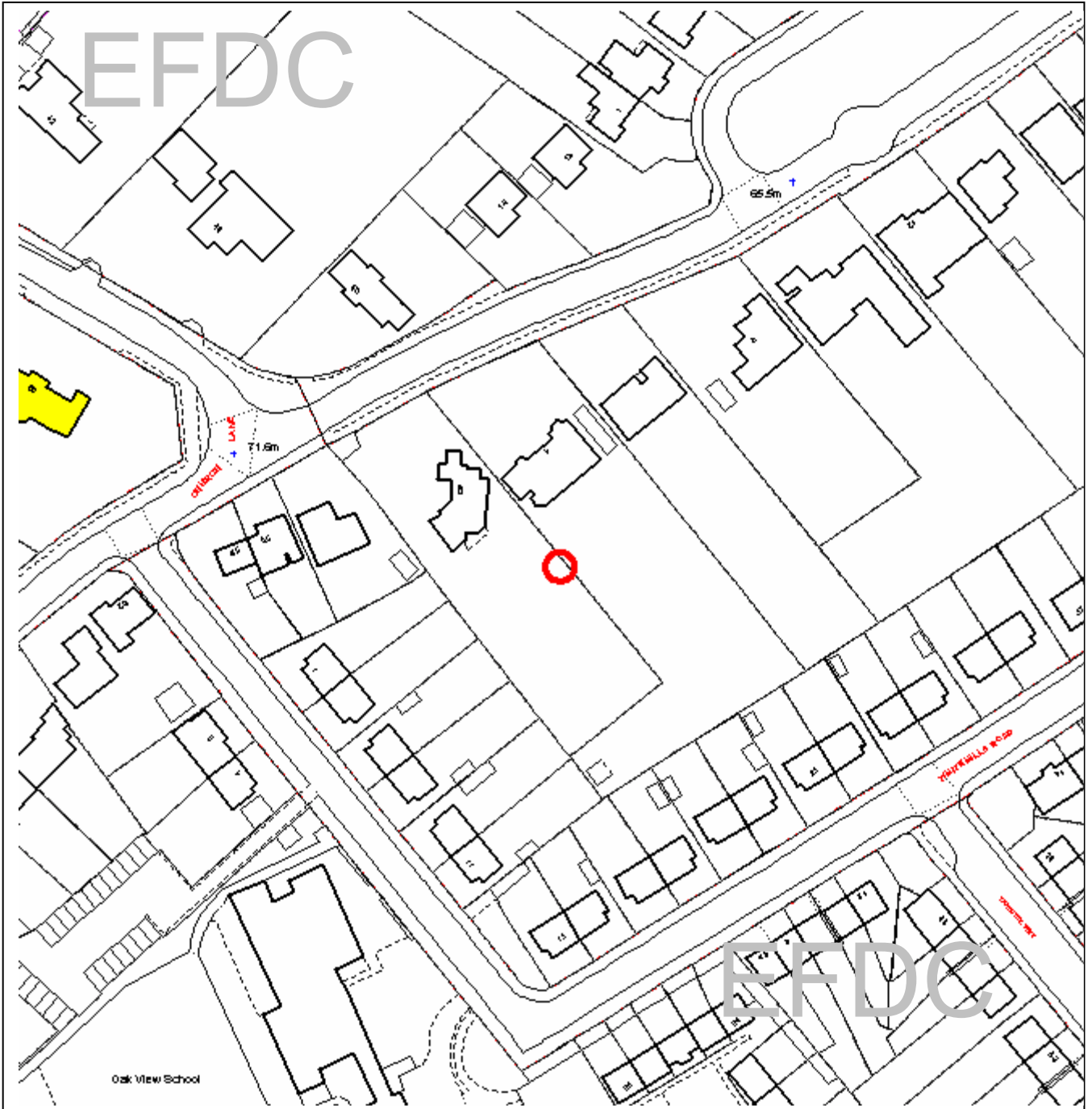
It is recommended to grant permission to the application to fell T3 Ash on the grounds that the reasons given and the minimal contribution the tree makes to public amenity does justify the removal of the tree. The proposal accords with Local Plan Landscape Policy LL09.

In the event of members agreeing to allow 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



The material contained in this plot has been reproduced from an Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery. (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

EFDC licence No.100018534

Agenda Item Number:	1
Application Number:	EPF/0686/10
Site Name:	52 Church Lane, Loughton, IG10 1NU
Scale of Plot:	1/1250

Report Item No: 2

APPLICATION No:	EPF/2361/09
SITE ADDRESS:	Garden Centre 212, Manor Road Chigwell Essex IG7 4JX
PARISH:	Chigwell
WARD:	Grange Hill
APPLICANT:	Mr John Capper
DESCRIPTION OF PROPOSAL:	Redevelopment of land formerly in use as a garden centre to provide 21 flats 80% of which will be affordable housing. (Revised application)
RECOMMENDED DECISION:	Refuse Permission

REASON FOR REFUSAL

- 1 The proposed development, is inappropriate in the Metropolitan Green Belt and therefore, by definition, harmful to it. No very special circumstances that outweigh that harm and other harm have been demonstrated. Moreover, by reason of its height, bulk, massing and density the development would be detrimental to the semi-rural setting of the site and would cause considerable harm to the open character and visual amenities of the Metropolitan Green Belt. The development is, therefore, contrary to policies ENV7 of the East of England Plan and DBE1, GB2A and GB7A of the Adopted Local Plan and Alterations.
- 2 The proposed buildings due to their detailed design, in particular the varying roof pitches within the development would fail to respect their setting, contrary to policies ENV7 of the East of England Plan and DBE1 of the Adopted Local Plans and Alterations.

This application is before this Committee since the recommendation conflicts with a previous resolution of this Committee (Pursuant to Section P4, Schedule A (i) of the Council's Delegated Functions).

Description of Proposal:

This application seeks planning permission for a residential development comprising 21 flats (6 x 1 bed and 15 x 2 bed). It is proposed that 17 of the flats (in excess of 80%) would be delivered through a Registered Social Landlord as affordable housing. The tenure of the affordable housing will be negotiated with the Council's Housing Directorate. The remaining 4 units will be available for private ownership. The accommodation would be provided in four separate blocks, with the buildings along the Manor Road frontage of the site being two storeys in height and the

development to the rear of the site rising to three storeys. Access into the site would be via the proposed access road leading into an adjacent development site (for which the District Development Control Committee has resolved to grant planning permission subject to the completion of a Section 106 agreement). The application proposes a 21 space underground car park with additional cycle/motorcycle storage, with an additional four visitor car parking spaces being provided at surface level. Useable amenity space would be in the centre of the site enclosed by the blocks and the access to the underground car park. It would also be provided in the form of balconies and terraces. A total of 474m² of absolute space would be provided, of which 120 would be balconies and terraces. The proposed development would have hipped, concrete tiled roofs and a range of elevational finishes including brickwork, rendered blockwork and timber cladding.

Description of Site:

The application site is situated on the north-west side of Manor Road opposite Grange Hill Underground Station. It is situated within the Metropolitan Green Belt and presently forms part of Jennikings Garden Centre. It is hard surfaced with a number of buildings occupying the site and an area of car parking to the front. There is an electricity sub station at the rear of the site. The front of the site is fairly open onto Manor Road, to the east is Froghall Lane and to the west is the railway line. The site comprises an area of approximately 0.23 hectare which falls within the applicant's ownership and a section of land within the adjacent site (outside of the applicant's ownership) upon which part of the access road is proposed.

The area of land to the south of the site falls within the administrative area of London Borough of Redbridge, and the row of cottages opposite (195-209 Manor Road) are Grade II listed.

Relevant History:

CHI/0187/57. Layout of new roads & erection of 72 houses - see pf 1231 compensation. Refused 21/08/57.

CHI/0132/73. Use of land for residential purposes. Refused 23/05/73.

CHI/0279/73. Proposed residential development. Refused 23/05/73.

CHI/0577/73. Use of land for residential purposes. Refused 30/01/74.

EPF/1964/07. Outline application for proposed development of 22 no. 2 bed flats, 2 no. 1 bed flats and 1 no. 3 bed flats plus car parking. Withdrawn.

EPF/2405/07. Outline application for proposed development of 20 no. 2 bed flats, 4 no.3 bed flats and car parking. Refused 14/02/08.

EPF/0400/09. Redevelopment of land formerly in use as a garden centre to provide 25 flats 80% of which will be affordable housing. Refused 21/04/09.

EPF/1071/09. Redevelopment of land formerly in use as a garden centre to provide 21 flats, 80% of which will be affordable housing. (Revised application). Refused by the District Development Control Committee (06/10/09) for the following reasons:

1. *The proposed new vehicular access onto Manor Road, would, given the existing vehicular accesses either side, be a hazard to vehicles emerging from and entering the site, as well as a hazard to the free-flow of traffic and users of this road, such that it would be detrimental to highway and pedestrian safety, contrary to policy ST4 of the Adopted Local Plan and Alterations.*

2. *The proposed development, by virtue of its density and design, would have a bulky and dominant appearance which would be exacerbated by the proposed linking sections between the blocks which would be detrimental to the semi-rural setting of the site and to the surrounding Green Belt land contrary to policies ENV7 of the East of England Plan and DBE1, H3A and GB7A of the Adopted Local Plan and Alterations.*
3. *The proposed buildings, due to their detailed design, in particular the varying roof heights, the use of cat slide roofs along the site frontages and the lack of detailing on the elevations fronting Manor Road, would fail to respect their setting in terms of orientation, roof-line and detailing, contrary to policies ENV7 of the East of England Plan and DBE1 of the Adopted Local Plan and Alterations.*
4. *The proposed bin storage area is inadequate to accommodate the waste and recycling which would be generated by the proposed development, resulting in the potential for additional open storage which would be harmful to the character and appearance of the area, contrary to policy DBE1 of the Adopted Local Plan and Alterations.*

Adjacent Site

EPF/1399/09. Outline planning application for 69 residential units (54 affordable), public open space and a community facility (D1 Use) with all matters reserved except access. Pending consideration...

The above application has a resolution that the Council will grant planning permission subject to the completion of a legal agreement – which is presently under negotiation. Following the resolution of the District Development Control Committee to grant permission, the application was referred to the Government Office for the East of England. The Secretary of State has considered that the application may be determined by the District Council.

Policies Applied:

East of England Plan

SS7 – Green Belt
 H1 – Regional Housing Provision 2001-2021
 H2 – Affordable Housing
 T14 - Parking
 ENV7 – Quality in the Built Environment
 LA1 – London Arc

Adopted Local Plan and Alterations

HC12 – Development Affecting the Setting of a Listed Building
 GB2A – Development in the Green Belt
 GB7A – Conspicuous Development
 H2A – Previously Developed Land
 H3A – Housing Density
 H4A – Dwelling Mix
 H5A – Provision for Affordable Housing
 H6A – Site Thresholds for Affordable Housing
 H7A – Levels of Affordable Housing
 CP1 – Achieving Sustainable Development Objectives
 CP2 – Protecting the Quality of the Rural and Built Environment
 CP3 – New Development
 CP4 – Energy Conservation

CP5 – Sustainable Building
DBE1 – Design of New Buildings
DBE2 – Impact of New Buildings
DBE8 – Amenity Space Provision
ST4 – Highways Considerations
ST6 – Car Parking Standards
LL11 – Landscaping Schemes
E4A – Protection of Employment Sites
E4B – Alternative Uses for Employment Sites

Public Consultation:

Notification of this planning application has been sent to Chigwell Parish Council, London Borough of Redbridge and to 36 neighbouring properties.

The application has also been advertised by the display of a site notice and by the publication of an advertisement in The Guardian local newspaper as a Major Application of wider concern.

The following representations have been received:

CHIGWELL PARISH COUNCIL: No objection.

Objections from the following residential properties have been received:

195, 199, 201 Manor Road
21, 31, 48, 84 Grange Crescent
1a Long Green
29 Millwell Crescent
25 Warren Court, Manor Road

The objections have been submitted on the following grounds:

Character and Appearance - The open space which forms part of Jennikings Garden Centre is integral to the semi-rural character of this area. The estate at the top of Manford Way cannot be regarded as high density. Such a development would not only be out of keeping and out of scale with the overall character of the surrounding properties and Grange Hill as a whole, but it would also contribute to the continual creep of in-filling in the area. The frontage of the development does not take into account the character of the street scene, which is characterised by significant set backs from the road. 21 flats on this small piece of land is wrong – nice small houses would be a better solution. This is not a suitable location for flats and would bring down the tone of the area which is currently a quiet, family orientated, idyllic community.

Green Belt - This should not be considered as a “redevelopment” – this is Green Belt Land that has not been previously developed. The bulk of the site is not used as a garden centre - it is a car park. Application does not comply with policy GB16 of the Local Plan. The area adjacent to the railway line marks the edge of the open countryside and once this line is breached there will be no other defensive line to hold.

Parking and Traffic - This part of Chigwell will not be able to cope with the extra traffic onto an already busy road. Insufficient car parking for flats which are likely to have 2 cars each. Existing illegal parking in the area has caused incidents where vehicles (including an ambulance on an emergency call) have found their progress blocked by cars. Number of parking spaces has been reduced from the previous application.

Sustainability - The bus service has been 'talked up'. There are effectively just two southbound bus routes and none serving destinations to the north, east or west. The nearest proper shopping facility is in Hainault. We are not aware that the site is close to school and healthcare facilities within Epping Forest District.

Nearby Listed Buildings - The construction may affect nearby listed buildings. The development would overwhelm the row of listed cottages opposite, causing harm to their setting.

Drainage and Flooding - For many years local residents have had problems with sewerage and surface water. The drains have only recently been widened to alleviate the problem. The proposed development could potentially cause these problems to return. Sewage system will need upgrading.

Other Matters - The garden centre use is existing, not 'former' as described by the applicant; the area of land should be kept in case an extension to the cemetery is needed; potential for property values to decrease; potential increase in crime and anti-social behaviour. Including loud parties, vandalism, fast food litter and loitering.

Other representations have been received from the following parties:

MRS L MILES (Co-owner of the adjacent site): Objection.

ESSEX COUNTY COUNCIL SCHOOLS, CHILDREN & FAMILIES DIRECTORATE: No objection. Seek education/childcare contribution.

LONDON BOROUGH OF REDBRIDGE: Objection. The properties at 195-209 Manor Road, located to the south of the application site and within the London Borough of Redbridge are Grade II Listed properties. Paragraph 2.17 of PPG15 states that: "Where a listed building forms an important visual element in a street, it would probably be right to regard any development in the street as being within the setting of the building. A proposed high or bulky building might also affect the setting of a listed building some distance away, or alter views of a historic skyline." The listed buildings are opposite the application site. It is considered that the application site forms an integral part of the setting of the listed buildings. It is noted that the listed buildings are sunk relative to the road and that their current setting is open fields and a low lying set back single storey garden centre. Manor Road has a variable character, but existing buildings face and address the road, even when set back in the case of the listed buildings. Conversely one of the proposed blocks facing Manor Road faces sideways. From a conservation perspective, the London Borough of Redbridge does not see any justification for the proposal rising to three storeys to the rear of the site and consider that the additional bulk is potentially harmful and unmitigated, harming the visual amenities of the area and the setting of the listed terrace. The proposed buildings would also present a significant wall of development adjacent to the rural aspects of the site, notably the wildflower slopes of the railway to the west, and the discrete lane, country path and pastures to the east. It is noted that there are some flats further along Manor Road to the west of the railway line. However, the area adjacent to and east of the railway line marks the edge of the open countryside defined by Manor Road to the south. The adjoining residential areas to the south and west are of low-density character. The scheme does not relate well to the existing character and settlement pattern of the area described above. The development would intrude substantially into an area of open character, notwithstanding the presence of the nursery. It would detract from the sense of openness in this part of Manor Road. National Government guidance in PPG2 on Green Belts states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the most important attribute of Green Belts is their openness. It is not considered that the openness of the green belt is being maintained by the proposal for the reasons stated above. Furthermore, the design of the buildings does not appear to draw from the rural character and the informal domestic, rural/ suburban character of this specific location. The site itself being low lying and single storey, currently relates more closely to

the agricultural/ rural character of the adjoining field, yet no reference is made to that character and setting. Therefore, the proposal is considered to prejudice the visual amenity of the green belt which is contrary to section 3.15 of PPG2 which states “The visual amenities of Green Belt should not be injured by proposals for development within or conspicuous from the Green Belt which, although they would not prejudice the purposes of including land in Green Belts, might be visually detrimental by reason of their siting, materials or design.” Whilst it is noted that this site is previously developed and that Epping Forest DC allows development of affordable housing on Green Belt land under policy GB16 of its Local Plan. The policy sets out a number of criteria that should be satisfied before development can be deemed acceptable. Redbridge has concerns that three of the six criteria have not been adequately met namely that any scheme should be “well related to the existing settlement,” “not have a detrimental impact on the character of the locality,” and “isolated pockets of development should be avoided.”

