

Committee Agenda



Epping Forest District Council

Area Planning Subcommittee South Wednesday, 16th January, 2013

You are invited to attend the next meeting of **Area Planning Subcommittee South**, which will be held at:

Roding Valley High School, Brook Road, Loughton, Essex IG10 3JA
on **Wednesday, 16th January, 2013**
at **7.30 pm** .

Glen Chipp
Chief Executive

**Democratic Services
Officer**

Simon Hill (The Office of the Chief Executive)
Tel: 01992 564249 Email:
democraticservices@eppingforestdc.gov.uk

Members:

Councillors J Hart (Chairman), Ms S Watson (Vice-Chairman), K Angold-Stephens, G Chambers, K Chana, Mrs T Cochrane, R Cohen, C Finn, L Girling, Ms J Hart, J Knapman, L Leonard, A Lion, H Mann, J Markham, G Mohindra, S Murray, Mrs C Pond, B Sandler, Mrs T Thomas, H Ulkun, Mrs L Wagland, D Wixley and N Wright

A BRIEFING FOR THE CHAIRMAN, VICE-CHAIRMAN AND APPOINTED SPOKESPERSONS WILL BE HELD AT 6.30 P.M. IN COMMITTEE ROOM 1 ON THE DAY OF THE SUB-COMMITTEE.

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 7 - 12)

General advice to people attending the meeting is attached together with a plan showing the location of the meeting.

3. MINUTES (Pages 13 - 26)

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. CONFIRMATION OF TREE PRESERVATION ORDER TPO/EPF/20/12, 3 LEE GROVE CHIGWELL (Pages 27 - 28)

Recommendation:

That the tree preservation order TPO/EPF/20/12 not be confirmed.

REPORT

Background

1. Tree Preservation Order TPO/EPF/20/12 was sealed on 18 October 2012 to protect a single oak tree in the rear garden of 3 Lee Grove, Chigwell. It was made following a Tree Preservation Order check revealing that the intention was to have the tree felled. A site plan is attached.

2. The justification for the TPO was that from available evidence it was a large and potentially important tree; the order was necessary to investigate the justification for felling and the amenity value of the tree.

Grounds of Objection

3. Objections have been received to the order from the owner, as well as the neighbours on either side, at 5 Lee Grove and 7 Chigwell Rise.

4. The grounds of objection on behalf of the owners are that:

- (1) It is not expedient in the interest of the amenity to make a TPO.
- (2) The tree included within the TPO is dangerous.
- (3) The Council has provided no evidence that they have followed any internal process when determining whether the tree is suitable to be protected by a TPO.
- (4) No systematic system was employed to determine the merit of serving the TPO.

5. The objection from 5 Lee Grove mentions the safety of the tree, but also considers that the tree has outgrown its immediate surroundings and essentially is too large for its situation.

6. The objection from 7 Chigwell Rise is on the basis of safety, but also loss of natural light.

7. In relation to the objection from the owners the main points above are expanded as follows:

(a) Visibility: to be protected a tree should normally have a significant visual impact; because of its situation in a rear garden this tree can only be glimpsed from public places. The tree has no particular importance; it is not rare and has no value as a screen, and makes no significant contribution to the character or appearance of a conservation area. It may have been expedient to serve the order but it is not expedient to confirm it.

(b) In relation to danger, the objection points to numerous clumps of toadstools identified as honey fungus growing throughout the garden although predominating towards the house end. And to an extensive pocket of decay in the lower stem extending into the heart wood. Evidence of seasonal fungal fruit brackets, provisionally identified as *Inonotus hispidus* were present. On the balance of probability the tree would be described as a hazard with a potential to fail imminently.

(c) In relation to the council's procedures the objection notes that there is no evidence that the authority has employed a systematic assessment, such as TEMPO, for evaluating the suitability of a tree for being protected by a TPO. Because the Council was not able to visit the tree before making the TPO, the order has been made without any clear understanding or knowledge of the individual tree or its general condition. It is also the case that should the council wish any further information it is for the council to pay for such investigations, as it is for the local authority to prove that the tree is suitable for protection. The letter states that should the authority confirm the Tree Preservation Order they would be assuming liability for any damage or injury caused by the failure of the tree if this failure was as a consequence of the decay outlined in the letter.

8. In conversation, when inspecting the tree the owner stated that he had no desire to see the tree felled, but wanted the comfort that it could be dealt with at any time, without the need for application.

Director of Planning and Economic Development Comments

9. The main point is considered to be how seriously the tree has been infected by the fungal decay identified and whether it has significant future public amenity value such that the order should be confirmed.

10. In relation to the other elements of the objection it is acknowledged that the TPO was made without a systematic evaluation of its suitability for protection. There are particular issues with TEMPO which make it unsatisfactory; however the Tree and Landscape team do formally record the key issues and considerations before making any order, when time is available. However in this case the information to hand suggested that the Council had no time to undertake a systematic investigation and it was considered that the order was justified as a precautionary measure because of its apparent size and likely age. It is indeed a fully mature oak tree some 20 metres tall with a significant branch spread.

11. It is further considered that such a tree could be protected even in a rear garden so long as it was at least visible from some public place, which this tree proved

to be. Many people would consider that such a fine tree would enhance their property, so long as it was in safe condition. The crux of the issue is therefore the tree's safety.

12. The presence of honey fungus in the lawn at some distance to the tree may well be completely disassociated from the oak tree. Furthermore there are several species of armillaria, with varying potential impacts.

13. However, there was evidence of at least 2 fungal fruiting bodies having been present on the tree. It is considered that these were probably a different species of the genus Inonotus to that named, specifically Inonotus dryadeus, or the dryad's saddle fungus. This fungus over the long term it can decay a tree substantially and render it dangerous.

14. From an external examination it appeared that the root buttresses were sound but it was evident that the heartwood had completely rotted away. Examination of a crack in the lower stem showed extensive internal decay. There were also marks on the bark where the large, annual fruiting bodies had been attached, before falling off (as they do naturally after releasing their spores).

15. On the balance of probabilities the tree could be retained and managed safely by a program of continuing crown reduction. However, were this reduction to be undertaken then the value amenity of the tree would be significantly lessened. There would also be a significant and ongoing responsibility and financial cost to the owner, in that the operation would have to be repeated on a regular basis.

16. Such a reduction would deal with some of the grounds of objection by neighbours, but not all, and only at the cost of diminishing to a negligible level the tree's public visibility.

Recommendations

17. It is concluded that the limited future visual amenity able to be provided by the tree does not justify the use of planning powers to insist on its retention, bearing in mind the ongoing responsibility and expense to the owner of maintaining the tree in a safe condition.

18. It is therefore consistent with policy LL7 of the local plan and alterations 2006. that Tree Preservation Order TPO/EPF/20/12 should not be confirmed.

8. DEVELOPMENT CONTROL (Pages 29 - 62)

(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.

9. 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.

10. EXCLUSION OF PUBLIC AND PRESS

Exclusion: To consider whether, under Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the items of business set out below on grounds that they will involve the likely disclosure of exempt information as defined in the following paragraph(s) of Part 1 of Schedule 12A of the Act (as amended) or are confidential under Section 100(A)(2):

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

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

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

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

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

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

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

Advice to Public and Speakers at Council Planning Subcommittees

Are the meetings open to the public?

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

When and where is the meeting?

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

Can I speak?

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

Who can speak?

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

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

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

What can I say?

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

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

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

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

How are the applications considered?