Issues and Considerations:

The main issues in this case are:

1. the acceptability of the proposed development within the Green Belt;
2. the loss of the site as employment land;
3. the impact of the proposed development on the amenities of the occupiers of neighbouring dwellings;
4. the design of the development;
5. the impact of the development on the character and appearance of the area;
6. impact on nearby listed buildings;
7. the proposed highway and parking arrangements;
8. the proposed provision of affordable housing;
9. the level of amenity of the proposed dwellings; and
10. the sustainability of the proposed development.

Acceptability of the Development within the Green Belt

The site is located within the Metropolitan Green Belt, where new residential development is inappropriate. In this instance, the applicant has put forward a case explaining why they consider that there are very special circumstances which justify this development within the Green Belt. It is proposed that 80% of the proposed 21 units on the site would be provided as affordable housing. The Design and Access Statement contends that *‘redevelopment as proposed would make more efficient use of this strategically positioned site and provide a high proportion of quality low cost housing in a sustainable location without any obvious amenity drawbacks’*.

The application site is located on the edge of the urban area. The site is well served by transport infrastructure, not least by Grange Hill Underground Station. Notwithstanding this, the site is located within the Metropolitan Green Belt and, as a result, residential development would be inappropriate. Such development is, by definition, harmful and can only be allowed where very special circumstances that outweigh the harm caused by reason of inappropriateness and any other harm caused by the development are demonstrated. Such circumstances must be unique and not readily capable of being applicable to any other site in the Green Belt.

There have, however, been other cases within the District where it has been accepted that the provision of affordable housing may contribute towards a case of very special circumstances for allowing a development within the Green Belt. Such cases require a very careful and balanced assessment of the weight to be attached to the special circumstances and the weight to be attached to the harm to the Green Belt.

In this instance, the harm to the Green Belt extends beyond that of inappropriateness. The density of the development in terms of both its footprint and height would cause considerable harm to the

open character of the Green Belt, contrary to policy GB2A of the Local Plan. Furthermore, policy GB7A of the Local Plan states that the Council will refuse planning permission for development which would be conspicuous from within or beyond the Green Belt which would have an excessive adverse impact upon the openness, rural character or visual amenities of the Green Belt. The proposed development, by reason of its height, bulk, massing and density would be detrimental to the open character of the Green Belt, contrary to this policy. For the same reasons, it would be harmful to the rural character of the locality and especially harmful to the visual amenities of the Green Belt.

The development is also of poor design that would detract from the character and appearance of the locality in general. These objections are discussed further below. The very special circumstances proposed by the applicant are:

1. The development would contribute towards making up a shortfall in affordable housing in the locality.
2. The development would secure a financial contribution of £40,000 towards the re-opening of a Post Office in the locality.
3. The site is previously developed land.
4. The site is in a sustainable location for residential development.
5. The development would improve the appearance of the site.
6. The situation of the site is such that there are no long views of it.
7. Land beyond the site will continue to remain open.

The Officer's comments on these seven points are as follows:

The proposal would provide 17 affordable flats by way of a contribution towards meeting the District's need for affordable housing. No social housing provider has expressed an interest in the proposal and the design of the development with an underground car park may affect the viability of the flats as social housing. This has not been addressed in the proposal. Moreover, while the site is in a sustainable location, the need for social housing is a District wide need that is not related to any particular site. A case that a proposed residential development contributes to meeting the need for social housing can be made in relation to any site within the Metropolitan Green Belt.

Although the site is previously developed, it is open and planning policy for Green Belts makes it clear that their purpose is to ensure land within the Green Belt is permanently kept open. The condition of the land is not relevant to the inclusion of the land in the Metropolitan Green Belt.

The condition of the land and whether the development would improve its appearance and its visibility cannot amount to very special circumstances.

It is accepted that the proposed development of this site would generate additional demand for services which were provided by the Post Office within the local shops until its recent closure. The Post Office was closed following a review and consultation exercise undertaken by Royal Mail in 2007. Following the closure of this and other Post Offices across the country, Royal Mail provided local authorities with an option to re-open Post Offices, provided that they are 'cost-neutral' to Royal Mail and do not have a significant impact on surrounding Post Offices. The re-opening of the Post Office would be of benefit to the wider community, in addition to the future occupiers of the proposed development. However, in recent years there have been a number of Post Office closures and accordingly, a financial contribution towards an off-site post office facility cannot be considered as a very special circumstance.

Although not raised by the applicant, there is a potential argument that the resolution to grant outline planning permission on a much larger area to the north and west of the site amounts to a very special circumstance. This is clearly a material consideration. However, until such time that

a planning permission is actually issued, the weight that should be given to that decision must be limited. In these circumstances, this cannot be regarded as a very special circumstance. With regard to the planning application for the adjacent site, following referral to the Secretary of State and negotiations with regard to the provisions of the Section 106 legal agreement, a draft agreement was sent to the applicant on 17th March 2010. At the time of writing this report, no formal response has been received from the applicant's solicitors. Under these circumstances, it would be premature to attach any considerable weight to this matter, at this time.

In the Planning Officer's view, the identified harm to the Green Belt is not outweighed by the benefits of the special circumstances. It is considered that for the development to be acceptable the harm to the Green Belt would need to be considerably reduced. It is suggested that this could be achieved by a reduction to the height (particularly towards the front of the site) and mass of the proposed development.

Loss of Employment Land

Policy E4A of the Local Plan safeguards employment sites from redevelopment to other uses, unless a number of criteria are satisfied. In this instance, having regard to the resolution to grant planning permission at the adjacent site (the main area of the garden centre) it is not considered that the refusal of planning permission on this basis would be justified. Policy E4B of the Local Plan relates to alternative uses for employment sites and favours uses which fulfil community needs prior to open market residential use. The policy recognises affordable housing as being an appropriate community need. Furthermore, a community need has recently been identified for the re-opening of the former Post Office in Manor Road. This application proposes 80% affordable housing and the applicant has also confirmed that they would be willing to enter into a legal agreement to provide a contribution towards the cost of re-opening the Post Office and also towards its running costs for the first three years. It is anticipated that this contribution would be in the region of £40,000, payable over a three year period. Having regard to this package of community benefits, the loss of the employment use is justified in this instance.

Neighbouring Amenity

Due to the distance that would separate the proposed development from the nearest residential properties (it is in excess of 25 metres from the site to the dwellings on the opposite side of Manor Road adjacent to the Underground station) there would not be a material loss of amenity. The row of listed cottages in Manor Road have their main areas of amenity space located to the front. However, the development would be located approximately 22 metres from these gardens and due to this relationship and the length of the gardens there would not be a material loss of privacy.

The proposal indicates side windows in the rearmost block (within the northern section of the site), which would face into the neighbouring site. The applicant has submitted revised plans which indicate that these windows would be obscure glazed. As these windows would all be secondary windows to living/dining rooms, a condition requiring that they are obscure glazed would meet all the tests set out in Circular 11/95.

The awkward shape of the site results in similar problems with the front/rear of this rear block. As they occupy most of the width of this part of the site, the flats are heavily reliant on the open aspect of land outside the applicants control for their natural light and outlook. At the rear (east), the blocks face onto Froghall Lane. To the front (west) they would again face into the neighbouring site, with a separation distance of approximately 2.5 metres to the site boundary (the stairwell would abut the boundary). Following an amendment to the submitted plans, the internal layout of this block has been altered, so that all the windows facing west onto the adjacent site would be non-habitable. Accordingly, these may also be conditioned to be obscure glazed, to mitigate any harm to the future occupiers of either this or the neighbouring site.

Design

The design of the development, to some extent, is improved in relation to that which was the subject of the previous application. The buildings on the Manor Road frontage would have an improved relationship with the street scene than on the previous scheme, as they would create a better defined frontage and contain more elevational detailing and fenestration.

However, there is significant scope for the design of the development to be improved further by reducing its height and bulk. This could be achieved in part by lowering the roof pitch of the blocks at the front of the site to match those behind, which would reduce the height of these blocks by up to one metre. The design would benefit from the regularisation of all roof pitches within the development, including on the projecting gable sections.

Alterations to the roof pitches (as discussed above) have been suggested to the applicant's agent. In response, the agent has commented that they have been deliberately pitched in a way to reduce the height differential between the three storey blocks to the rear of the site and the two storey blocks. The agent states that this will reduce the dominance of the blocks to the rear on the street scene.

However, the Planning Officer's opinion is that rather than reduce the dominance of the rear blocks, this element of the design actually increases the dominance of the front blocks.

Overall, it is considered that the design is unacceptable, due to the density and scale of the development proposed and due to the varying roof pitches.

Impact on the Character and Appearance of the area

Further to issues relating to the detailed design of the proposed development, it is considered that the development proposed would be an overdevelopment of the site. The density is only accommodated by the site because the car parking would mainly be below ground level and the proposed level of amenity space is at the minimum level that might be considered as acceptable. Having regard to Government advice, such a dense development might be acceptable in another context. However, in this instance, bearing in mind the Green Belt location of the site and the semi-rural character of the surroundings of the site, the density is excessive. A development of lower density would provide a softer edge to the surrounding countryside and would be more in keeping with the character of surrounding development. The proposed development would be at odds with the character and appearance of the surrounding area, which, in the immediate vicinity of the site, is characterised by fairly low density development and views across open space.

Within the Design and Access Statement submitted with the planning application, the applicant states that this proposed development would help the Council to meet its housing and affordable housing targets. Government advice clearly directs a need to meet these targets and strong emphasis is placed upon the need for the efficient and effective use of land to achieve this. PPS3 states '*more intensive development is not always appropriate. However, when well designed and built in the right location, it can enhance the character and quality of an area. Successful intensification need not mean high rise development or low quality accommodation with inappropriate space. Similarly, in Conservation Areas and other local areas of special character where, if proper attention is paid to achieving good design, new development opportunities can be taken without adverse impacts on their character and appearance.*' It is considered that if a case were submitted upon which the development of this site could be considered to be justified as an exception to normal Green Belt policies of restraint, a higher standard of design should be required in accordance with the above advice.

Impact on Nearby Listed Buildings

The row of listed cottages is located on the opposite side of Manor Road and is set back from the public highway. Their location on the other side of the street visually divorces them from the site and as a result the proposed development would not be detrimental to their setting.

Notwithstanding this assessment, comments have been received from London Borough of Redbridge stating that they have significant concerns about design, bulk and scale and impact on the listed buildings. In particular, London Borough of Redbridge considers that the three storey element at the rear of the site is potentially harmful and unmitigated, to the detriment of the visual amenities of the area and the setting of the listed terrace.

Highways and Parking

The access to the proposed development would be via the proposed estate road into the adjacent site. This access has been agreed in principle on the outline planning application into the adjacent site. That application has a resolution from the District Development Control Committee for planning permission to be granted, subject to the completion of a Section 106 legal agreement.

That agreement is presently being negotiated. That application was referred to the Government Office (as a departure from the Local Plan) and the Secretary of State has allowed the Council to determine the application. This arrangement is, therefore, considered to be acceptable. However, as this development would be entirely reliant on the construction of this road for vehicular access, it will be necessary for a legal agreement to ensure that the development does not commence prior to the construction of the access road to an agreed standard, if permission is granted.

Bearing in mind the likely timeframe for this to happen (considering that the road does not yet have outline consent) it is considered that it will be necessary to grant consent for a period in excess of the standard 3 years to enable the required works to take place prior to commencement. A period of five years has been discussed with the applicant's agent, who considers this to be a reasonable approach to take.

The development would include a total of 25 car parking spaces; 21 within an underground car park (including two disabled access width bays) and 4 at surface level. Space for cycle and motorcycle storage is also provided within the underground car park.

The number of parking spaces falls below the Council's minimum standard, which for this scale of development would be 41 spaces. However, having regard to the location of the site close to an underground station and in close proximity to local services, it is considered that a reduction below the Council's normal standard is justified. Accordingly, the level of car parking proposed is considered to be acceptable.

Affordable Housing

The Council seeks affordable housing provision of 40% on residential developments comprising 15 or more dwellings. This application proposes to provide 80% affordable housing, to justify allowing this development to take place within the Metropolitan Green Belt. The proposal is supported by the Council's Housing section, which has confirmed that the number of applicants on the Housing Needs Register across the District now exceeds 5000. However, concern has been raised by the Council's Director of Housing regarding the viability of delivering the affordable housing, due to the expense of the proposed underground car park.

Amenity of Proposed Dwellings

The removal of the access road from the scheme following the previous refusal has enabled the provision of additional amenity space. Furthermore the nature of the amenity space is considerably improved due to it mainly being located in one large central area. Other smaller areas are provided, notably in the form of balconies and terraces associated with individual flats.

The amount of amenity space accords with Local Plan policy. Policy DBE8 of the Local Plan also suggests that private amenity space should usually be provided at the rear of dwellings; directly adjacent to and accessible from the buildings; of a size and shape which enables reasonable use; and of an aspect that would receive sunlight throughout the year. Having regard to the nature of the scheme the location of the amenity space is acceptable. The proposed amenity space is directly adjacent to and accessible from the buildings, is generally of a size and space that would enable reasonable use and whilst it would receive limited sunlight due to it being surrounded by buildings to the south, east and west, it is this layout which shields the area from public view. Accordingly, this application generally complies with the criteria set out in policy DBE8.

Sustainability

As discussed previously, the site is in a sustainable location, having good access to public transport services and local amenities. In the Design and Access Statement, the applicant advises that the use of extensive glazing to the individual apartments takes advantage of solar gain and natural light and will help to minimise energy use. Whilst it is envisaged that water efficient and energy saving systems will be incorporated within the build other methods of waste and rain water storage will be considered and installed where possible. The Statement also makes reference to the provision of cycle storage and recycling facilities.

Other Matters

Landscaping

This planning application is not supported by a landscaping scheme, although some indicative landscaping is shown on the submitted plans. It is unclear whether the indicative landscaping suggests the planting of trees or shrubs. There are constraints on the site (for example the close proximity of buildings to site boundaries and the provision of the underground car park which would leave a shallow soil depth above) which may mean there are limitations to the amount and type of landscaping which may be provided. Notwithstanding this, some site landscaping may be secured by planning condition, if permission is granted.

The proposed development would clearly necessitate the removal of a substantial section of vegetation along the Froghall Lane boundary.

Waste and Recycling

The inadequate provision of storage for waste and recycling was identified as a reason for refusal for the previous scheme, which proposed three small bin stores located around the site. The location of the stores would have presented difficulties for refuse collectors. This revised scheme proposes a single refuse storage area (approximately 4.3 x 4.6 metres) located on the corner of the development at the closest point to the access road. This arrangement is acceptable and addresses the previous reason for refusal. Details of the layout of the bin store may be secured by planning condition.

Education

Essex County Council (ECC) has advised that if planning permission is granted they would seek a contribution of £9,246 towards Early Years and Childcare provision in the locality and £35,072 towards secondary education provision. Due to a surplus of primary school places in the locality they would not seek a contribution towards primary education.

ECC have further advised with regard to secondary provision that the local school for this development would be West Hatch School and the 2008-2013 Essex School Organisation Plan (SOP) shows that there is currently a deficit in places at this school. A deficit will remain

throughout the SOP period and therefore additional places are required at the School. The proposed development will add to that need. Due to the position of the proposed development in relation to the M11 there are no suitable alternative secondary schools in Essex. The development falls within Grange Hill Ward and there are no available early years and childcare provision within the Ward.

There has been concern raised in respect of previous applications within this part of the District that the development site would be outside the catchment area for West Hatch School and as a result it is not necessary, or reasonable for the applicant to make a contribution on this basis. This is a matter which will require careful consideration, if it is determined that planning permission should be granted.

Protected Species

Having regard to surveys on the adjacent site, it is considered likely that there may be protected species present on the site (particularly within the vicinity of the Froghall Lane boundary). If planning permission is granted, planning conditions will be required to ensure the submission of an ecology survey and the implementation of any mitigation methods which the survey identifies as being necessary.

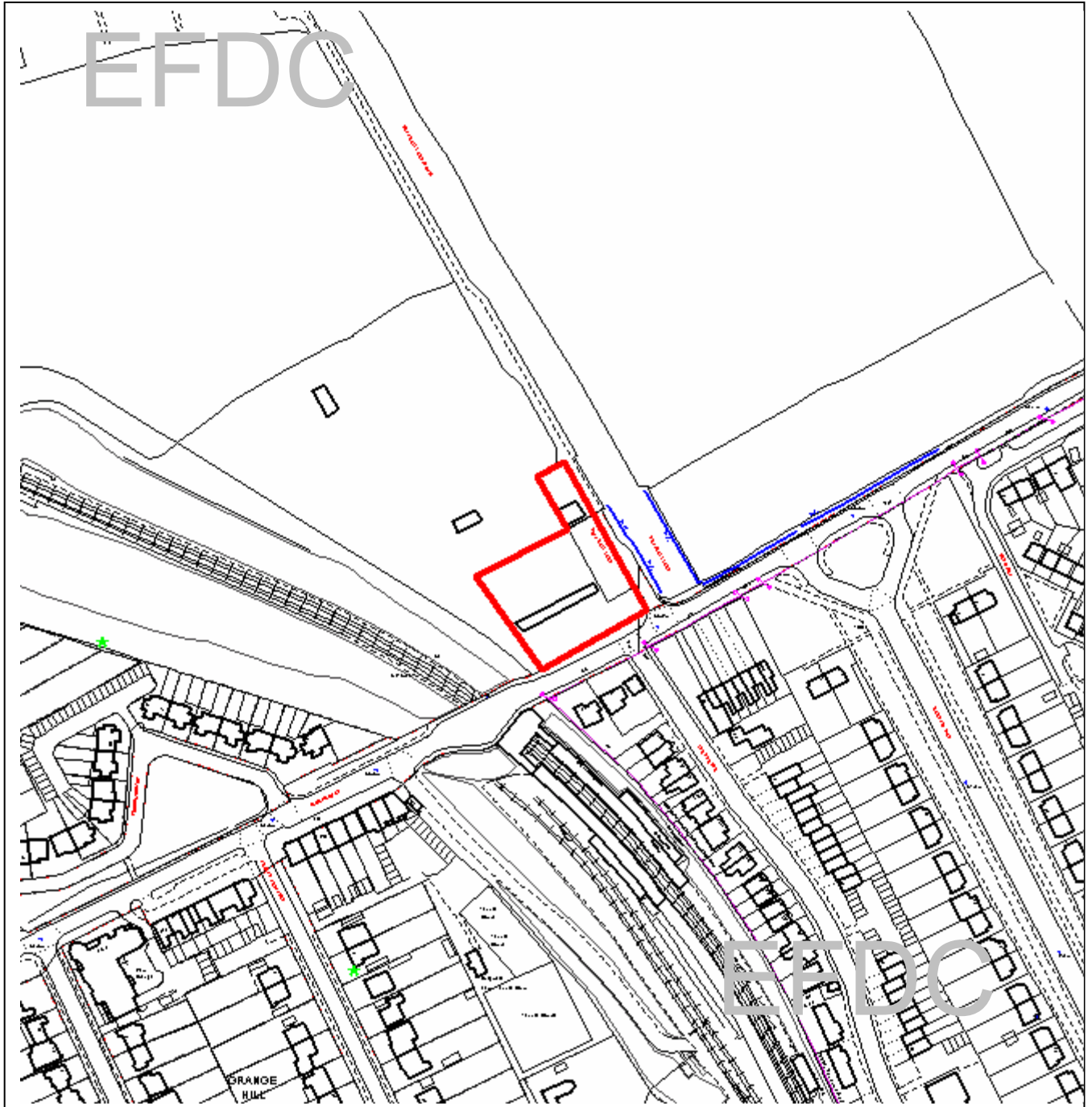
Conclusion

The scale and density of the development proposed is such that the level of harm to the open character and visual amenities of the Metropolitan Green Belt would be such that it would not be outweighed by the circumstances set out by the applicant, as while they amount to material considerations they are not of an order that could amount to very special circumstances. Furthermore despite improvements to this scheme following the previous refusal, the design is still not to an acceptable standard. In particular, it is considered that the varying roof pitches within the development (most notably the steepness of roof pitches adjacent to Manor Road and on the projecting section at the rear of the rearmost block facing) would be harmful to visual amenity. For these reasons, it is recommended that planning permission be refused.



Epping Forest District Council

Area Planning Sub-Committee South



The material contained in this plot has been reproduced from an Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery. (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

EFDC licence No.100018534

Agenda Item Number:	2
Application Number:	EPF/2361/09
Site Name:	Garden Centre, 212, Manor Road Chigwell, IG7 4JX
Scale of Plot:	1/2500

Report Item No: 3

APPLICATION No:	EPF/0320/10
SITE ADDRESS:	113 & 115 Grange Crescent Chigwell Essex IG7 5JD
PARISH:	Chigwell
WARD:	Grange Hill
APPLICANT:	The Grange Development (Essex) Ltd
DESCRIPTION OF PROPOSAL:	Demolition of two houses and erection of a two storey building comprising of 14 two bed flats and 35 car parking spaces.
RECOMMENDED DECISION:	Grant Permission (Subject to Legal Agreement)

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 first occupation of the building hereby approved the proposed window openings in the first and second floors of the west facing flank walls shall be fitted with obscured glass and have fixed frames up to a height of 1.7 metres above the finished floor level, and shall be permanently retained in that condition.
- 4 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.

- 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 Prior to the commencement of development details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected before the occupation of any of the dwellings hereby approved and maintained in the agreed positions.

- 7 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority and these facilities installed prior to the commencement of any building works on site, and shall be used to clean vehicles leaving the site.
- 8 A flood risk assessment shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using Windes or other similar programme. The approved measures shall be undertaken prior to the first occupation of the building hereby approved and shall be adequately maintained in accordance with a management plan to be submitted concurrently with the assessment.
- 9 All construction/demolition works and ancillary operations (which includes deliveries and other commercial vehicles to and from the site) which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 10 Prior to commencement of development, details of levels shall be submitted to and approved in writing by the Local Planning Authority showing the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 11 Prior to commencement of the development details shall be approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained at all times.
- 12 Prior to the commencement of development details showing a turning layout for refuse collection vehicles entering and leaving the site shall be agreed in writing by the Local Planning Authority.
- 13 Notwithstanding the details on the approved plans, details of the refuse store, including their siting, shall be approved in writing by the Local Authority.
- 14 Notwithstanding the details shown on drawing No. JGEF.10/10, the access to the site off Manor Road shall be as shown on drawing no. 7684/003 Rev F. Parking for taxi vehicles, as shown on drawing No. 7684/003 Rev F shall be marked out and provided on site, prior to the access from Manor Road first being used.
- 15 All material excavated from the below ground works hereby approved shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.
- 16 Notwithstanding the detail shown on the approved plan 7684/003 Rev. F, details of the parking layout proposed along Manor Road and at the side of the proposed access road shall be submitted to the Local Planning Authority for approval in writing. The development shall proceed with the approved details.

- 17 The proposed access onto Grange Crescent shall be laid out in accordance with the details shown on drawing no 09.07.1633. The vehicular access shall only be made available for use by emergency services vehicles and shall not be used by any other motorised vehicle.
- 19 The off-street parking areas shown on drawing nos. JGEF/10/02 and JGEF/10/10 shall be provided prior to the occupation of the development hereby approved and thereafter only be used for the parking of vehicles of the occupants, visitors and callers at the development.

Subject to the applicant entering into a Section 106 Legal Agreement for the developer contributing in respect of the following:

- 1. Financial education contribution of £23,913.00 (Calculated using April 2010 cost multiples and index linked from this date using PUBSEC index)**
- 2. The legal agreement to secure the applicant's right to access land in the ownership of London Underground (within red line application site) to allow continued vehicle and pedestrian access to the site.**
- 3. Financing alterations to the public highway in Manor Road involving a redesigned/ improved priority junction, works taking place in public highway including any area to become public highway, details of a junction protection scheme (Traffic Regulation Order), imposed visibility at the junction for all highway users including a suitable pedestrian crossing point.**
- 4. The provision of vouchers to the future occupiers of the proposed dwelling, providing free access to public transport services for an agreed period of time.**

This application is before this Committee for the following reasons:

- since it is an application for commercial development and the recommendation differs from more than one expression of objection (Pursuant to Section P4, Schedule A (f) of the Council's Delegated Functions);*
- since it is an application for development of a significant scale and/or wider concern and is recommended for approval (Pursuant to Section P4, Schedule A (c) of the Council's Delegated Functions); and*
- since it is an application for residential development of 5 dwellings or more and is recommended for approval (Pursuant to Section P4, Schedule A (d) of the Council's Delegated Functions).*

Description of Proposal:

This application seeks full planning permission for the erection of two blocks containing 14 flats and duplex apartments (12 x 2 bed and 2 x 2 bed plus a study). The blocks would be two and a half storeys above ground level, with some additional accommodation (parking and the lower ground floor of one duplex) being provided at basement level.

The front block would sit back from Grange Crescent by a distance of approximately 9 metres. It would have two distinct elements, joined by a lift tower/stairwell. The rear block would be positioned close to the boundary with the Tennis Club and comprise three distinct blocks, also joined by lift towers/stairwells. Communal amenity space would be provided between the blocks and adjacent to the site boundary with 111 Grange Crescent.

The building would have a maximum height of approximately 9.8 metres above ground level with the underground car park area extending approximately 2.8 metres below ground level).

Private amenity space for the development would be provided in the form of communal space between the buildings and boundary with 111 Grange Crescent and private space in the form of ground level terraces attached to specific flats and balconies in the north facing elevation of the northern block that would overlook Chigwell Lawn Tennis Club.

The development would include 31 car parking spaces (including 3 disabled bays) with additional areas for motorcycle and cycle parking sited within an underground car park located beneath the rear block. Four visitor spaces and refuse storage would be located at ground level adjacent to the car park entrance.

A narrow access is proposed alongside the railway to the east of the application site, to provide vehicular access to the site from Manor Road. Access for emergency services only is to be via the existing vehicular access onto Grange Crescent.

Description of Site:

The application site comprises an area of approximately 0.235m² and is presently occupied by two detached dwellings, accessed from Grange Crescent. Manor Road – the B173 is a two-way single carriageway and serves a local route that runs in an east/west direction linking the A1112 Romford Road with the A113. The land uses that front onto the road include agricultural, industrial, residential and commercial. The access into the site from Manor Road slopes gradually downwards from west to east.

Relevant History:

EPF/0715/05. Outline application for three bedroom bungalow. Refused 10/06/05.

Reason: Inadequate retention of trees that make valuable contribution to the site, inadequate access and sight lines from Grange Crescent; loss of amenity to residents of neighbouring properties (visual impact).

EPF/1655/07. Demolition of two houses and erection of a three storey building comprising 21 no. 2 bedroom flats and 2 no. 1 bedroom flats. Withdrawn 22/11/07.

EPF/1279/08. Demolition of two houses and erection of a three storey building comprising of 20 no. 2 bedroom flats and 3 no. 1 bedroom flats. (Revised application). Refused for the following reasons:

- 1 *The proposal, by reason of its density, design, appearance and size, particularly in respect of its height, would be out of keeping and an*

unsympathetic building in the local area and unreasonably dominate the aspect as viewed from residents of adjacent residential properties to the west in this part of Grange Crescent. The proposal would be contrary to policies DBE1 and DBE2 of the adopted Local Plan and Alterations.

- 2 *The proposal does not provide sufficiently for the future children's educational needs associated with this development, contrary to Policy CP1 (i) of the Adopted Local Plan and Alterations.*

Appeal submitted and dismissed.

Adjacent site – Chigwell Lawn Tennis Club

EPF/2551/07. Erection of floodlights to one tennis court. Approved 06/02/08. Use limited to between the hours of 0800 – 2200.

Policies Applied:

East of England Plan

H2 – Affordable Housing

T14 – Parking

ENV7 – Quality in the Built Environment

LA1 – London Arc

Adopted Local Plan and Alterations

H2A – Previously Developed Land

H3A – Housing Density

H4A – Dwelling Mix

H5A – Provision for Affordable Housing

H6A – Site Thresholds for Affordable Housing

H7A – Levels of Affordable Housing

CP1 – Achieving Sustainable Development Objectives

CP2 – Protecting the Quality of the Rural and Built Environment

CP3 – New Development

CP4 – Energy Conservation

CP5 – Sustainable Building

DBE1 – Design of New Buildings

DBE2 – Impact of New Buildings

DBE8 – Amenity Space Provision

ST4 – Highways Considerations

ST6 – Car Parking Standards

LL10 – Adequacy of Provision for Retention

LL11 – Landscaping Schemes

Summary of Representations:

Notification of this application was sent to Chigwell Parish Council and to 60 neighbouring properties.

The following representations have been received:

CHIGWELL PARISH COUNCIL: The Council supports this application on the grounds that it is a much improved proposal, traffic congestion in the local area will be reduced and previous concerns regarding potential overlooking and overdevelopment have been addressed.

20 expressions of objection have been received from the following local residents:

11, 20, 21, 22, 23, 24, 26, 28, 31, 33, 48, 49, 70, 71, 82, 84, 89, 97, 107, 109 Grange Crescent

The comments are summarised below:

Parking and Highways – Emergency entrance will still provide access from Grange Crescent. Plans show vehicle access from Grange Crescent. Parking in Grange Crescent is already a problem and it will be made worse by the development. This could harm the character of the Crescent. Construction traffic will cause access problems both generally and possible for emergency services. The addition of 30 more cars at this end of the road will put undue pressure on the very tight minor roadway. Grange Crescent is already used by more than 200 cars – additional traffic will endanger residents and pedestrians. There is a poor line of sight pulling out from Grange Crescent into Manor Road. Proposed level of parking is insufficient. People may not park in the designated area and may park in Grange Crescent. Opportunities for parking in Grange Crescent have already been significantly reduced by the introduction of double yellow lines. Parking problems hinder access to the Crescent by emergency and refuse vehicles. Written agreement from TfL for the development to use the access should be provided prior to any further progress and should be available for public viewing. The location plan does not show the lay-by, which will reduce visibility for users of the junction. The ‘private drive’ referred to in the access statement was a well used right of way until it was closed off by the owners of 115 Grange Crescent in the 1970’s.