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

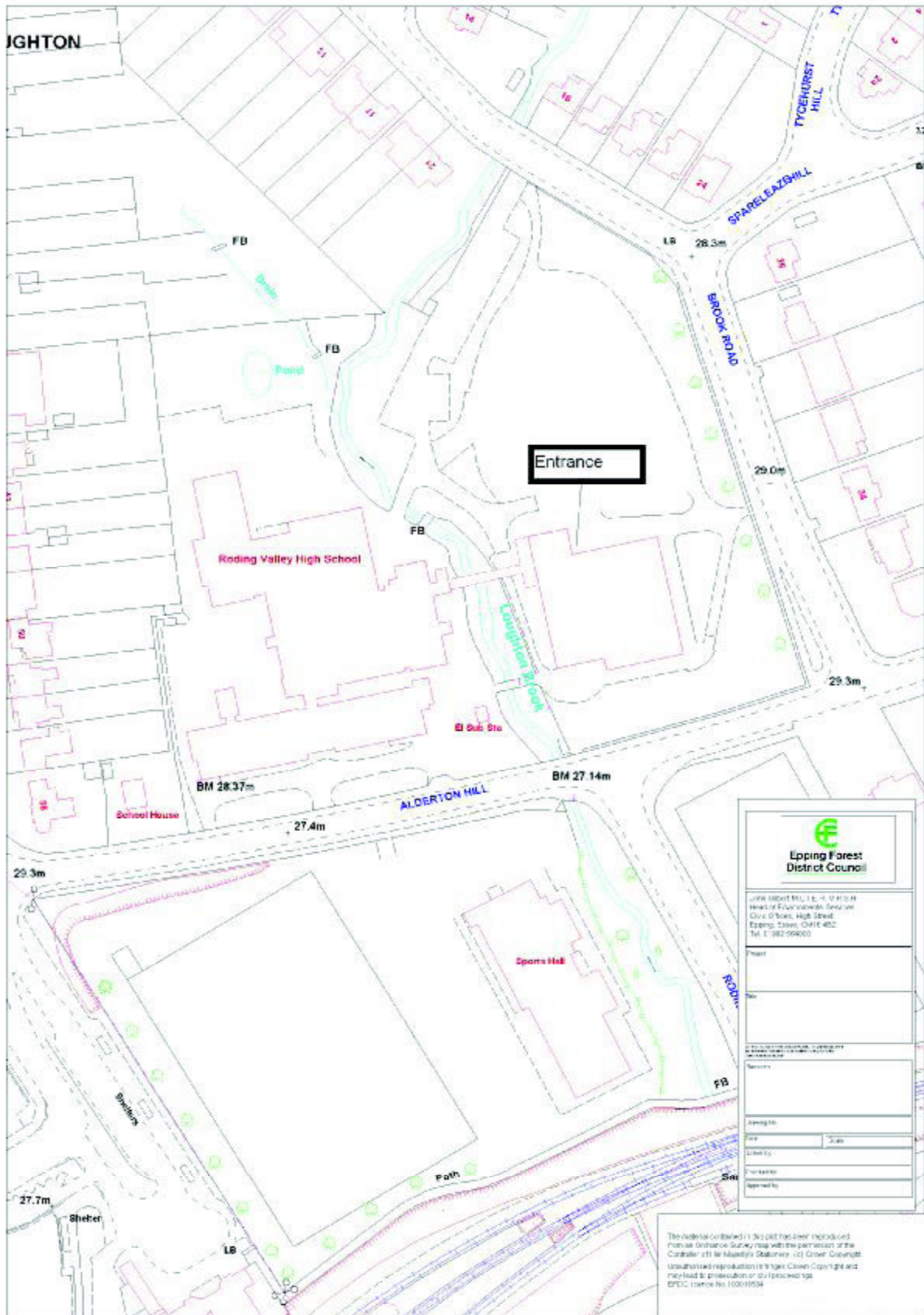
The order of speaking will be (1) Objector, (2) Parish/Town Council, then (3) Applicant or his/her agent. The Subcommittee will then debate the application and vote on either the recommendations of officers in the agenda or a proposal made by the Subcommittee. Should the Subcommittee propose to follow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

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

Further Information?

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

Area Plans Subcommittee South – Location Plan



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Area Planning Subcommittee South 2012-13
Members of the Committee:



Cllr James Hart	Cllr Watson	Cllr Angold-Stephens	Cllr Chambers	Cllr Chana	Cllr Cochrane
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Cllr Cohen	Cllr Girling	Cllr Finn	Cllr Jennie Hart	Cllr Knapman	Cllr Leonard
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Cllr Lion	Cllr Mann	Cllr Markham	Cllr Mohindra	Cllr Pond	Cllr Murray
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Cllr Sandler	Cllr Thomas	Cllr Ulkun	Cllr Wagland	Cllr Wixley	Cllr Wright
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EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Subcommittee **Date:** 12 December 2012
South

Place: Roding Valley High School, Brook Road, Loughton, Essex IG10 3JA **Time:** 7.30 - 10.01 pm

Members Present: J Hart (Chairman), Ms S Watson (Vice-Chairman), K Angold-Stephens, G Chambers, K Chana, Mrs T Cochrane, Ms J Hart, J Knapman, L Leonard, A Lion, H Mann, G Mohindra, Mrs C Pond, B Sandler, Mrs T Thomas, H Ulkun, D Wixley and N Wright

Other Councillors:

Apologies: C Finn, L Girling, J Markham and Mrs L Wagland

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

47. 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.

48. MINUTES

RESOLVED:

That the minutes of the last Sub-Committee meeting on 21 November 2012 be agreed.

49. DECLARATIONS OF INTEREST

Pursuant to the Council's Code of Members Conduct, Councillors B Sandler and J Knapman declared a non pecuniary interest in the following item of the agenda by virtue of the applicant being a fellow Parish Councillor. The Councillors indicated that they would remain in the meeting for the consideration of the item.

- EPF/1771/12 – Land adj. Rest Harrow, The Kennels, Millers Lane, Chigwell.

50. ANY OTHER BUSINESS

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

51. CONFIRMATION OF TREE PRESERVATION ORDER - TPO/EPF/15/12**RESOLVED:**

That the Tree Preservation Order TPO/EPF/15/12 be confirmed.

52. DEVELOPMENT CONTROL

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

RESOLVED:

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

53. EPF/1399/09 - 212 MANOR ROAD, CHIGWELL**RESOLVED:**

That the proposed revised mix for the rented and shared ownership homes in respect of the “fallback position” within the Section 106 Agreement, which retained the same number of rented and shared ownership affordable homes as required by the Section 106 Agreement, be agreed as indicated below:

Rented Housing

6 X 2 bed flats	
5 X 2 bed houses	
6 X 3 bed houses	Total = 17

Shared Ownership

16 X 2 bed flats	
13 X 2 bed houses	
6 X 3 bed houses	Total = 35

As approved, the 17 rented dwellings were to comprise 4 x 2 bed flats and 13 x 3 bed houses and the 35 shared ownership dwellings were to comprise 18 x 2 bed flats and 17 x 3 bed houses.

54. PROBITY IN PLANNING

The Sub-Committee received a report regarding Probity in Planning – Appeal Decisions, 1 April 2012 to 30 September 2012.

In compliance with the recommendation of the District Auditor, this report advised the decision-making committees of the results of all successful appeals i.e. particularly those refused by committee contrary to officer recommendation. The purpose was to inform the committee of the consequences of their decisions in this respect and, in cases where the refusal was found to be unsupportable on planning grounds, an award of costs may be made against the Council.

In recent years the Council performance has been 18% in 2003/04, 29% in 2004/05, 22% in 2005/06, 30% in 2006/07, 29% in 2007/08, 40.3% for 2008/09, 30.9% in 2009/10 and 36.6% in 2010/11.