Neighbouring Amenity – Concerned about the close proximity of the new buildings at 37 metres from the rear of houses in Grange Crescent (only 4 metres beyond the back fence). Potential loss of light to surrounding houses and the tennis courts due to the 3 and in parts 4 storey height of buildings. Issue of ‘Right to Light’. Inclusion of balconies will exacerbate noise from the development. The applicant states that noise will be reduced by the trees – their presence is seasonal and for 8 months of the year there is no foliage. Development would reduce views from all east facing houses in Grange Crescent with south westerly gardens. Distance between the site and properties in Grange Crescent referred to in the Design and Access Statement is misleading as many houses have been allowed to extend to the rear. 22/24 Grange Crescent – the proposed development will overlook our garden directly and will result in a loss of privacy and light. It will be bulky, overbearing and will overshadow adjoining sites. 26 Grange Crescent – loss of privacy.

Design – The previous plans have been scaled back to 2 two storey buildings consisting of 14 flats – a lot of work has been done to produce a design which will be attractive for new residents whilst limiting the impact to existing neighbours. There are discrepancies in the submissions as to whether the development would be 2, 3, or 4 storeys in height. The building will be overbearing and out of scale with neighbouring properties.

Character and Appearance – All properties within Grange Crescent are character houses (built in the 1930’s Arts & Crafts revival style/built in the 1920’s in ‘mock-Tudor’ style), there are no blocks of flats, and nor should there be. The building of flats with underground car parking would be out of character with the existing type of property in Grange Crescent. This development will set a precedent for allowing future developments – only houses should be built on this land – the block of flats will be harmful to the semi-rural character. The proposal would be an overdevelopment of the site – purely for financial gain. Character of the area has already been harmed by the development of blocks of flats at Oak Lodge Avenue/Manor Road and Mount Pleasant Road/Manor Road.

Trees – The street survey was undertaken in September 2007 – things could have changed since then and a new survey should be undertaken. Trees may be damaged during construction

Impact on public sewers– cumulative impact of this development, that at Jennikings, Manor Hall will stretch public services beyond the limit – what provision is made for schools, medical services, policing and council commitments? The secondary school needs in the area are inadequate – from personal experience it can be difficult to get into West Hatch which is the nearest secondary school.

Other – additional strain of the sewer system. The creation of dust, mess and noise. Query the capacity of drainage on site for additional surface run-off. Water pressure. Will reduce property values. May lead to increased crime. Impact on nature and wildlife.

Issues and Considerations:

The main issues in this case are:

1. The acceptability of the principle of residential development on this site;
2. The impacts of the proposed development on the amenities of the occupiers of neighbouring dwellings;
3. The impacts of the proposed extensions on the character and appearance of the area;
4. The provision of affordable housing; and
5. The acceptability of the proposed parking and access.

The Principle of the Development

Policy H2A of the Local Plan Alterations states that the re-use of previously developed land will be encouraged when considering residential use. The proposed development makes efficient use of an existing Brownfield site, this scheme therefore accords with this policy. Government advice in PPS3 states that housing densities should be at least 30 dwellings per hectare, to ensure the most efficient use of land. In this instance, the density of the development would be approximately 104 dwellings per hectare. Making efficient use of land by building flats inevitably leads to higher densities and will be higher than prevailing densities of housing in the surrounding area. Having regard to the central location and the accessibility of the site by public transport, it is considered that the density level may be acceptable, subject to there being adequate space on site for the provision of off-street parking and private amenity space and the development not being out of keeping with the pattern of surrounding development. These matters will be considered further in this report.

Neighbouring Amenity

As the site is located within a built up residential area, it is in quite close proximity to a number of residential properties. The most affected properties would be 111 Grange Crescent, the garden of which runs along the southern boundary of the site and 22, 24, 26 and 28 Grange Crescent, the rear boundaries of which abut the site along its eastern boundary. The adjacent non-residential neighbour affected by the development is Chigwell Lawn Tennis Club. Several letters of objection from neighbours have been received and the impact of the proposed development will differ between properties. Accordingly, the impact on the different groups of properties will be considered in turn.

111 Grange Crescent:

The density of the proposed development has been considerably reduced following the last planning application and as a result the aspect viewed from the neighbouring property is greatly improved. Whilst, at its closest point, the front block would be positioned approximately 4 metres

form the site boundary, the bulk of the development would be considerably further away. The garden of this neighbouring dwelling would be alongside the communal amenity space within the development site.

Balconies and windows within the blocks would either be located sufficient distance from this neighbouring property not to cause any material overlooking, or they would be screened, obscure glazed or angled away to prevent any direct overlooking.

22, 24, 26, 28 Grange Crescent:

These properties have gardens of approximately 30 metres in length. The impact of the building would be reduced by the screening present along the site boundary, which is mainly present within the gardens of neighbouring dwellings and therefore to be retained. There is considerable screening in the form of planting along the boundary of the site with these properties. Windows in the upper floors of the elevation facing towards this property would be obscure glazed and there would not, therefore, be any material overlooking of these neighbouring gardens.

The previously application for this site proposed a development which the Committee and the Planning Inspectorate found to be harmful to the outlook of the occupiers of 22, 24 and 26 Grange Crescent. This application proposes a lowered building height. The scale of the development along this boundary has been considerably reduced. Previously a continuous elevation of approximately 40 metres was positioned to the rear of 22, 24 and 26 Grange Crescent. This revised scheme proposes a more open aspect to this boundary, with the rear block being situated to the rear of no. 22 and having a depth of approximately 12 metres at first floor level and the front block (located to the rear of nos. 26 and 28) having a depth of approximately 21 metres, broken by the lift tower link in the middle.

It is considered that this revised proposal addresses that harm identified in relation to the previous application. This site layout would enable an adequate level of outlook to be retained by these neighbouring residents, bearing in mind the separation distance and the height of the proposed development.

Chigwell Lawn Tennis Club:

The northern block of the development would be sited approximately 3.5m from the site boundary with Chigwell Lawn Tennis Club. The general eaves height of the block adjacent to the nearest tennis court would be 5.2m. The roof of the block would slope away from the boundary and have a ridge height of 8.9m. Gabled dormer windows serving a bedroom of the top floor flats would be sited adjacent to the apex of the roof and first floor flats would have balconies. This relationship has the potential to affect the tennis courts and their contribution to the locality as a recreational facility. Since the distance of the block from the tennis courts would be some 6m there would not be any excessive loss of light caused by it that could be harmful to the functioning of the tennis club facility. There would certainly be no overbearing impact.

The club and the adjacent tennis courts in particular would be highly overlooked from 4 flats in the upper floors of the block. However, the facility is not expected to enjoy the same degree of privacy as a private garden of a house. Indeed, it is not unusual for tennis courts to be found in very public places such as parks where their use is observed by large numbers of people without affecting their functioning. Given the limited sensitivity of the tennis club use to overlooking, the degree of overlooking that would result would not be harmful to it. Overall, the proposal would cause no harm to the functioning of the tennis club and therefore would not be harmful to its recreational and amenity value. Indeed, the development would afford the use some benefit in terms of limited additional security.

Amenity for Future Occupiers

Occupiers of the proposed development would have acceptable provision of communal amenity space and adequate levels of amenity within the flats/duplexes. Due to the site levels, the bedrooms in the duplex with a lower ground floor level will receive sufficient light. Windows and balconies within the development have been orientated to minimise direct overlooking. One of the tennis courts within Chigwell Lawn Tennis Club has permission for the erection of 6.7 metre high floodlit columns. However, as this court is furthest from the development (approximately 3.35m to the site and 42.5 metres to the building) there would be no material harm.

Impact on Appearance of the Area

The area immediately surrounding the application site is surrounded by fairly low density housing, with most properties in Grange Crescent being semi-detached two storey dwellings. Notwithstanding the pattern of surrounding development, the application site is somewhat alienated from the street scene, with a frontage of only approximately 10 metres onto Grange Crescent. The front building itself would be set back from this boundary by approximately 9 metres. Accordingly, whilst the development would be of a higher density than the surrounding pattern of development, it is considered that the relationship of the site with the street scene is such that it would not appear overly conspicuous or out of keeping.

The overall appearance of the development would be a number of distinct blocks, two and a half storeys in height with traditional hipped pitched roofs which are in keeping with the style of surrounding development. In comparison to the previous scheme, these distinct blocks are more in keeping with the pattern of the surrounding development, being of a scale which is not dissimilar to that of the surrounding dwellings.

The parking provision within the site will be sited mainly under the building; therefore amenity space provision will cover the remainder of the site. The area surrounding the site, if attractively landscaped, will provide adequate amenity space for the proposed new dwellings. Suitable landscaping may be controlled by the use of a planning condition.

Affordable Housing

The Council's requirement for affordable housing within this part of the District is that for developments comprising 15 or more units, 40% of the units should be provided on site as affordable housing.

Accordingly, as this application proposes only 14 units, there is no requirement for the provision of affordable housing. Consideration must be given as to whether the development of the site for 14 units makes the best use of urban land, as it would not be acceptable for the site to be underdeveloped in order for the applicant to avoid making a contribution towards affordable housing. However, in this instance, having regard to the constraints of the site, in particular, the Inspector's view (that the previously proposed density of approximately 100 dwellings per hectare was excessive and unsympathetic to the neighbouring residential development), it is not considered that the site is being underdeveloped. The applicant has had regard to the previous refusal when submitting this greatly reduced proposal. At a density of 59.5 dwellings per hectare, this revised scheme accords with national planning policies contained within PPS3.

Highways, Access and Parking

The only vehicular access into the site would be along the eastern boundary, adjacent to the railway line and the private road from Manor Road into the site measures at a distance of some 55 metres. This land which provides access into the site is within the ownership of London Underground and accordingly, the Council would need to secure a legal confirmation of the applicant's right to access this land to a degree of permanence over time to ensure that there is

continuing vehicle access to the site. The applicants have confirmed that there is such an agreement in place. However, this should be included within a Section 106 legal agreement, to ensure that continued rights of access are secured.

Furthermore, in order to facilitate the access onto this land from Manor Road, a number of alterations are proposed to the public highway. These works would take place outside of the application site and do not, therefore, form part of this planning application. Discussions have been undertaken with the County Council, who are satisfied with the proposed works. The completion of these works shall also be secured within a Section 106 legal agreement, should planning permission be approved. The works to the highway would involve alterations to the access road itself to allow for the provision of parking spaces for a taxi company which operates from the junction of the access road with Manor Road and currently park haphazardly here. Further alterations are proposed to Manor Road itself in order to secure sufficient visibility at the junction. This would involve alterations to the northern and southern edges of the carriageway and alterations to the position of road markings.

The Highway Authority has not raised any objections to the access arrangements subject to a legal agreement and conditions, although they have commented that further consideration will need to be given to the proposed parking along Manor Road, as the spaces shown on the submitted plan would not be of a sufficient size. The benefits of the proposal include the taxi firm having improved parking provision and improved access to the public highway, without further burden to Grange Crescent.

The proposed off-street parking provision is 31 car parking spaces (including 3 disabled bays) with additional areas for motorcycle and cycle parking sited within an underground car park located beneath the rear block. Four visitor spaces and refuse storage would be located at ground level adjacent to the car park entrance. This provision accords with the revised parking standards giving just over 2 spaces per flat in a location that is adjacent to an underground station.

Concern has been raised by local residents regarding the potential for a pedestrian access onto Grange Crescent. The reason for the concern is that pedestrian access would encourage residents to park in Grange Crescent and walk into the development. It is considered that this would be unlikely, given the provision of secured parking available within the site. Furthermore, such a condition would be likely to discourage the future occupiers of the development to walk and use public transport having regard to the nature of the access road. It is, therefore not considered to be reasonable or necessary to impose a condition preventing pedestrian access onto Grange Crescent. However, it is suggested that a condition be imposed to limit the use of the vehicle access onto Grange Crescent to emergency service vehicles.

Other Matters

Landscaping:

Although there are several established trees within the site boundaries, none of these trees are protected by a Tree Preservation Order. It is assessed that the foundations for the building will come within the Root Protection Zone (RPZ) for established trees that make a valuable contribution to the visual amenities of the area. Therefore, should planning permission be approved, further details relating to methodology for all works in order to protect established trees on site during construction and other means of soft landscaping to offer screening from the development to surrounding dwellings will additionally be required. This can be achieved by appropriate landscaping conditions. The conditions shall also ensure all of the trees are retained thereafter.

Refuse:

Enclosed refuse bin storage is provided and appropriately sited within the car park entrance of the building. Additional details for collection of refuse that includes an appropriate area for large turning vehicles will be required and this can be achieved by an appropriate condition.

Education contribution:

Essex County Council (ECC) has advised that if planning permission is granted they would seek a contribution of £6,195 towards Early Years and Childcare provision in the locality and £17,718 towards Secondary Education provision. Due to a surplus of primary school places in the locality they would not seek a contribution towards primary education.

ECC have further advised with regard to secondary provision that the local school for this development would be West Hatch School and the 2008-2013 Essex School Organisation Plan (SOP) shows that there is currently a deficit in places at this school. A deficit will remain throughout the SOP period and therefore additional places are required at the School and the proposed development will add to that need. Due to the position of the proposed development in relation to the M11 there are no suitable alternative secondary schools in Essex. The development falls within Grange Hill Ward and there are no available early years and childcare provision within the Ward.

There has been concern raised in respect of previous applications within this part of the District that the development site would be outside the catchment area for West Hatch School and as a result it is not necessary, or reasonable for the applicant to make a contribution on this basis. The County Council have nevertheless advised that the additional funding will be required to facilitate the provision of additional spaces at the School.

Conclusion

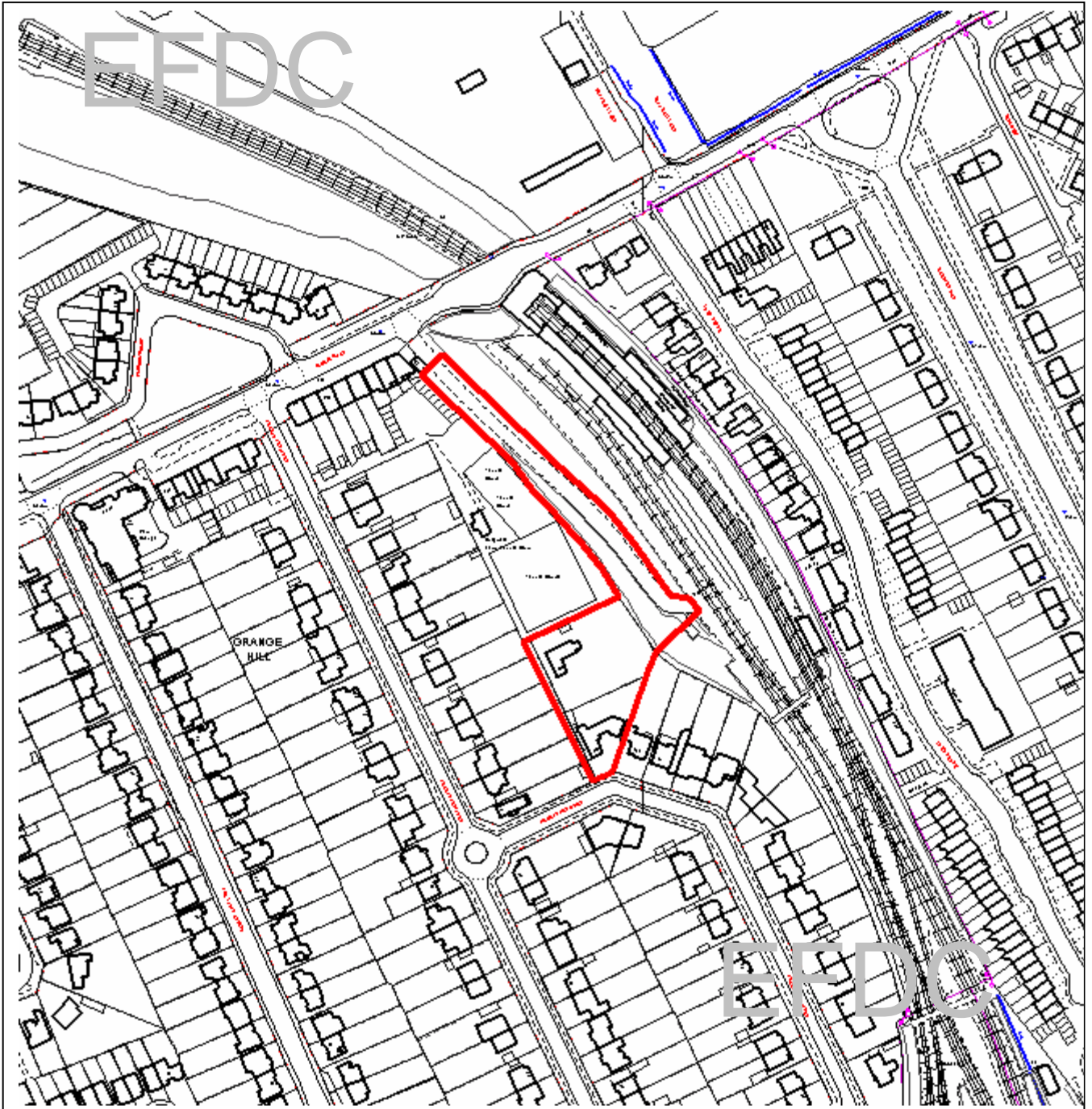
In light of the above appraisal, the proposal to erect a flatted development comprising of 14 flats is, on balance, reasonable in design, appearance and siting. It is considered that the proposal will not result in material harm to surrounding occupier's amenity. Vehicular traffic will be accessed directly from Manor Road; hence will not impact on residents in Grange Crescent. Residents will see a noticeable change in their outlook from their properties and a judgement has to be made whether this causes demonstrable harm to their amenity. On balance, Officers are of the opinion that any overbearing impact will be to the rearmost parts of their properties rather than to the most useable areas of their gardens or houses and having regard to this and the revised design (particularly in terms of its height and footprint) of the development, it is not considered that there would be a material loss of amenity which would justify the refusal of planning permission.

Accordingly, it is recommended that planning permission be granted, subject to the completion of the Section 106 legal agreement to secure the continued access over the land on the eastern boundary of the site, the payment of a contribution towards education services within the local area and improvements to the public highway.



Epping Forest District Council

Area Planning Sub-Committee South



The material contained in this plot has been reproduced from an Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery. (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

EFDC licence No.100018534

Agenda Item Number:	3
Application Number:	EPF/0320/10
Site Name:	113 & 115 Grange Crescent Chigwell, IG7 5JD
Scale of Plot:	1/2500

Report Item No: 4

APPLICATION No:	EPF/0417/10
SITE ADDRESS:	Monkhams Inn Buckhurst Way Buckhurst Hill Essex IG9 6HY
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill East
APPLICANT:	Mr Steve Butcher
DESCRIPTION OF PROPOSAL:	Erection of single storey kitchen extension and external cold store and associated mechanical ventilation. Change of finish of two gable walls to render. Erection of fixed garden umbrella.
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 All construction/demolition works and ancillary operations (which includes deliveries and other commercial vehicles to and from the site) which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 3 Prior to the commencement of development, full details of the proposed means of kitchen extraction, including details of the flue and filters, shall be submitted to and agreed in writing by the Local Planning Authority. This extraction system shall be installed and maintained in accordance with the agreed details unless otherwise approved in writing.

This application was presented to Members at the last meeting of this Committee to allow for negotiation with the applicant to seek the relocation of a proposed smoking shelter. The applicant has revised the proposals to omit the smoking shelter from the proposals altogether. In connection with this revision windows to toilets that were to have been blocked up are now proposed to remain without alteration.

Accordingly, the revised application is now presented to Members. The report on the originally presented proposals is set out below. Having regard to the revision to the proposal all references to the originally proposed smoking shelter should be disregarded.

This application is before this Committee since it is an application for commercial development and the recommendation differs from more than one expression of objection (Pursuant to Section P4, Schedule A (f) of the Council's Delegated Functions).

Description of proposal

The proposal is to erect a single storey kitchen extension and external cold store with associated mechanical ventilation. Formation of covered canopy shelter for use as a smoking shelter and erection of a fixed garden jumbrella. New disabled access, parking layout together with associated alterations to the building.

The proposed extension will be positioned on the west facing flank elevation. It measures 6.0 metres deep by 8.7 metres wide by 3.4 metres high. The design is a single storey flat roof structure with a parapet wall. External material used will be facing brickwork to match the main building and concrete coping. On the flat roof area it is proposed to install new ventilation equipment, this will be partially hidden behind the parapet wall.

The proposed shelter will be sited on the north elevation of the building facing the car park area. It will be 3.4 metres wide by 3.2 metres deep and 3.4 metres high built from timber post with a clear corrugated PVC roof. It will be positioned on an external wall that serves WCs and part of this proposal is to brick off the existing window to this elevation.

The new disabled access will be positioned to the north elevation facing the car park. A new disabled parking bay will be formed with a ramped access which will allow ease of access into the building. Installation of new timber railings and a new timber canopied entrance.

Minor works to the building involve bricking up existing windows and doorway to the south, east and west elevations and the removal of external steps and railing to the east elevation. Change the finish of two gable walls to a render finish.

Works to the external areas involve a new paved area and a new jumbrella positioned towards the southern aspect of the building this will measure 4.0 metres by 4.0 metres by 3.2 metres high. Five parking spaces will also be removed.

Description of site

The subject site is situated at the southern end of Buckhurst Hill at the junction of Buckhurst Way and Station Way. Buckhurst Way is a classified road and is one of two roads which connect Buckhurst Hill and Woodford. This road is to the east of the Epping Branch of the Central Line Underground line and the other road is to the west of it. Station Way runs westwards from Buckhurst Way and connects this road with Forest Edge.

The subject site itself is a public house which has a dormer accommodation in the roof. There is a car park between it and the adjoining residential block to the north, access is off Buckhurst Way. The rest of the site apart from the main building and parking areas is taken up by landscaping and an outdoor drinking and children's play area.

Relevant History

EPF/0041/91 – Front lobby extension, rear WC extension and alterations to public house. – Approved

EPF/0774 /80 – Extensions and alterations including the formation of a restaurant at first floor level – Withdrawn

EPF/0967/83 – Alterations and single storey extension. Approved

EPF/1164/95 – Single storey extension to family room and play area. – Refused. Appeal/ Allowed with conditions.

Policies Applied

East of England Plan

ENV7 – Quality of the built environment

Adopted Local Plan and Alterations

DBE1 and DBE2 – New development

DBE9 – Loss of amenity

ST6 - Parking

Representations Received

44 neighbouring properties were notified and the following responses were received:
BUCKHURST HILL TOWN COUNCIL: No objection

22 STATION WAY Objects – Smoking shelter will result in noise and pollution.

16 HONEYSUCKLE COURT Objects – There is already noise where the smoking shelter exists. This proposal will result in excessive noise from patrons using the pub, proposed vents and more vehicles using the site. There will also be direct cooking smells.

Issues and Considerations

The main issues to be considered in this case are the impact of the proposal on the area and impact on the amenity of surrounding area.

Design and appearance

The proposed extension will be positioned on the west facing flank wall facing into the garden area and car park. The design and use of the extension for a new kitchen with associated cold store room is acceptable to serve the main pub. The extension and cold room will not face on to any immediate neighbours.

The new paved area, jumbrella and outdoor seating areas are also appropriate and acceptable for the existing use for this site. The proposed works involving the extension and shelter will be visible only in the context of the rear aspect of the property.

All external works to the building are minor and acceptable in design and appearance.

Neighbours amenity

The proposed location of the smoking shelter will be positioned to the northern aspect of the building directly facing onto the car park area. Within the immediate proximity is a bus shelter and the immediate property to the north is a residential block of flats, Honeysuckle Court, which is positioned some 27.0 metres from the proposed location of the shelter.

Letters expressing concern to the siting of the shelter has been received from two neighbouring occupiers.

In terms of impact on amenity, although the smoking shelter may encourage more people to drink outside which may cause additional noise, there is no new external seating and it is not felt that this proposal will add excessively to any disturbance.

The position, siting of the shelter and use will not result in excessive noise, disturbance or pollution to neighbouring occupiers. It will not worsen the present situation or change any of the uses associated with a Public House.

It is considered that the position of the shelter within the envelope of the site is acceptable.

Parking

The proposal will retain 35 car parking spaces. The site is in an urban area with on street parking spaces, close to a train station and with a bus stop positioned along the eastern boundary of the site, the site is served by a frequent bus route.

It is considered that in this sustainable location, the amount of parking retained, which will include a new disabled parking bay, is appropriate.

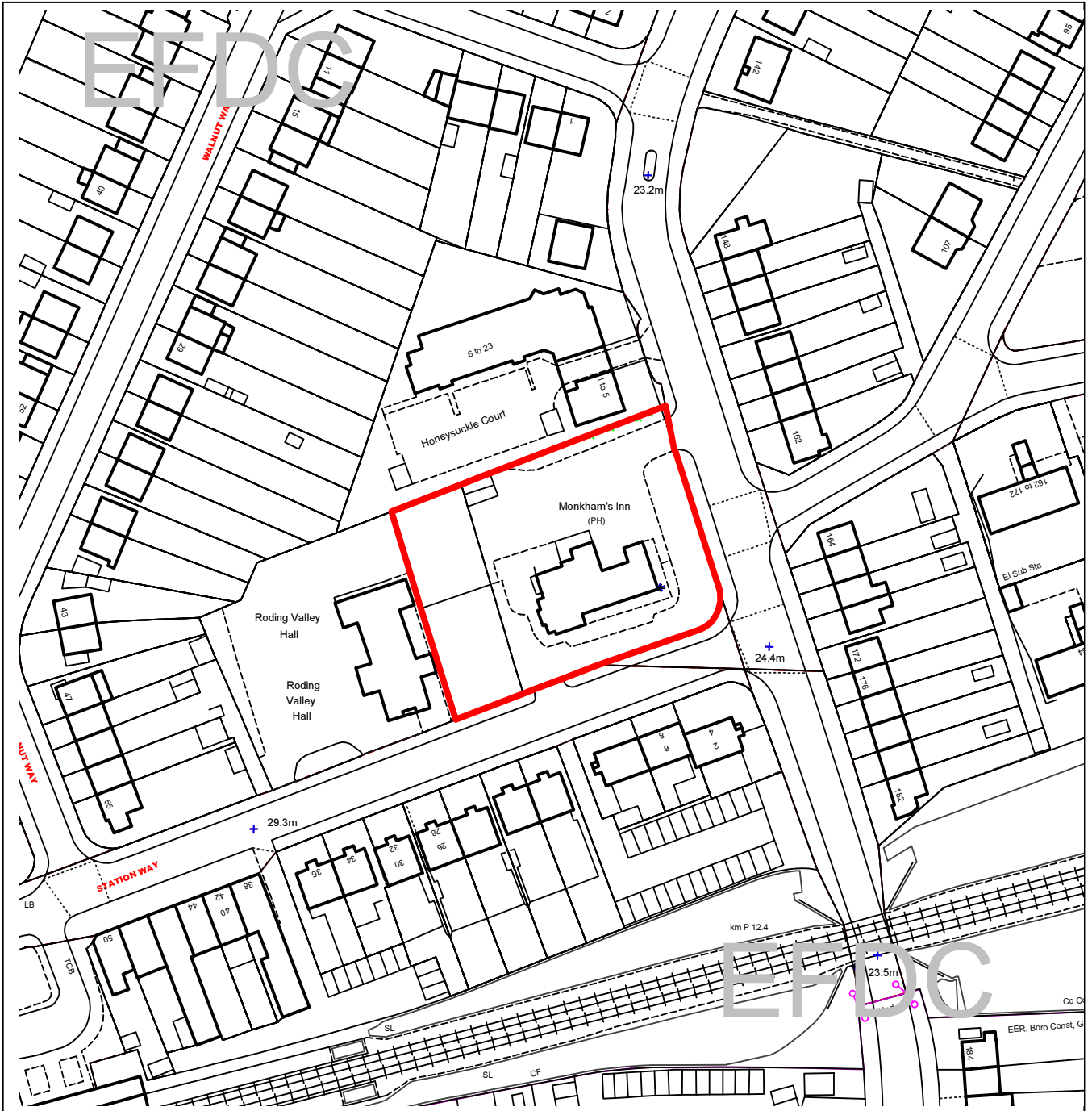
Conclusion

From the appraisal, the proposals will not detract from the character of the area or the main building. The smoking shelter and outdoor seating area are also unlikely to have any undue impact on the neighbouring occupiers in terms of excessive increase in noise, pollution and disturbance, therefore approval is recommended.



Epping Forest District Council

Area Planning Sub-Committee South



The material contained in this plot has been reproduced from an Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery. (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

EFDC licence No.100018534

Agenda Item Number:	4
Application Number:	EPF/0417/10
Site Name:	Monkhams Inn, Buckhurst Way Buckhurst Hill, IG9 6HY
Scale of Plot:	1/1250

Report Item No: 5

APPLICATION No:	EPF/0428/10
SITE ADDRESS:	Holly House Private Hospital High Road Buckhurst Hill Essex IG9 5HX
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
APPLICANT:	Mr Guy Love
DESCRIPTION OF PROPOSAL:	Existing hospital to be remodelled - partial demolition creating new radiotherapy department, goods inwards, stores etc. Enlarged staff restaurant and relocated Physio Department. Bedrooms re-configured on first and second floors increasing hospital from 42 to 52 bedrooms. New front entrance and corridor leading to redevelopment of the existing ambulance station site on Knighton Lane - providing 3 new replacement operating theatres and consulting rooms etc.
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 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 3 Prior to the commencement of development details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected before the occupation of any of the dwellings hereby approved and maintained in the agreed positions.
- 4 Details of foul and surface water disposal shall be submitted to and approved by the Local Planning Authority before any work commences and the development shall be implemented in accordance with such agreed details.
- 5 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority and these facilities installed prior to the commencement of any building works on site, and shall be used to clean vehicles leaving the site.

- 6 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.

- 7 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) have been submitted to an approved in writing by the Local Planning Authority, and these works shall be carried out as approved. These details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle artefacts and structures, including signs and lighting and functional services above and below ground. Details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers / densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall

be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 8 Prior to the commencement of the development details of the proposed surface materials for the development shall be submitted to and approved in writing by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.
- 9 Prior to commencement of development, including demolition or site clearance works, a phased contaminated land investigation shall be undertaken to assess the presence of contaminants at the site in accordance with an agreed protocol as below. Should any contaminants be found in unacceptable concentrations, appropriate remediation works shall be carried out and a scheme for any necessary maintenance works adopted.