Since 2011/12, there have been two local indicators, one of which measures all planning application type appeals as a result of committee reversals of officer recommendations (KPI 55) and the other which measures the performance of officer recommendations and delegated decisions (KPI 54).

Over the six-month period between April 2012 and September 2012, the Council received 56 decisions on appeals (43 of which were planning related appeals, the other 13 were enforcement related).

KPI 54 and 55 measure planning application decisions and in total, out of this 43, 8 were allowed (18.6%). Broken down further, KPI 54 performance was 2 out of 28 allowed (7.14%) and KPI 55 performance was 6 out of 15 (40%).

Whilst performance in defending appeals has improved, Members were reminded that in refusing planning permission there needed to be justified reasons that in each case, must be relevant, necessary, but also sound and defensible so as to avoid paying costs. Whilst there was clearly pressure on Members to refuse in cases where there were objections from local residents, these views (and only when they were related to the planning issues of the case) were one of a number of the relevant issues to balance out in order to understand the merits of the particular development being applied for.

RESOLVED:

That the report regarding Probity in Planning – Appeal Decisions 1 April 2012 to 30 September 2012 be noted.

55. DELEGATED DECISIONS

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

CHAIRMAN

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Report Item No: 1

APPLICATION No:	EPF/1722/12
SITE ADDRESS:	48 Queens Road Buckhurst Hill Essex IG9 5BY
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
DESCRIPTION OF PROPOSAL:	Erection of play equipment (retrospective application)
DECISION:	Refuse Permission

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=541109

REASON FOR REFUSAL

- 1 The play equipment results in a significant detrimental impact on neighbouring amenity due to the high level of the equipment and often continuous amount of noise produced from the activity on the play equipment; furthermore the play equipment is such that overlooking to neighbouring gardens is possible further detracting from a reasonable expected level of amenity. The proposal is therefore considered contrary to policies DBE9 and RP5A of the Adopted Local Plan and Alterations (which is consistent with policies contained within the National Planning Policy Framework).

POSITIVE AND PROACTIVE STATEMENT:

Members generally considered that smaller scale play equipment may be acceptable. It was also suggested that the Applicant explores with Planning Officers, any potential to relocate the existing equipment to a less sensitive location within the application site.

Report Item No: 2

APPLICATION No:	EPF/1198/12
SITE ADDRESS:	2 New Forest Lane Chigwell Essex IG7 5QN
PARISH:	Chigwell
WARD:	Grange Hill
DESCRIPTION OF PROPOSAL:	Conversion of existing detached dwelling into 3 individual dwellinghouses, laying out of parking area to rear, alterations to 2 existing dormer windows and erection of 2 single storey rear extensions.
DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=538555

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: EWB_001, EWB_100 rev L, EWB_101 rev G and EWB_102 rev D
- 3 Materials to be used for the external finishes of the proposed development, shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 4 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Classes A, B and E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority. For the purpose of this condition, no change to the external finished materials of the building and no change to the design and materials of windows shall take place without the prior written permission of the Local Planning Authority, such works otherwise being permitted by Class A.
- 5 If any tree, shrub or hedge not shown to be removed on the approved plans and particulars is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same

species and size as that originally planted shall, within 3 months, be planted at the same place.

- 6 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan, Arboricultural Method Statement and site monitoring schedule in accordance with BS 5837:2012 (Trees in relation to design, demolition and construction - Recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 7 Prior to the first occupation of any of the proposed dwellings, the proposed private drive off Manor Road shall be constructed to a minimum width of 4.8 metres for at least the first 5 metres from the back of the carriageway and provided with an appropriate dropped kerb crossing of the highway verge.
- 8 The proposed development shall not be occupied until such time as the vehicle parking area indicated on the approved plans, including any parking space for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area 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 for residential purposes unless otherwise agreed in writing with the Local Planning Authority.
- 9 Any gates provided at the vehicular access to the site shall only open inwards and shall be set back a minimum of 6 metres from the nearside edge of the carriageway.
- 10 Prior to commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.
- 11 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.
- 12 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 08.00 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.
- 13 Access to the flat roofed areas of the dwellinghouses hereby approved shall be for maintenance or emergency purposes only and the flat roof areas shall not be used as a seating area, roof garden, terrace, patio or similar amenity area. No furniture, including tables and chairs, shall be placed on the flat roof.

Report Item No: 3

APPLICATION No:	EPF/1951/12
SITE ADDRESS:	Jennikings Garden Centre 212 Manor Road Chigwell Essex IG7 4JX
PARISH:	Chigwell
WARD:	Grange Hill
DESCRIPTION OF PROPOSAL:	Minor Material amendment to design of residential development (21 flats) approved under EPF/2361/09
DECISION:	Refuse Permission

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=542320

REASON FOR REFUSAL

- 1 The proposed development, by reason of its height and design would appear unsympathetic to both the character and appearance of the area, and also in relation to previously approved development within the site. The design of the development is such that it would fail to create an acceptable domestic vista. It is, therefore contrary to policies CP2(iv); CP3(v); CP7; and DBE1 of the Adopted Local Plan and Alterations, which are consistent with the policies and principles of the National Planning Policy Framework.

POSITIVE & PROACTIVE STATEMENT:

Members of the Committee felt that the design and reduced scale of the proposed development was out of keeping with adjacent development, including that approved within the application site. Members felt that this concern may be addressed by amendments to the design and the scale of the development proposed, so that it was more in keeping with the character of adjacent approved development within the application site.

Report Item No: 4

APPLICATION No:	EPF/1785/12
SITE ADDRESS:	152 - 154 Daneley Court Nursing Home Queens Road Buckhurst Hill Essex IG9 5BJ
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
DESCRIPTION OF PROPOSAL:	Demolition of existing nursing home and the erection of 14 apartments and associated car parking spaces, amenity space, bin and cycle stores, foul and surface water drainage and landscaping.
DECISION:	Refuse Permission

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=541531

A late representation from the occupier of 157 Princes Road was reported to the Committee.

REASONS FOR REFUSAL

- 1 The proposal would constitute an overdevelopment, on the basis that the application site is of insufficient size to accommodate appropriate amounts of both car parking and private amenity space to adequately serve the 14 dwellings proposed. Accordingly, the proposal is contrary to policies CP7; ST6; DBE6; and DBE8 of the Adopted Local Plan and Alterations, which are consistent with the policies and principles of the National Planning Policy Framework.

POSITIVE AND PROACTIVE STATEMENT

Members of the Committee were generally satisfied with the design of the proposed building. However, due to a lack of space within the site to accommodate adequate car parking and private amenity space, Members considered it to be an overdevelopment of the site. Members generally felt that a reduction in the number of dwellings proposed by 4-6 may overcome this concern.

Report Item No: 5

APPLICATION No:	EPF/1512/12
SITE ADDRESS:	82 Princes Road Buckhurst Hill Essex IG9 5DZ
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
APPLICANT:	Mr R Comerford
DESCRIPTION OF PROPOSAL:	Proposed two storey side and rear extension.
DECISION:	Refuse Permission (Householder)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=539906

REASON FOR REFUSAL

- 1 By reason of the proximity of the side elevation to the boundary with 80 Princes Road the proposal would have an excessively over-dominant relationship with that house to the detriment of the character and appearance of the locality. It is therefore contrary to Local Plans and Alterations policy DBE10, which is consistent with the National Planning Policy Framework.

Report Item No: 6

APPLICATION No:	EPF/1771/12
SITE ADDRESS:	Land adjoining Rest Harrow The Kennels Millers Lane Chigwell Essex IG7 6DG
PARISH:	Chigwell
WARD:	Chigwell Row
DESCRIPTION OF PROPOSAL:	Demolish existing Kennels and build a new 2 bedroom house. Change of use of land to residential. (Revised application)
DECISION:	Grant Permission (with conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=541451

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 20611(1), 20611(2), 20611(3), 20611(4), 20611(5) and 20611(7) together with unnumbered site location plan and block plan and Design and Access Statement December 2011.