Prior to carrying out a phase 1 preliminary investigation, a protocol for the investigation shall be agreed in writing with the Local Planning Authority and the completed phase 1 investigation shall be submitted to the Local Planning Authority upon completion for approval.

Should a phase 2 main site investigation and risk assessment be necessary, a protocol for this investigation shall be submitted to and approved by the Local Planning Authority before commencing the study and the completed phase 2 investigation with remediation proposals shall be submitted to and approved by the Local Planning Authority prior to any remediation works being carried out.

Following remediation, a completion report and any necessary maintenance programme shall be submitted to the Local Planning Authority for approval prior to first occupation of the completed development.

- 10 Prior to commencement of development, details of levels shall be submitted to and approved by the Local Planning Authority showing the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 11 All material excavated from the below ground works hereby approved shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.
- 12 Prior to commencement of development, the provision of adequate turning and offloading facilities for delivery/construction vehicles within the limits of the site together with an adequate parking area, clear of the highway, for those employed in developing the site and wheel washing facilities shall be provided. Details to be submitted to and agreed in writing with the Local Planning Authority and implemented.
- 13 Prior to commencement of development, details of temporary parking arrangements for staff and those visiting the site during the construction period should be submitted to and agreed in writing with the Local Planning Authority and implemented.

- 14 The development hereby approved shall not be commenced until waiting restrictions have been implemented within the vicinity of the site to prevent on-street parking in connection with the intensification of the use of the site facilitated by the development.
- 15 The powered two wheeler/cycle parking facilities as shown on drawing number 2649/SK101 rev. C are to be provided prior to the first occupation of the development and retained at all times.
- 16 The proposed development shall not be occupied until such time as the vehicle parking bays as shown in principle on drawing numbers 2649/SK101 rev. C and 2649/SK109, including any parking spaces for the mobility impaired, have been provided. The vehicle parking bays shall accord with the requirements of the Parking Standards Design and Good Practice guide dated September 2009 and shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed in writing with the Local Planning Authority.
- 17 The development hereby approved implementation of a Travel Plan that is previously submitted to and approved in writing by the Local Planning Authority. The Travel plan shall include a staff parking management strategy.
- 18 No development hereby approved shall take place until measures to enable the provision of implementation and monitoring of the Travel Plan, necessitated by this development and required by condition 17 of this permission, are secured. These measures are laid out in the Essex County Council letter dated 07 May 2010.
- 19 A flood risk assessment shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using Windes or other similar programme. The approved measures shall be undertaken prior to the first occupation of the building hereby approved and shall be adequately maintained in accordance with a management plan to be submitted concurrently with the assessment.

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 is a revised application made in the light of the refusal of a previous scheme by Committee last year. The scheme has been revised in terms of the design and scale of the new building proposed to be erected on the redundant ambulance station site and changes made to the parking provision provided.

The previous scheme was refused on the grounds that the proposed development would have been an incongruous addition within the street scene, harmful to the character of the locality, by virtue of its unsympathetic height, bulk and detailed design; and an inadequate provision of on-site car parking to facilitate the intensified use of the site, resulting in additional on-street parking and congestion within the locality which would have been detrimental to the amenities of neighbouring residents and to the sylvan and semi-rural character of Knighton Lane.

This new proposal has been revised to take into account the reasons for refusal and primarily comprises alterations and extensions to an existing hospital building (consisting of a new front entrance which will also link to the building on the ambulance site, a new diagnostic centre for the treatment of cancer on the northern flank of the existing building and internal alterations) and the redevelopment of Knighton Lane Ambulance Station as an additional hospital building for Holly House Hospital. It also includes the demolition of offices for the hospital (Ivy Cottage, 25 High Road, Buckhurst Hill) to provide a new 20 space visitor car park.

The scheme will see a reduction from the previous scheme in the proposed increase in patient usage of the site as follows:

Rooms	Current	Proposed	Change	Previous Scheme Totals
Consultation	17	23	+6	30
Bedrooms	42	52	+10	63
Employees (full & part time)	379	411	+32	+76

This reduction in usage has resulted in a redesigned scheme for the Knighton Lane Ambulance Station site. The station would be demolished and a block measuring 46m x 25m by 11m high would be erected. This is a reduction of 15% in useable floor area. The previous scheme measured 46m x 28m by 12m. The scheme also sees a change of design of the roof from a mansard to a hip form, and now has the appearance of a two storey building rather than the previous three storey form.

The new building would provide a 43 space basement car park, operating theatres and associated facilities at a lower ground floor level and consulting and waiting rooms together with a pharmacy at upper ground floor level to replace and enhance those facilities lost to provide additional bedrooms in the existing hospital building. Offices and plant rooms would be installed in the roof space.

The materials for this new building would be clay roof tiles, brick, render, timber cladding and dressed stone.

The scheme will see overall increased parking spaces as follows:

	Existing	Proposed	Change
Car Parking Spaces	82 at hospital 35 at Amb. Stn (117 overall)	129 overall	+12 overall (giving a total increase of 47 for the hospital)

Description of Site:

Private hospital on the east side of Buckhurst Hill High Road, to the south of a large electrical station. There are residential dwellings to the south and east, and a disused Ambulance Station to the east facing Knighton Lane. There are a number of preserved trees on the site. Part of Epping Forest (Lords Bushes) is to the east of Knighton Lane, and is Green Belt land, a SSSI and a SAC. No 25 High Road is currently used as offices for the Hospital and is within their ownership. The Ambulance Station is lower than the Hospital site owing to the fall of the land across the site.

Relevant History:

Holly House

Various relating to extensions and facilities at the hospital.

EPF/0491/09	Extensions and demolition of ambulance station	withdrawn
EPF/1143/09	Extensions and demolition of ambulance station	refused

Ambulance Station

EPF/0866/02	Outline application for 15 flats	refused
EPF/0730/03	Outline application for 16 flats	refused

Allowed on appeal

Policies Applied:

CP1	Sustainable development
CP2	Built environment
CP3	New Development
CP7	Urban development
CP9	Sustainable transport
DBE1	Design
DBE2	Neighbour amenity
DBE3	Development in Urban Areas
DBE6	Car Parking
DBE9	Neighbour amenity
ST4	Highway Safety
ST6	Parking
ST5	Travel Plans
CF2	Health care facilities
LL10	Protected trees
GB7A	Conspicuous development
HC5	Epping Forest
NC1	SSSI sites

Representations Received

100 neighbouring properties were consulted, 2 Site notices posted (1 in Knighton Lane), and the following responses were received:

BUCKHURST HILL PARISH COUNCIL: – Objection. Access from Knighton Lane – this is currently a quiet residential road with virtually no through traffic. This development would have a detrimental impact on the residents of Knighton Lane due to an increase in traffic and we are very concerned about the damage to the woodland edge habitat which this increase would cause. It is the opinion of the committee that all vehicle access should be from the High Road. Architectural Style – is out of keeping with the surrounding houses and we would request that the rear of the scheme that fronts Knighton Lane to closely mimic the architecture of the nearby houses. Construction Phase – We feel that in general Knighton Lane is unsuitable for construction vehicles and we would be keen to know if any assessment has been made in this regard. In addition we are concerned about the road surface. Overdevelopment of the site – we feel this scheme is an overdevelopment of the site and inadequate parking facilities have been provided. The increase in hospital size will have an impact on the surrounding area in terms of later opening hours and increased visitors and staff. The site is totally unsuitable for a large hospital in what is a largely residential area. We are concerned this application has reached us following a bank holiday weekend. Many residents have been unable to view the plans due to their late arrival in the Parish Office.

BUCKHURST HILL RESIDENTS SOCIETY: – object, I am concerned that the proposal is a massive commercial overdevelopment of the site in a residential area. The new building is 3 storeys plus a large underground car park for 41 cars and the traffic and on-street parking generated will be totally unacceptable particularly to Knighton Lane currently a quiet residential lane. The proposed buildings will occupy a greater proportion of the site than currently and the ambulance station development will be three times the existing height. This commercial building is incongruous to the surrounding residential area and will dominate the street scene. There are already complaints from residents in the surrounding roads about the volume of parking currently generated by the hospital and cars are frequently parked on the kerb on the High Road near the current entrance. The increased beds, consulting rooms and staff will have a substantial impact on both traffic and parking. The increased size of the hospital will also generate more visitors and commercial vehicles .It is therefore completely inadequate for this scale of development to only have a few additional parking spaces. Much of the proposed Staff underground car park merely replaces car parking lost elsewhere on site, additionally parking is needed for; 10 extra bedrooms, 6 extra consulting rooms and 32 extra staff! This does not include the additional visiting consultants. This is a large scale development which will have a major impact upon the area during the construction phase. Knighton Lane is narrow and not built to take heavy construction traffic. I am sure that Highways Engineers will be able to confirm this. It is therefore essential that all construction traffic enters and exits via the front of the site on the High Road. This proposal is an overdevelopment of the 2 sites without any consideration for the impact on the surrounding vicinity. This is a private hospital and most of the patients, staff, visitors and services generate private vehicle movements and parking issues. The existing hospital already impacts detrimentally upon the local area. An expansion of this scale is therefore not acceptable to the residents of the area. The Parish Council and many local residents have objected to this development and the Society fully concurs. The development needs to be scaled back with increased on site parking and access restricted to the existing entrance and exit on the High Road.

NEIGHBOURS AND OTHER OBJECTORS: Have commented that the scheme is too obtrusive, over dominant and out of keeping with Knighton Lane. Will cause overshadowing and be overbearing on neighbour properties. Parking already causes serious problems, this will make it worse. Will adversely affect road safety, and the new access to Knighton Lane will make traffic worse. Adverse environmental impact, and light pollution.

2 Duchess Grove
3 Knighton Place
4 Knighton Lane
6 Knighton Lane
8 Knighton Lane (2 letters)
10 Knighton Lane
14 Knighton Lane
20 Knighton Lane
33 Knighton Lane
47 Knighton Lane
36 Scotland Road
43 Scotland Road
5 Chandos Close
4 The Drummonds
8 The Drummonds

ESSEX COUNTY COUNCIL (Highway Authority): No objection – subject to the imposition of conditions requiring the submission of a travel plan, implementation of waiting restrictions within the vicinity of the site, provision of secure powered two wheeler parking and provision of 5 secure and covered cycle parking stands (for 10 cycles), and other conditions

CONSERVATORS OF EPPING FOREST: No observations to make.

NATURAL ENGLAND: No objection to the proposed development. It is our view that, either alone or in combination with other plans or projects, it would not be likely to have a significant effect on the interest features of the Epping Forest SAC, or any of the features of special scientific interest of the Epping Forest Site of Special Scientific Interest (SSSI). Our detailed reasoning behind this view is set out below: The proposal site is already subject to development and there would be no direct impacts upon the SSSI or SAC. The increase in size of the hospital would be likely to result in an increase in traffic, and hence in air pollution, but this increase would be insignificant in comparison to the existing high levels of air pollution to which the Epping Forest SSSI and SAC is already subjected.

Issues and Considerations:

The main issues are:

1. The impact on the street scene
2. Design quality
3. Amenities of the neighbouring properties
4. Epping Forest and the SSSI
5. Protected Trees
6. Parking and traffic issues.

In 2003 an application was granted on appeal for the redevelopment of the Ambulance Station for 16 flats in 4 blocks, one three storey and the other three being two storey. The Inspector concluded that the development was not out of keeping with the area and would not generate adverse traffic.

Impact on the Street Scene

- This is a "Brownfield" site and is previously developed land. Therefore the principle of redevelopment of the site is acceptable, although the scale and impact requires careful assessment.
- The alterations to the existing hospital will be to the front and both flanks.
- On the northern flank some existing single storey buildings will be replaced by a new cancer treatment facility which would be two storeys for about 25% of the depth on this flank. This would border the site of the Electricity generation station and would have no adverse impact on the street scene in this location, as it would be viewed fleetingly from the street and would be read as part of the existing buildings mass and form.
- On the south elevation, which borders Knighton Place and Knighton Green, an existing upper ground floor roof parking area would be converted to extra offices and facilities, a link would be built to the proposed new bedroom block, and the entrance would be changed to make the main entrance at the south west corner of the existing block.
- These changes would be read against the background of the main hospital building and are logical and not out of keeping or scale with the existing building and can be comfortably accommodated on this site.
- No 25 High Road is a building of little visual merit, and is used as offices, which will be relocated into the main building. There is no adverse impact from its removal, and indeed it will increase the openness of the street scene in this location and the landscaping will result in a significant softening of the frontage of the site.
- The part of the proposal of most significance is the new building replacing the Ambulance Station in Knighton Lane. The existing building is partially two storeys with a flat roof and of utilitarian design. Its removal is to be welcomed.
- The plot measures 41m deep by 65m wide, with two vehicle accesses onto Knighton Lane. There is a significant screen of over 20 mature preserved trees on the verge on the eastern boundary facing Lords Bushes.

- The footprint of the new building is not dissimilar to the existing structure, but the height and design are very different, and it is noted that the scheme is considerably different to the scheme allowed on appeal in 2003.
- The new building will be two stories high with a hipped roof and an underground car park. Its dimensions would be maximum of 46m wide and 23m deep, by 11m high with various side and front projections.
- The proposed building would be a significant and major building within the street scene in Knighton Lane.
- The proposed building will be no higher than the neighbouring properties at 31 – 35 The Drummonds and 41A Knighton Lane, and has been designed so that this is the case. It is also below the height of the existing hospital when viewed from the east.
- A gap on the side boundaries of 4m increasing to 7.5m to the front and rear of a projecting stairwell will remain to the nearest house at The Drummonds. The building would be set 13m from the nearest house at Knighton Place.
- The building has been redesigned with a number of projections and features such as the new hipped roof to avoid it having a monolithic appearance and to reduce its impact within the street scene. This also takes into account the concerns of the objectors and the Parish Council over the appearance of the building.
- The mature tree screen on all three main vantage points (north, south and east) will remain, and these will provide significant screening to the new building and even in the winter months would considerably assist in softening and breaking up the visual impact of this building.
- It is also the case that Knighton Lane is a street which has no local vernacular or uniformity of building style, and it is clearly an urban street on its west side.
- It is accepted that the new building is a significant one, but is a major improvement on the poor quality structure it will be replacing, and the redesign has made a significant visual change to that which was previously approved.
- It is also the case that this is a suitable use for the site and will more generally contribute to meeting the health care needs of the general population as NHS patients are treated at the Hospital on a daily basis due to recent changes in admission policies.
- Therefore it is considered that the building can be comfortably accommodated on this site and due to its siting, location, height and screening, which is already in situ, is not out of keeping or overbearing within the street scene.

Design quality

- The design of the new works to the existing hospital will complement and enhance the southern flank which is currently somewhat utilitarian.
- The works on the northern flank are more functional as required by the medical needs of the works, but are sensitively designed and are appropriate on this flank.
- The new building is designed not to be a pastiche extension of the existing building, but is to stand alone with a predominantly glazed link between the two buildings. It is still an innovative scheme, which is more traditional in appearance than the previously refused scheme but is still able to make the transition from the older building to the new in a sensitive and comprehensive manner.
- The scheme is now of a similar appearance, in terms of the roof design, to several of the properties in Knighton Lane, whilst still retaining its intended function, and as explored above it is the case that this area is of varied buildings which already successfully incorporates the main hospital within it.
- The materials are appropriate to the scheme and not out of keeping with the more modern styles of houses to the immediate boundaries of the site.