Reason: To ensure the proposal is built in accordance with the approved drawings.

- 3 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such approved details.

Reason:- To ensure a satisfactory appearance in the interests of visual amenity.

- 4 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 2, Classes A, B & E shall be undertaken without the prior written permission of the Local Planning Authority.

Reason:- The specific circumstances of this site warrant the Local Planning Authority having control over any further development.

- 5 No development, including site clearance, shall take place until a scheme of soft landscaping and a statement of the methods, including a timetable, for its Implementation (linked to the development schedule), have been submitted to the Local Planning Authority and approved in writing. The landscape scheme shall be carried out in accordance with the approved details and the agreed timetable. 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 in writing.

Reason:- To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990 so as to ensure that the details of the development of the landscaping are complementary, and to ensure a satisfactory appearance to the development.

- 6 Gates shall not be erected on the vehicular access to the site without the prior written approval of the Local Planning Authority.

Reason:- In the interests of highway safety.

- 7 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.

Reason:- In the interests of visual amenity.

POSITIVE AND PROACTIVE STATEMENT:

Members found very special circumstances existed in respect of this development. The circumstances comprised of: the nature of the existing lawful use of the site, which would be excessively harmful to the living conditions of neighbours; that the land is previously developed and that alternative employment uses would be likely to cause harm to residents' living conditions. They subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Report Item No: 7

APPLICATION No:	EPF/2045/12
SITE ADDRESS:	Land to rear of 108 Palmerston Road Buckhurst Hill Essex IG9 5LG
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
DESCRIPTION OF PROPOSAL:	Extension of time limit to implement planning permission reference EPF/0828/09 allowed on appeal (Construction of two flats, in same footprint as approved detached dwelling, EPF/2286/08)
DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=542720

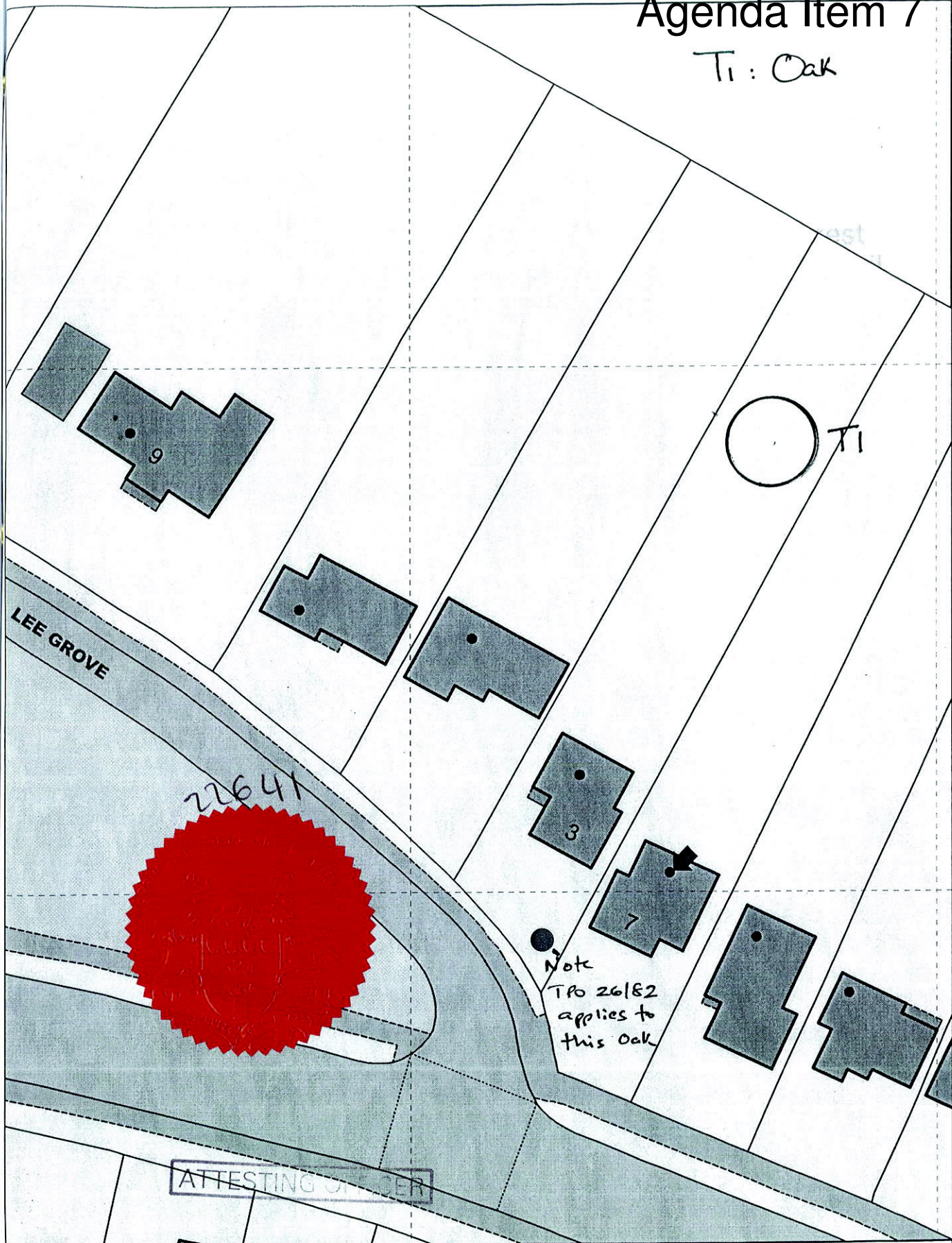
CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of two years beginning with the date of this notice.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 3/5579/9/A; 3/5579/10/A; 3/5579/11.
- 3 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such approved details.
- 4 Prior to the commencement of development details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected before the occupation of any of the dwellings hereby approved and maintained in the agreed positions.
- 5 Gates shall not be erected on the vehicular access to the site without the prior written approval of the Local Planning Authority.
- 6 No development shall commence until a survey by a competent person has been carried out to establish the presence or otherwise of Japanese Knotweed and submitted to the Local Planning Authority. The survey should also note any knotweed adjoining the site. If Japanese Knotweed is confirmed, full details of a scheme for its eradication and/or control programme suitable for the site shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the substantial completion of the development hereby approved.

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Agenda Item 7

T1 : Oak



Epping Forest District Council
Planning Services
Civic Offices
High Street
Epping CM16 4BZ

TPO/EPF/20/12
3 Lee Grove
Chigwell

Centre X: 543756.419
Centre Y: 193467.127
Width : 90.000
Angle : .000

Scale : 1:500

Date : 18 Oct 2012

Time : 11:33:02 AM

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AREA PLANS SUB-COMMITTEE SOUTH

Date

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Report Item No: 1

APPLICATION No:	EPF/2009/12
SITE ADDRESS:	10 The Summit Loughton Essex IG10 1SW
PARISH:	Loughton
WARD:	Loughton St Johns
APPLICANT:	Mrs Pauline Kempley
DESCRIPTION OF PROPOSAL:	TPO/EPF/05/93 T1 - Pine - Fell
RECOMMENDED DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteILM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=542560

CONDITIONS

- 1 The existing gingko, situated in the rear garden, shall be retained as replacement for the tree to be felled unless this be varied with the written agreement of the Local Planning Authority. If within a period of five years from the date of planting the gingko be removed, uprooted or destroyed, or dies, or becomes seriously damaged and defective another tree of the same species and of a size to be agreed in writing shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

This application is before this committee as any application to fell a preserved tree falls outside the scope of delegated powers.