Impact on Neighbours

- The main neighbours that have the potential of being adversely impacted by the new building are 41A Knighton Lane, Knighton Place (mainly No 3) and 31 – 35 The Drummonds. The extensions have the potential to impact on Knighton Green.

- There would be no adverse loss of sunlight or daylight to any of these neighbours due to the orientation of the site and the existing screening provided by the mature trees.
- Likewise, there would be no adverse overlooking of these properties private areas.
- There is no doubt that there will be an impact on the visual outlook of the various neighbours, but due to the orientation of the new building and the current properties, distances involved and screening it is considered that this impact will not result in any significant harm.
- The new car park and the access ramp to the basement car park have the potential to affect Knighton Lane and Place, and Knighton Green. However, it is the case that these areas are already used for the parking of vehicles, and the properties on the High Road already have a high level of background noise due to the use of this road. The basement car park has the potential to remove much of the noise which now occurs from the informal use of the ambulance station which is in the open air. These areas will also be screened by fencing and soft landscaping and it is considered that the use will not result in any adverse impact.
- Deliveries will continue as before to existing loading bays on the south elevation, and this scheme would see no further impact.
- It is accepted that this is still a balanced case weighing the concerns of the neighbours to that of the application, but it is considered that there will be no significant harm caused to their amenities by this revised scheme.

Epping Forest and the Green Belt

- The site is not within the Green Belt, but Lords Bushes Court on the other side of Knighton Lane is, and is also a Site of Special Scientific Interest and a Special Area of Conservation.
- The Conservators of Epping Forest have no issue with this revised scheme.
- Natural England has made detailed comments on the consequences of the revised scheme on the value of Lords Bushes as a SSSI and SAC and conclude that the development would cause no harm to them.
- It is the case that the development will be effectively screened by the existing preserved tree line and it must be acknowledged that this is an urban street which has no restrictions on residential dwellings and lighting. There is already significant urban built development on the west side of the lane for its whole length, and this scheme is not crossing the divide between the east and west of the Lane.
- Overall, due to the strength of existing screening, the nature of the urban context of the street, and the fact it is on a sharply defined boundary between urban development and natural landscape, this scheme will not cause harm to Lords Bushes. This view is taken on the basis of comments by both the Conservators and Natural England.

Trees and Landscape

- The scheme will see the removal of three protected trees, one on the northern boundary and the others near the southern; they will be replaced and a significant programme of soft landscaping along the boundaries with neighbouring properties is proposed.
- The Council's Landscape Officer has commented that the schemes are acceptable subject to the relevant conditions. She has no concerns over the ability of the applicant to protect and enhance the preserved trees on the site.

Traffic

- Apart from the scale and size of the development, the other main strand of concern for local residents is the parking and traffic issues.
- This scheme retains a previous amendment from the previous submission to remove the northern vehicle access to the ambulance station and to remove the link between the High Road entrance and the Knighton Lane entrance. This has removed the potential for vehicles to use this as a cut through between the two roads.
- Both of these changes are welcome and assist the scheme.
- Parking is contentious in this area; the current hospital has parking for around 117 spaces. However, this includes 35 spaces at the Ambulance station which is being used as a staff car park for the hospital. This is unofficial and has not been counted by the applicant as the

Ambulance Station site will either be redeveloped in accordance with this scheme or developed separately for an unrelated scheme. It is clear the Ambulance Station site has the potential to be sold to another developer should it not be possible to develop it as part of the hospital, and thus this parking would be lost. Officers can therefore understand the reasoning behind this approach to calculating existing parking space provision, but it is the case that, if taken together the current parking is for 117 vehicles and the proposed will be for 129, an increase of 12 spaces.

- The small overall increase in parking provision will cover some 32 extra employees. However, not all of these will be on site at any one time as the site runs a 24 hour shift system, and a third of this increase will be in part time employees. Inevitably a significant number of these will be local people or will travel by the good public transport links to the site.
- Therefore it is considered that the extra provision is acceptable and in line with Government and Local policy on parking provision.
- The use of Knighton Lane by cars will be restricted to the 43 spaces provided in the underground car park. This will not be an excessive number for Knighton Lane to cope with spread out over the working day, and will not harm the more rural feel of this road.
- This scheme also has the opportunity to have a Green Travel Plan as a condition.
- The County Highways Officer has commented that they have no objections to the scheme subject to various conditions including a Green Travel Plan. Essex County Council requested a contribution of £3000 for checking and monitoring the Travel Plan.
- The County Highways Officer has also commented that all works affecting the highway to be carried out by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority.
- There has been some concern locally with regards to construction vehicles and their impact on the local road network.
- The construction phase is only for a certain length of time and a condition requiring all traffic associated with the construction of the site to park clear of the highway should ensure that local roads do not become a parking area during construction.
- The existing staff parking situation is based on a "first come first served basis", this could lead to more staff travelling to work in vehicles than there are parking spaces, leading to local on-street parking. With a specific focus in a Travel Plan for looking at a staff parking management strategy, it is anticipated that a permit system and car share scheme can be introduced to eliminate extra staff vehicle journeys over and above the number of available on site spaces.
- In the event of planning permission being granted the Highway Authority would wish to implement waiting restrictions within the vicinity of the site to prevent on-street parking in connection with the more intense use of the site as a hospital. A contribution of £5000 to implement the waiting restriction is requested.
- The Traffic Assessment (TA) has demonstrated that the proposed development will not affect the operational capacity of any junctions under the responsibility of Essex County Council.
- The TA has however demonstrated that the junction of A104/A121 will experience an impact in the future as a result of traffic growth and the proposed development. Mitigation in the form of traffic signals has been offered by the applicant, but this would be down to Redbridge/Transport for London to pursue, with the junction not being located within Essex County Council boundary.

Conclusion

This is a scheme which has been revised to try to meet the Committee's and local resident's objections to the previous scheme (which was itself a revised scheme on the original application which was withdrawn on the advice of Officers to make revisions). The applicant has held two consultation evenings for local residents before submitting the application and has changed the design of the new block to make it more suitable for the local area. The applicant has also reduced the overall use of the site from that which was previously proposed which has resulted in a reduction in the increase in staff and patients on the site with a consequent reduction in the

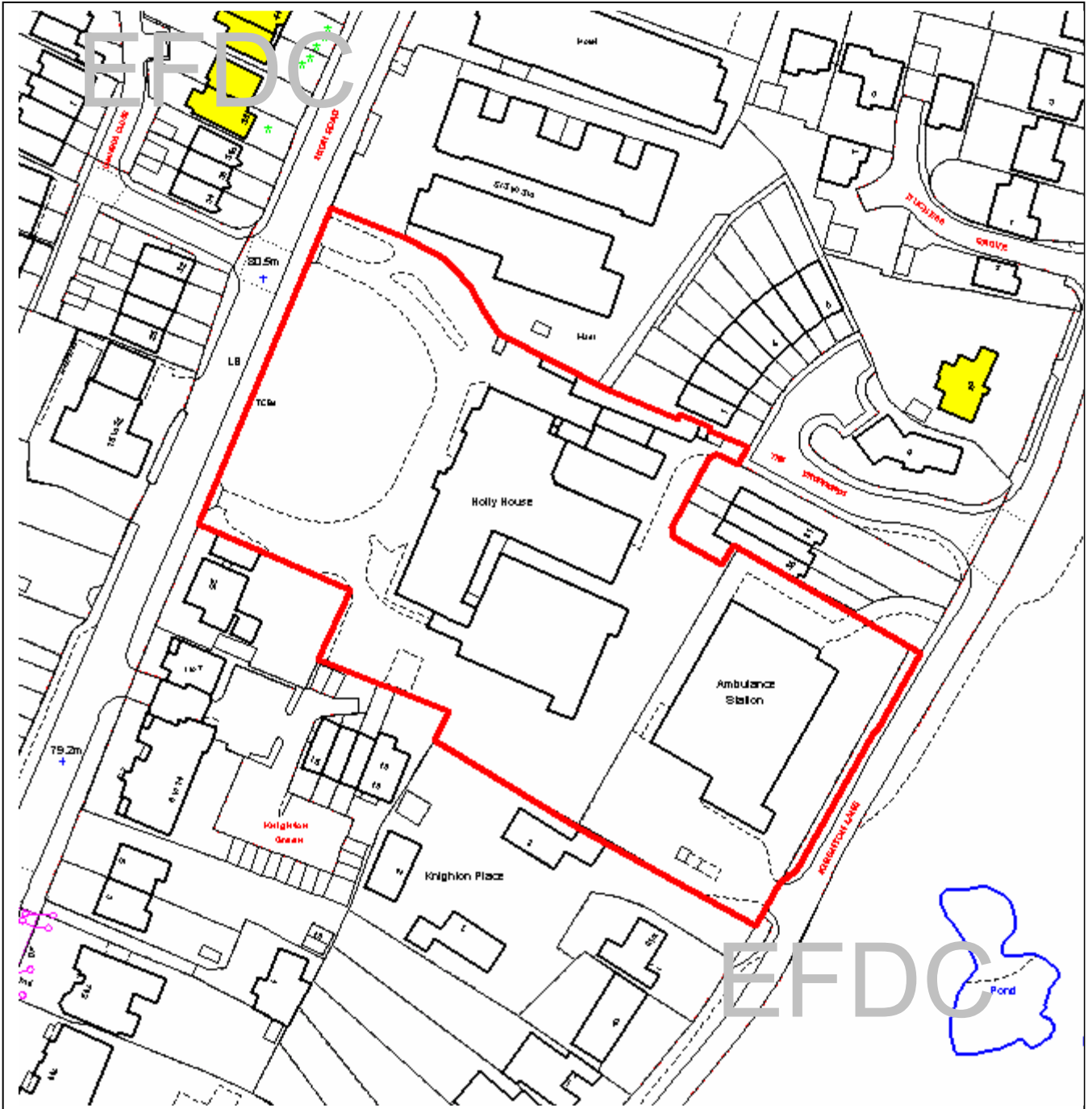
number of vehicles to be parked and overall vehicle movements. These changes also reflect some Members comments on the previous scheme when considered at committee.

This is a balanced case and there are a number of objectors who make considered and reasoned points against the scheme. However this is a previously developed site, and is large enough to accommodate the new building together with the proposed extensions to the existing hospital building. The proposed new building has been designed not to be higher than the adjacent houses or hospital building and is appropriate for its function. It will not cause any significant adverse impact on the neighbour's amenities, preserves the protected trees and has no significant impact on Lords Bushes. Parking provision is improved, there would be one less access to Knighton Lane and no vehicle through route between the High Road and Knighton Lane. Due to the changes in the scheme as laid out above this is considered to now tip the balance of the assessment in favour of the scheme and overcome the previous reasons for refusal. The application is therefore recommended for approval.



Epping Forest District Council

Area Planning Sub-Committee South



The material contained in this plot has been reproduced from an Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery. (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

EFDC licence No.100018534

Agenda Item Number:	5
Application Number:	EPF/0423/10
Site Name:	Holly House Private Hospital, High Road, Buckhurst Hill, IG9 5HX
Scale of Plot:	1/1250

Report Item No: 6

APPLICATION No:	EPF/0488/10
SITE ADDRESS:	Loyola Preparatory School 103 Palmerston Road Buckhurst Hill Essex IG9 5NH
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
APPLICANT:	Mr Peter Nicholson
DESCRIPTION OF PROPOSAL:	Provision of artificial playing surface and surround fencing to existing playing field. (Revised application)
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 The construction shall be carried out in accordance with the Arboricultural Report dated February 2010 by OMC Associates. The Local Planning Authority are to be notified of the start date for the works.

This application is before this Committee since it is an application for commercial development and the recommendation differs from more than two expression of objection (Pursuant to Section P4, Schedule A (f) of the Council's Delegated Functions).

Description of Proposal:

The proposal is a revised application to construct an artificial playing surface on an existing grassed area of land at the rear of the Loyola Preparatory School site, adjacent to Russell Road. The playing surface would measure 28.0m x 27.5m and would be totally surrounded by 3.0m mesh fencing.

Description of Site:

Loyola School occupies a fairly substantial site situated between Palmerston Road and Russell Road. The proposed playing area would be located to the rear of the site, on an existing grass area, close to the boundary with Russell Road. There are residential properties on each site boundary, adjacent to the proposed playing surface. A 2.0m concrete fence separates the site from Russell Road. An existing artificial playing area is adjacent to the proposed surface. The existing grass area is flat; however No70 Russell Road on the eastern boundary is situated about

2.5m down a slope from the playing area. The site slopes up to No80 Russell Road. There are a number of preserved trees on the boundary with Russell Road.

Relevant History

There is an extensive history at the site the most relevant and recent being;

EPF/0750/93 - Regrading of playing field and adjoining land. Grant permission (with conditions) - 13/12/1993.

EPF/1825/01 - Rear classroom extension and assembly hall extension, and new upper school playground hardstanding (revised application). Grant permission (with conditions) - 21/03/2003.

EPF/1004/04 - Additional enclosure fencing to playground; amendment to approved scheme. Grant Permission - 21/06/2004.

EPF/0078/05 - Proposed new play area in lower field. Grant Permission (with conditions) - 21/03/2005.

EPF/0875/05 - Application for revision to Condition 3 of previously approved play area planning application, reference EPF/78/05, for additional hours of use. Grant Permission (with conditions) - 11/07/2005.

EPF/0970/06 - Renewal on a permanent basis of temporary planning permission EPF/875/05 for the retention of the play area including additional hours of use. Grant Permission (With Conditions) - 15/06/06.

EPF/0799/09 - Replacement storage shed to lower field. Grant Permission - 30/06/09.

EPF/0834/09 - Provision of artificial playing surface and surround fencing to existing playing field. Withdrawn decision - 14/07/2009.

Policies Applied:

Policy CP2 – Protecting the Quality of the Rural and Built Environment

Policy DBE1 – Design of New Buildings

Policy DBE2 – Effect on Neighbouring Properties

Policy LL10 – Adequacy of provision for Landscape Retention

Policy ST4 – Road Safety

Policy ST6 – Vehicle Parking

SUMMARY OF REPRESENTATIONS:

TOWN COUNCIL: No Objection. The committee is concerned with the usage of the pitch i.e. that it should not be used outside of school hours. The fence is also somewhat unsightly.

68 properties were consulted and the following replies were received.

91 RUSSELL ROAD: Objection. 3 Letters. Lack of consultation with residents on Russell Road. Issues with drainage, will a small soakaway cope? Issues with parking, Russell Road is a tight road which could not cope with more parking.

70 RUSSELL ROAD: Fence will be located 5.5m above my garden and will feel like a prison. The proposal will result in issues of land drainage and damp. Concern that the pitch will be rented out to outside groups.

36 RUSSELL ROAD. Objection. Lack of consultation with residents on Russell Road. Increase in parking problems on the road. Concern that floodlights will be installed. Drainage issues. Disturbance and noise. An all weather pitch is already in existence on the site.

89 RUSSELL ROAD: Objection. Lack of consultation with residents on Russell Road. Parking concerns and the use of the surface outside of school hours. Noise and disturbance and loss of a Greenfield site. Drainage issues.

95 RUSSELL ROAD: Objection. Traffic concerns. We are already unable to access our drive during drop off and pick up at the school.

THE OAKS, RUSSELL ROAD: Objection. Parking concerns. We already have drop off and pick up at the school and the clinic.

37 RUSSELL ROAD: Objection. Concerns about parking on the road. The pitch will be used outside hours which will add to this problem. Parking restrictions on Palmerston Road have had an impact on parking in Russell Road.