Description of Site

In the relatively modest rear garden of detached property with other pines. This tree is contained within the notable group of pines at The Summit.

Description of Proposal

Felling and replacement of one pine.

Relevant History

None recent.

Relevant Policies

LL9 – Felling of preserved trees

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

Summary of Representations

LOUGHTON TOWN COUNCIL; the committee objects to applications that will result in inappropriate treatment being carried out to any significant tree and also objects to any application to fell such a protected tree. It therefore objected in principal to this application. If however, the District Council's arboricultural officers deem this application acceptable whether with amendments or not then the committee was willing to waive its objection.

Issues and Considerations

The garden in total has 7 trees, including the application tree. Of these the majority are large pines although immediately adjacent to the application tree is an (unprotected) gingko. The application is made solely on the basis of the one tree's poor condition.

Pre-application inspection of the tree showed it to be leaning towards the house and clearly dying back. The foliage at the top was thin and had discoloured. There was little or no evidence of positive extension growth for several years. Although there was no evidence that it was immediately unsafe, nevertheless safety concerns will increase with time. Essentially it is a tree with minimal amenity value and no future.

Rather than insisting on a new replacement tree a TPO could be made to protect the semi mature Gingko, which is in a good position and shows signs of becoming an attractive tree. It would also be more suitable for the general location than the existing pines.

Conclusions

That felling of the existing tree is consistent with the relevant policy LL9 of the local plan and alterations and should be agreed subject to the Tree and Landscape team acting to protect the existing Gingko tree which should be retained by condition.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

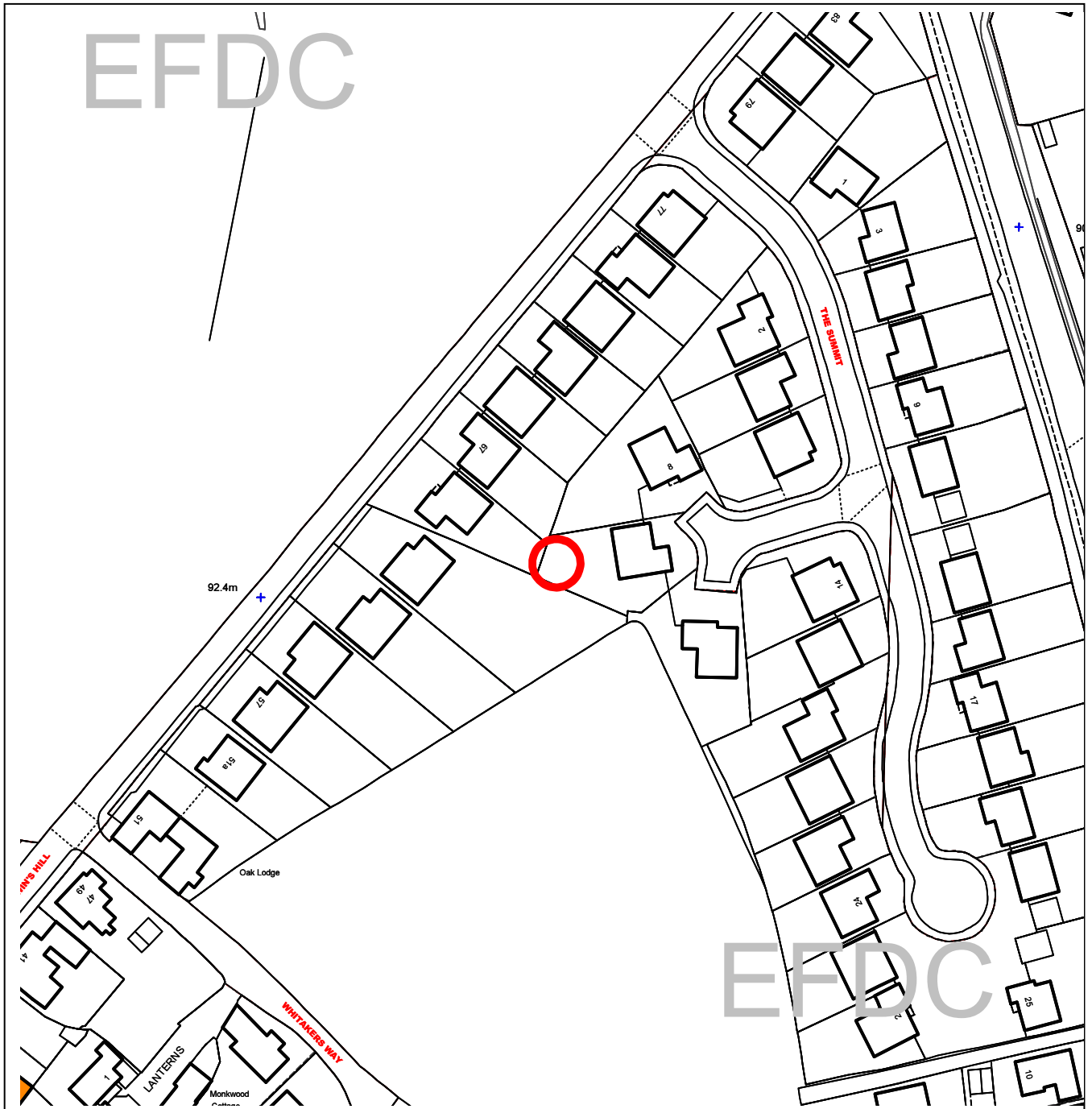
***TPO Application Case Officer: Christopher Neilan
Direct Line Telephone Number: 01992 564117***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	1
Application Number:	EPF/2009/12
Site Name:	10 The Summit, Loughton IG10 1SW
Scale of Plot:	1/1250

Report Item No: 2

APPLICATION No:	EPF/2223/12
SITE ADDRESS:	3 Lee Grove Chigwell Essex IG7 6AD
PARISH:	Chigwell
WARD:	Chigwell Village
APPLICANT:	Mr Mahinda Perera
DESCRIPTION OF PROPOSAL:	TPO/EPF/20/12 T1 - Oak - Fell
RECOMMENDED DECISION:	Grant Permission

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=543440

CONDITIONS

NONE

This application is before this committee as any application to fell a preserved tree falls outside the scope of delegated powers.

Description of Site

The tree stands in a substantial rear garden behind a relatively narrow fronted detached property. The tree may be glimpsed from the street. The land to the rear is private, although open.

Description of Proposal

Fell tree.

Relevant History

TPO/EPF/20/12 was made to protect the oak tree on the basis of information received while dealing with a Tree Preservation Order check. It appeared possible, on the basis of the evidence available, that a potentially important tree was to be lost needlessly. The order was made specifically to allow an assessment of the tree's amenity and to decide whether it warranted protection. That matter is dealt with in the separate report in the earlier part of the agenda.

Relevant Policies

LL9 – Felling of preserved trees

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

Summary of Representations

CHIGWELL PARISH COUNCIL; objects to applications which result in inappropriate treatment being carried out on any significant tree and also objects to any applications to fell such protected tree. The Council therefore objected. If however the District Council's Arboricultural Officers deem this application acceptable, whether with amendments or not, then the Council is willing to waive its objection.

Representation from neighbours about the TPO in general are included in the previous report, but in summary they would welcome felling of the tree.

Issues and Considerations

While from an aerial photograph the tree appears large and healthy the stem is severely infected, probably with the decay fungus *Inonotus dryadius*. As a result pruning, at least, would need to be carried out to give reasonable surety that the tree was in a safe condition. To carry out such a reduction, given the tree's situation, would render its public amenity negligible. There is an older tree in the front garden, subject to a separate TPO, which the owners accept requires to be retained.

Conclusions

The felling is recommended for consent for the reasons set out in more detail in the earlier report, having assessed that the tree was not suitable to be protected. Given the tree's location no replacement planting is suggested.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

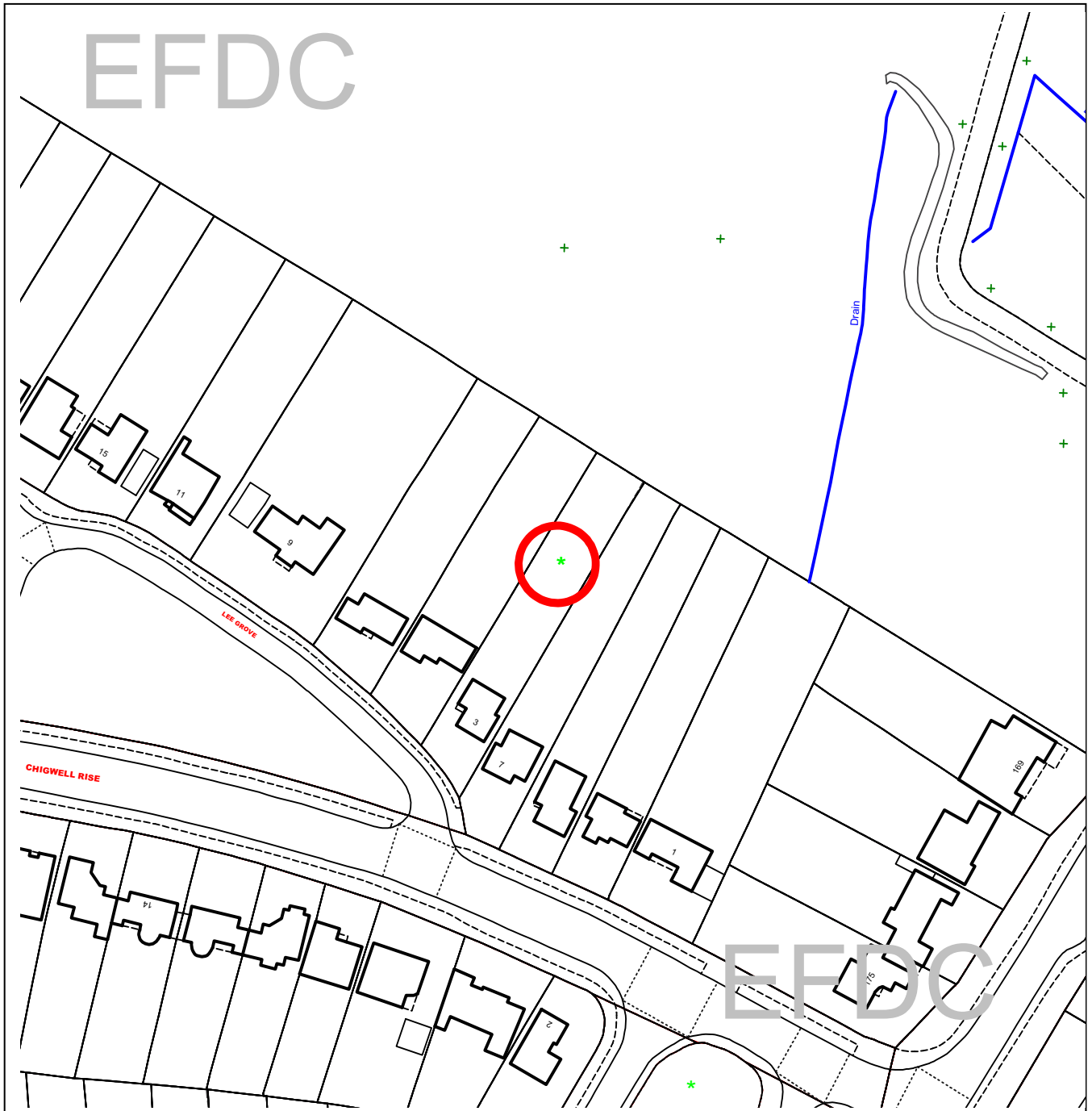
***TPO Application Case Officer: Christopher Neilan
Direct Line Telephone Number: 01992 564117***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	2
Application Number:	EPF/2223/12
Site Name:	3 Lee Grove, Chigwell IG7 6AD
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/0378/12
SITE ADDRESS:	39 Traps Hill Loughton Essex IG10 1SZ
PARISH:	Loughton
WARD:	Loughton St Marys
APPLICANT:	Mr & Mrs U & M Agarwal
DESCRIPTION OF PROPOSAL:	Proposed side and rear extensions, internal alterations and construction of garage/fitness room. (Revised Application)
RECOMMENDED DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=535442

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 materials to be used for the external finishes of the development hereby approved shall be those specified in response to question 11 of the submitted planning application forms for the development, unless otherwise previously agreed in writing by the Local Planning Authority.
- 3 The development hereby approved shall not be commenced until details of proposals to prevent potential excessive overlooking of 41 Traps Hill from the raised patio adjacent to the site boundary with that property have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented within 3 months of the substantial completion of the raised patio and thereafter permanently retained.
- 4 Within 3 months of the substantial completion of the development hereby approved, the proposed window openings in the west facing first floor flank elevations and the rooflights in the roofs of the approved side extensions shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 5 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan, Arboricultural Method Statement and site monitoring schedule in accordance with BS 5837:2012 (Trees in relation to design, demolition and construction - Recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.

This application is before this Committee since it is for a type of development that cannot be determined by Officers if more than four objections material to the planning merits of the proposal to be approved are received (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(f).)

Description of Site:

The application site is situated on the southern side of Trap's Hill. It is occupied by a wide fronted two-storey detached dwelling, with a drive to the front and a rear garden of approximately 50m in depth. There is considerable landscaping around the application site and on neighbouring land. Two trees to the front of the site adjacent to its boundary with the footway are preserved. They form part of a small group of trees that obscure views of the house from the street. There are no preserved trees elsewhere on the site or on neighbouring properties.

The design of the house is dominated by a pair of gable features to the front. It has considerable flat roofed side extensions to the side and rear, that to the rear including a balcony. Those to the side, project either to the boundary or close to it. The first floor flanks are set well away from the site boundaries.

The site is not in a conservation area. The locality is characterised by large detached houses, normally with good distances between their flanks, although a group of 3 houses opposite the site are situated uncharacteristically close to each other.

Description of Proposal:

It is proposed to erect part single, part two-storey side additions and two-storey rear additions replacing the existing single-storey additions. It is also proposed to erect two-storey front additions projecting forward of the side additions together with a much shorter two-storey side addition contained between the forward projections. The forward projection adjacent to 41 Traps Hill would be set some 1.5m from the site boundary and take the form of a ground floor garage with fitness room in the roof space. (When originally submitted, this application proposed that addition on the boundary with no. 41). The extensions would be of traditional design with pitched roofs presenting 4 gable features to the front elevation. Two balconies would be set into the rear facing roof, one in a part recessed between parts of the roof projecting further to the rear and the other recessed into the roof adjacent to another rearward projection.

Approximately 4.5m from the boundary with 41 Traps Hill it is proposed to erect a 4m wide conservatory that would project 8m beyond the rear addition. Raised patios some 600mm high would project across the rear elevation from the boundary with 41 to some 1.5m from the boundary with 35 Traps Hill. (That part adjacent to 41 Traps Hill)

The proposal is a significant revision to a proposal for larger scale additions that was refused in November 2011.