A standardised letter has been circulated to neighbours in the area. This outlines the proposal and neighbour concerns i.e. parking, drainage and that the pitch will be rented out in the evenings and at the weekend. This letter has been signed by the following properties;

42, 44, 46, 57, 64a, 64d, 68, 73, 79, 81, 81a, 82, 83, 83b, 85, 87, 95, 97, Russell Road and one unnumbered reply.

Issues and Considerations:

The main issues to consider are the consequences of the proposal for the amenities of the locality in terms of demand for parking, impact on preserved trees as well as the living conditions enjoyed by the occupants of neighbouring properties.

Impact on Living Conditions

The grass area is already used for the playing of sports during school hours, with some out of hour's activities. The area is not floodlit, nor is floodlighting proposed so the use of the area can only take place during daylight hours. Any evening use would be confined to late spring through to early autumn with that use generally ceasing by 9.00p.m. In the circumstances, and given the limited size of the site, its use would not be so intense that it could be harmful to the living conditions enjoyed by neighbouring residents.

The pitch is in close proximity to residential properties on the road, particularly No70 and No 80 Russell Road. No70 is also located on ground which is approximately 2.5m lower than the proposed playing surface. The fence enclosing the pitch would be set on higher ground than the garden of 70 Russell Road. As a result it would have a certain level of dominance in relation to the property. However it is set approximately 5.0m from the boundary and that degree of separation would adequately mitigate the impact of the fence.

On balance, and bearing in mind the use of the site as a school, the proposal would have an acceptable level of impact which would not be excessively harmful to amenity and not to a level which would warrant a refusal of the application.

Parking Issues

A number of neighbours raise the concern of parking issues in Russell Road which may result if this application is granted permission. There would be no increase in on-street parking during school hours as a result of this proposal since it would not generate further traffic on Russell Road. In relation to the use of the proposed artificial pitch outside of school hours this is not of particular concern. Parking restrictions that exist on the road during the day from 10.00 – 14.30 do not apply during the evening hours or weekends. A number of roads in the immediate vicinity have a parking

restriction from 13.00 – 14.00. Again this does not extend into the evening or weekends. The absence of on-street parking restrictions in the evenings and weekends has the effect of maximising the amount of road space available for on-street parking during those times. Moreover, the area is well served by public transport. In the circumstances and since the site can only be used during daylight hours, the implementation of this proposal would not excessively impact on the demand for on-street parking in the vicinity of the site, and in particular Russell Road.

Trees and Landscaping

Consultation has also taken place with the trees and landscaping section of the Council. This followed a previous withdrawn application after concerns about protected trees on the site were raised. An Arboricultural Method Statement has been included with this application. The trees and landscaping department have now formed the view that the proposal is acceptable subject to a condition controlling the work on site. This application will be conditioned accordingly.

Design Issues

The artificial pitch raises no issues relating to design. The fence at 3.0m high is quite tall. It is recognised that it appears relatively stark. However it is designed for its purpose and is similar to existing fencing around the playground adjacent to the grass area. The height of the fence is deemed acceptable for its purpose and would not look out of place given its location within the grounds of the school. It will be unseen from Russell Road, though visible from gardens adjacent to the site. Its impact would not be excessive and it would play no part in the existing streetscene. The design of the fencing is acceptable.

Drainage Issues

Drainage is a further concern of local residents. The land drainage section of the council has been consulted in relation to this proposal. The application has been accompanied by a detailed land drainage report relating how this particular issue will be addressed. The land drainage section is of the opinion that the proposed soakaway would sufficiently deal with surface run off and that a condition relating to surface water disposal is not deemed necessary. Therefore the proposed soakaway, as detailed on the submitted plans and supporting statement, is deemed adequate to deal with land drainage concerns.

Conclusion:

The proposed artificial pitch would have an impact on the amenity of the area; however this would not be to an excessive level. Issues relating to land drainage are adequately addressed by the proposed soakaway. The health and wellbeing of protected trees at the site can also be ensured with an appropriate condition. The proposal would not impact significantly on parking in the locale. It is therefore recommended the application be approved with conditions.



Epping Forest District Council

Area Planning Sub-Committee South



The material contained in this plot has been reproduced from an Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery. (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

EFDC licence No.100018534

Agenda Item Number:	6
Application Number:	EPF/0488/10
Site Name:	Loyola Preparatory School, 103 Palmerston Road, Buckhurst Hill, IG9 5NH
Scale of Plot:	1/1250

Report Item No: 7

APPLICATION No:	EPF/0520/10
SITE ADDRESS:	74 and 76 Hainault Road Chigwell Essex IG7 5DH
PARISH:	Chigwell
WARD:	Grange Hill
APPLICANT:	Mr Harris & Mr Grewal
DESCRIPTION OF PROPOSAL:	Single and two storey rear extensions.
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 The single storey extensions hereby approved on the common boundary of 74 and 76 Hainault Road shall be commenced and completed at the same time. Within 14 days of the commencement and substantial completion of the extensions a notice shall be served on the Local Planning Authority stating that development of the extensions has commenced and that they are substantially complete, as appropriate.
- 3 The proposed ground floor window in the south facing elevation of the extension to 76 Hainault Road hereby approved shall be entirely fitted with obscure glass. Any opening part of the window shall be top hung. The window shall be permanently retained in that condition.
- 4 Materials to be used for the external finishes of the proposed extensions, shall match those of the existing buildings.

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 proposed development is a joint application by the occupiers of number 74 and 76 Hainault Road, Chigwell. It is proposed to construct single and first floor rear extensions to the existing dwelling houses.

At number 74 it is proposed to construct a single storey rear extension that is to infill the vacant area between the existing kitchen, living room and the southern site boundary with 76 Hainault

Road. It would project 4.4 metres from the living room, leaving it set back 1m behind the rear façade of the kitchen. It would have a flat roof with two roof lanterns set behind a false pitch.

At number 76 it is proposed to construct a single storey extension and increase the size of a first floor rear extension.

The single storey extension would be made up of two components. The first component would project 5.5 metres from the rear façade of an existing conservatory along the northern site boundary with 74 Hainault Road. It would be constructed in line with the rear façade of the single storey extension proposed at number 74 and the extensions would share a party wall. The second component of the extension would project 4.5 metres from the rear façade of the existing kitchen. It would be set 1.5 metres from the southern site boundary with 78 Hainault Road.

Number 76 has a first floor rear extension constructed close to the south western corner of the building. Currently it projects 3.6 metres from the original rear façade of the building. It is proposed to increase the depth of this extension by just under a metre (0.86m) so that it would have a total projection from the rear wall of original house of 4.46 metres.

Description of Site:

Numbers 74 and 76 Hainault Road are located on the western side of Hainault Road approximately 40 metres south of 'The Chase' within the village of Chigwell. Both sites are long and narrow in shape and are relatively level. Numbers 74 and 76 form a pair of double storey semi detached dwellings which are located to the front of the sites. Each site has off street parking towards the front and a large rear garden. Located on the side and rear boundaries of the sites are timber paling fencing along with mature vegetation.

The subject sites are located within a well established residential area comprising of a mixture of large semi detached and detached dwellings. Spaces/gaps between building blocks form an important component to the character of the street scene and front set backs from the highway are consistent.

Relevant History:

Applications for 76 Hainault Road:

- EPF/0555/82 – Conservatory (approved)
- EPF/2028/08 - Two storey rear extension and conservatory (refused)

Applications for 74 Hainault Road:

- EPF/0828/07 - Single storey rear extension, pitched roof to existing two storey rear extension, front porch and internal alterations. (approved)
- EPF/1642/07 - Single storey rear extension, pitched roof to existing two storey rear extension, front porch and internal alterations (Revised application) (approved)
- EPF/2157/07 - Single storey rear extension and pitched roof to existing two storey rear extension. (Revised application) (approved)

Combined applications for 74 and 76 Hainault:

- EPF/1160/09 - Single and two storey rear extensions. (withdrawn)

Policies Applied:

- CP2 Protecting the quality of the rural and built environment
- DBE9 Loss of amenity
- DBE10 Residential extensions

Summary of Representations

CHIGWELL PARISH COUNCIL – Objected for the following reason:

The Council objects to this application on the grounds that it would overshadow neighbouring properties.

13 properties were consulted and the following response was received:

122 LECHMERE AVENUE - objection on the basis that it would result in a loss of privacy as a result of overlooking.

Issues and Considerations:

The main issues to be addressed in this case are whether the design and appearance of the proposed development is acceptable and whether it would have a harmful impact upon the amenities of adjoining occupiers.

Visual Impact and design:

As the proposed works are to the rear of the existing buildings of numbers 74 and 76, they would not have any impact on the appearance of the existing street scene. It is common in the locality for houses to have relatively large extensions and to that extent the proposals would be consistent with the established local character.

In terms of their bulk, scale and detailed design the extensions would respect that of the existing dwellings. They would appear well balanced and symmetrical and would be in accordance with policies CP2 and DBE10 of the Local Plan and Alterations.

Impact upon neighbouring amenities:

In relation to the Parish Council's concerns that the proposed extensions would result in overshadowing of adjoining properties, in this case due to the orientation of the site and the position and location of the extensions, there would not be any overshadowing of adjoining properties.

The single-storey extension to 74 Hainault would be set between an existing addition to that house and the proposed single-storey addition to 76 Hainault Road. Consequently it would not be readily visible beyond nos 74 and 76 Hainault Road and cannot have any adverse impact on any other neighbouring property. However, if it was built and the proposed addition to 76 was not constructed at the same time the addition would appear overbearing when seen from 76. This matter is dealt with further below.

The additions to 76 Hainault Road would have no impact on no 74 provided the proposed addition to 74 is built at the same time. The only property that would be affected by them is that immediately to the south, 78 Hainault Road. Since no. 78 is to the south of the application site the proposed additions, which are predominantly single-storey and would be set well away from the site boundary, would not cause any loss of light to it. The enlargement of the existing first floor

addition would be minimal, increasing its depth by less than 1m. Moreover, it would be set within a 45 degree line taken from the centre of the nearest first floor window at 78 Hainault Road. That relationship together with the siting of the addition north of no 78 is such that the enlargement of the existing first floor addition would not cause any loss of light. For the same reasons outlined above, the proposed additions to 76 Hainault Road would not cause any overshadowing of no. 78 and would not appear overbearing when seen from no. 78.

In terms of the potential for overlooking there would be a ground floor window in the south facing flank of the single-storey addition to 76. Views from that window to no. 76 would be interrupted by a fence on the boundary of the two properties but, nevertheless, views over the fence into that property may be possible. It is possible to deal with the potential harm caused by such overlooking by requiring that window to be obscure glazed.

In relation to the concern about harm to privacy raised by the occupant of 122 Lechmere Avenue, that property is separated from the application sites by Savilles Cottages and consequently there are no views of it from the development.

As indicated above, the proposed single storey additions to the application sites have the potential to cause harm to the amenities of the attached house if only one of the houses is enlarged as proposed. The most satisfactory mechanism for ensuring that situation does not arise in this case is an agreement under section 106 of the Town and Country planning Act requiring the single storey additions on the common boundary are built at the same time. However, it is possible to impose a planning condition with the same requirement and, given the relatively low cost of carrying out those components of the overall development, the enforcement mechanisms for securing compliance with such a condition are adequate.

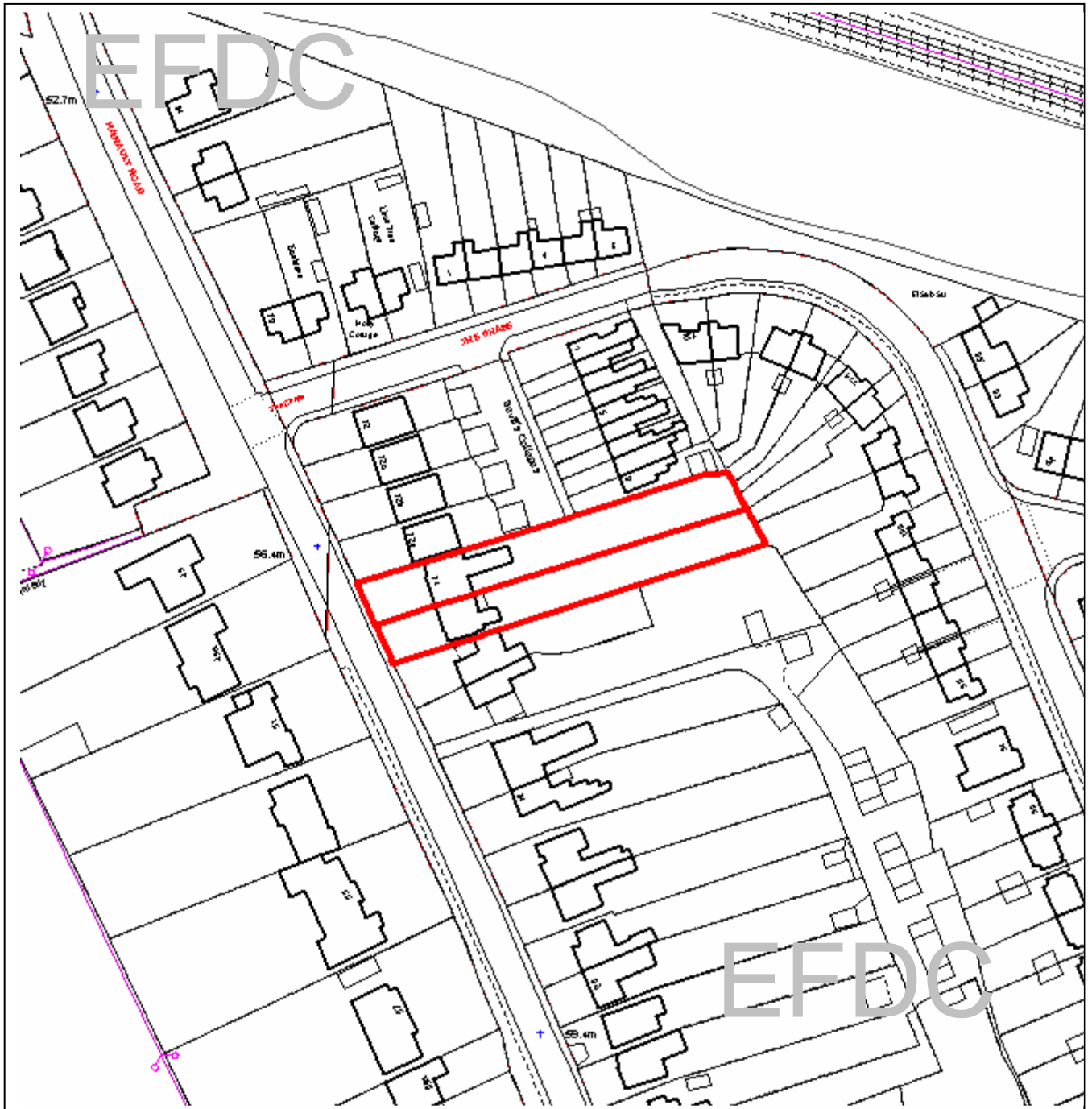
Conclusion:

In conclusion, the proposed development would be acceptable in terms of its design and appearance and impact on amenity. It would cause no harm to the amenities of adjoining property occupiers. The development is therefore an acceptable development and it is recommended that planning permission be granted subject to appropriate planning conditions including a condition requiring the single storey additions on the common boundary are built at the same time.



Epping Forest District Council

Area Planning Sub-Committee South



The material contained in this plot has been reproduced from an Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery. (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

EFDC licence No.100018534

Agenda Item Number:	7
Application Number:	EPF/0520
Site Name:	74 and 76 Hainault Road, Chigwell IG7 5DH
Scale of Plot:	1/1250