Relevant History:

EPF/1838/11 Two storey side extensions, roof extensions, two storey rear extension, rear conservatory and two storey front extension (to form garage/fitness room.)

Refused on the basis of harm to the living conditions of 41 Traps Hill arising from the rear projection of the proposed side addition and harm to the appearance of the house and character of the locality arising from the bulk of the front projection of the side extension to the eastern flank and from the proximity of both side extensions to the site boundaries. The absence of information relating to trees on the site was also a reason for refusal.

Policies Applied:

CP2 - Protecting the Quality of the Rural and Built Environment
CP3 – New Development
CP7 – Urban Form and Quality
DBE9 – Amenity
DBE10 – Design
LL10 – Adequacy of Provision for Landscape Retention
LL11 - Landscaping

Summary of Representations:

Notification of this application was sent to Loughton Town Council and to 8 neighbouring residents.

The following representations have been received:

41 TRAP'S HILL. Objection. The proposal incorporates features similar to those in the original application to which I objected. The proposed east side extension still comprises a substantial addition to the existing structure, close to my property. It would dominate the view from parts of my house and rear garden, to the detriment of my environmental quality. The proposed garage/fitness room is almost as large as in the original application. This obtrusive structure would come right up to the boundary of my property, very close to my house, greatly reducing the separation of the two dwellings. This revised application fails to meet much of the objection to the original planning application and should therefore be refused.

30, 34, 36, 40 TRAP'S HILL. Objection. The current proposals are also overbearing, not only when seen from 41 Traps Hill, but also from the street. Although the proposed gap between the first floor flanks of the house and the site boundaries is increased from the original proposal, it would still be only half the existing gap. In design terms the proposal continues to represent an unsympathetic enlargement of the house and in one regard the current proposals are even more congested in that the open sideways adjacent to No. 35 would be roofed at first floor level thereby removing the existing gap. The front garage would continue to appear disproportionately large and dominant due to its height, bulk and siting. Its height would also conceal the modest improvement to the main roof profile behind. Overall the general massing and scale of the proposals remains inappropriate and out of character with all the existing residential development in Traps Hill.

The existing tree in the area of the proposed garage extension may well be lost since the foundations for the garage could damage it.

LOUGHTON TOWN COUNCIL. "The Committee considered the revised scheme was an improvement, but was still concerned the ground floor would extend to the site boundary."

Issues and Considerations:

The main issues raised by the proposed development are the consequences for the living conditions of neighbours, the character and appearance of the area and the preserved trees on the site boundary with the highway.

Living Conditions

The first floor of the previously refused side/rear extension was set in from the site boundary with 41 Traps Hill by a distance of approximately 1m and the two-storey element of that proposal projected approximately 10.5 m beyond the rear elevation of no.41. As a consequence of both the

proximity to the boundary and rearward projection at first floor that proposal was found to be likely to cause a considerable reduction in outlook to rooms in the rear of no.41 and to its garden area arising from an overbearing impact.

The current revised proposal considerably increases the distance between the first floor flank and the site boundary with 41 Traps Hill to just over 3m. The distance the two-storey element projects rear of the rear wall of 41 would continue to be 10.5m. However, a distance of 7.5m would separate the two-storey element from the nearest edge of the nearest ground floor rear elevation window of 41 Traps Hill. While that improved relationship would still result in the proposal breaking an imaginary 45 degree line taken from the nearest edge of the window, there are other considerations of importance that need to be taken into account when assessing whether the revised proposal would cause excessive harm.

No. 41 is situated on land some 1.5m higher than the application site; the rear elevations of the houses concerned face south; there is significant vegetation on the site boundary in the rear garden of No. 41; the garden of 41 is very wide at some 23m; and a distance of at least 10m would separate the two-storey addition from the first floor flank of no 41. The cumulative impact of those facts is such that the revised proposal would not cause any excessive harm to the occupants of 41. There would be no impact on light and while there would be an impact on outlook from 41, the proposal would no longer appear overbearing. On that basis it is found that the proposed extensions would safeguard the living conditions of 41 Traps Hill.

Due to the level difference between the application site and 41 Traps Hill and the existing vegetation on the site boundary at 41 Traps Hill the proposed raised patio adjacent to that boundary and the proposed conservatory would not cause harm to the living conditions of 41. An appraisal of the impacts of the development on the trees on and adjacent to the site demonstrates the proposal would not harm the vegetation at 41 therefore its screening value will continue under the control of the occupants of 41. Nonetheless, it is necessary to reinforce this with either a privacy screen or additional planting on the site boundary at the application site. This can be secured by a condition on any planning permission granted.

No 35 Traps Hill extends beyond the rear elevation of the proposed rear and side extensions and its flank would be 6m from the flank of the proposed side extension adjacent the common boundary. The proposed patio adjacent to 35 would be set at least 1.5m from the site boundary and project approximately 1.5m beyond the rear elevation of 35. Although 35 is set on somewhat lower ground there is vegetation adjacent to the site boundary at 35 Traps Hill which is not threatened by the development and would serve a screening function. That relationship is such that the proposal as a whole would safeguard the living conditions of 35 Traps Hill.

Character and Appearance

The revised design of the proposed extended dwelling is simpler than that which was previously refused but would result in a complex front elevation which would include four projecting gables on slightly different alignments as well as the proposed garage addition. Nonetheless, the front elevation would appear coherent and due to the varied nature of surrounding property styles and the tree planting adjacent to the highway, which would largely be retained, the design would respect its setting and complement the character of the locality. Most importantly, the gaps between the first floor flanks and the site boundaries are significantly increased beyond those of the previously refused proposal and substantial gaps between the first floor flanks of the extended house and those of the houses at 35 and 41 Traps Hill are proposed. The space maintained is proportionate to the scale of the buildings and would be very important in ensuring the proposal respects the established character of the locality. The gaps at ground floor would not be materially different to those that presently exist.

In addition to the increased gaps at first floor level, the proposed garage and fitness room is much smaller and more sensitively sited than that of the previously refused proposal, or indeed the proposal originally submitted under this application. The garage and fitness room now proposed would not project beyond the front elevation of the adjacent part of the house at 41 Traps Hill and would have a depth of 6m rather than the 9m of the refused proposal. Significantly, since originally submitted the garage and fitness room has been repositioned on the site some 1.5m from the site boundary with 41 rather than being sited on the site boundary. Given its limited height in comparison to the greater bulk of the house, its now limited projection and siting away from the site boundary on lower land level than 41, the proposed garage and fitness room would relate well to the enlarged house and to neighbouring land. As a consequence it would complement the enlarged house.

Overall, in terms of its scale, siting and detailed design the proposal would appear appropriate within its setting and complement the character and appearance of the locality.

Preserved Trees

Two of the trees at the front of the site adjacent to the highway were made the subject of a tree preservation order following the refusal of the previous proposal. They make a valuable contribution to the visual amenities of the locality and Officers are concerned to ensure construction work in connection with any proposed development on the site does not harm the trees. Insufficient information was submitted in relation to the impact of the proposals on the trees in connection with the previously refused proposal and that amounted to a reason for refusal. When this application was initially submitted the necessary information had been omitted but subsequently a tree report and arboricultural statement was submitted. They were given detailed consideration by the Council's Tree and Landscape Team who advise the submitted information demonstrates the proposal can be implemented without causing harm to the preserved trees and other trees on the site and adjacent to it. It remains necessary to secure details of tree protection measures that include an arboricultural method statement, schedule of works and arboricultural site monitoring schedule. The Tree and Landscape Team advise that, in view of the information already submitted, it is appropriate to deal with those matters by way of condition and recommends the Council's standard condition dealing with tree protection is imposed on any consent given.

Conclusion:

Having regard to the above analysis, it is clear that the revised proposal would safeguard the living conditions of neighbours, the character and appearance of the locality and the preserved trees on the site. It is therefore recommended that planning permission be granted.

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the proposal throughout the course of dealing with two planning applications and having regard to the responses to its consultation exercise. It has negotiated with the Applicant and secured acceptable amendments to the proposal to address the planning concerns identified.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

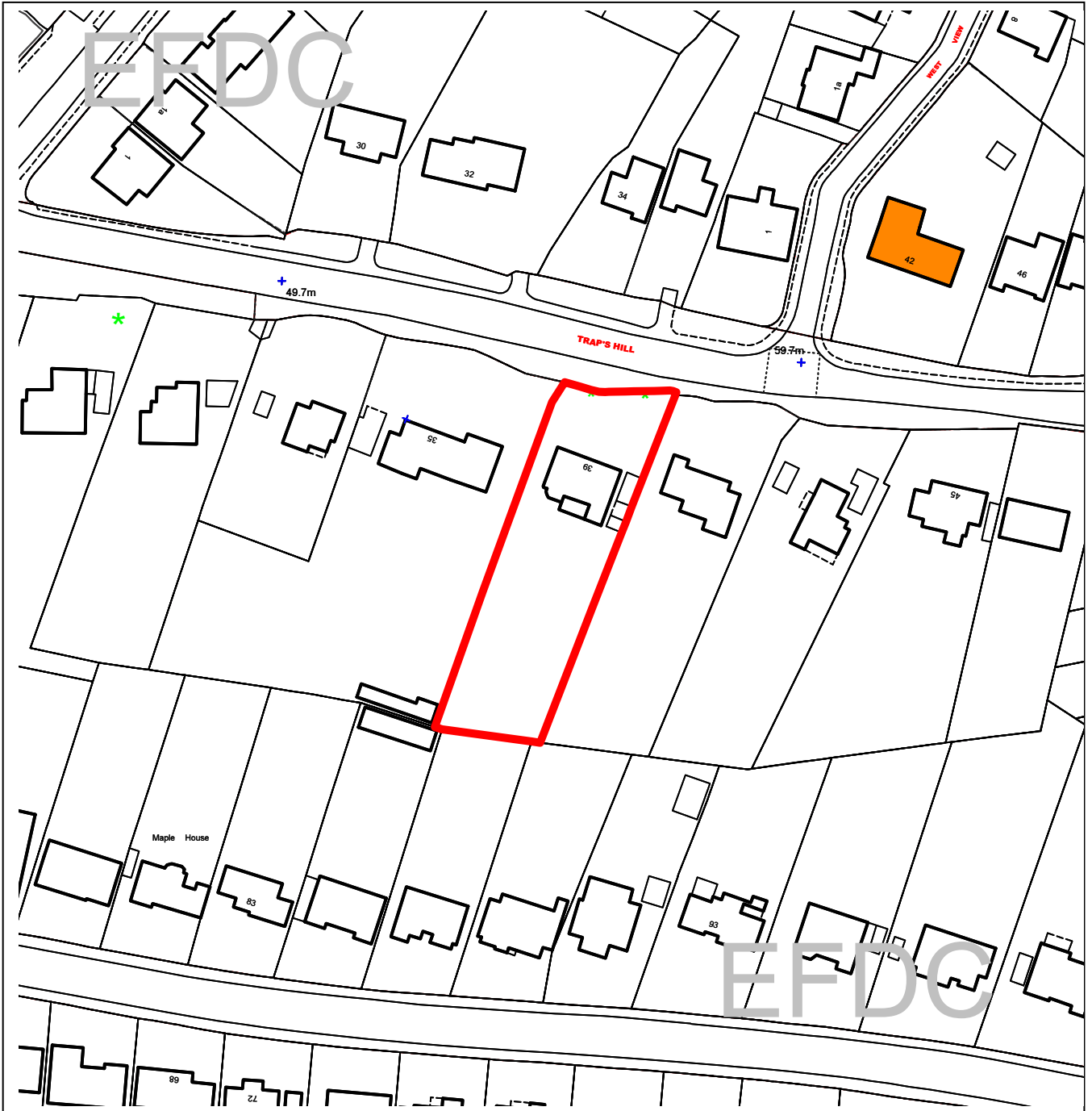
***Planning Application Case Officer: Stephan Solon
Direct Line Telephone Number: 01992 564018***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	3
Application Number:	EPF/0378/12
Site Name:	39 Traps Hill, Loughton IG10 1SZ
Scale of Plot:	1/1250

Report Item No: 4

APPLICATION No:	EPF/1921/12
SITE ADDRESS:	Land to rear of 162 Queens Road Buckhurst Hill Essex IG9 5BD
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
APPLICANT:	Rich Roch Investments Ltd
DESCRIPTION OF PROPOSAL:	Demolition of existing garages and erection of 2, two storey, 2 bedroom houses, together with the provision of 4 car parking spaces (one for the flat above the shop at no.162) using existing access on to Queens Road.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=542177

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 There are trees close to the boundary of this site that are not be harmed by the development hereby approved. Consequently, no development, including works of demolition or site clearance, shall take place until a Tree Protection Plan, Arboricultural Method Statement and site monitoring schedule in accordance with BS 5837:2012 (Trees in relation to design, demolition and construction - Recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 3 Details of enclosures to be retained or proposed on each boundary of the site shall be submitted to and approved by the local planning authority before any work commences on site. Once approved these details shall be implemented in full.
- 4 Prior to first occupation of the development hereby approved, the proposed first floor stairwell window openings in the north and south elevations shall be fitted with obscured glass with the bottom sash fixed shut, and shall be permanently retained in that condition.

- 5 The proposed development shall not be occupied until such time as the vehicle parking and turning areas indicated on the approved plans have been hard surfaced, sealed, and marked out. These areas shall then be maintained free from obstruction with the site at all times for those sole purposes.
- 6 Prior to occupation of the proposed development the developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport. This Pack shall be submitted to the Local Planning Authority for approval by Essex County Council.
- 7 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 11.456.1 Rev A; TO1; and associated 1/1250 site location plan.
- 8 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such approved details.

This application is before this Committee because the recommendation for approval is contrary to more than two objections received from neighbours which are material to the planning merits of the proposal - (pursuant to the constitution, part three: planning directorate – delegation of council function, schedule 1, appendix A (f)).

Description of Proposal:

Demolition of existing garages and erection of two, two-storey two-bedroom houses, together with the provision of 4 car parking spaces (one for the flat above the shop at no.162) using existing access on to Queens Road.

Description of Site:

A rectangular and unkempt piece of land lying to the rear of shops at 160 to 162 Queens Road. A group of unused garages lie on the site and the site is hard surfaced. The southern boundary of the site borders on to the rear gardens of houses in Princes Road.

Relevant History:

None.

Policies Applied:

DBE1 - Design of new buildings
DBE3 - Design in urban areas
DBE9 – Loss of amenity
H2A – Previously developed land
ST4 – Road Safety
ST6 – Vehicle parking.
National Planning Policy Framework

Summary of Representations:

BUCKHURST HILL PARISH COUNCIL – No objections. Would like to see additional screening from both sides, and restrictions to weekend working if this is desired by neighbours.

NEIGHBOURS – 23 properties consulted and 4 replies received:-.

161, PRINCES ROAD - object – the development would be visually intrusive since a two storey structure plus roof would be a few feet from the end of our garden; the houses would cause noise above what we currently hear; this is overdevelopment of a cramped site; the site should be regarded as a remnant of a garden and the NPPF calls on Councils to resist inappropriate development; and the development would set a precedent for development of adjoining garden sites.

163, PRINCES ROAD – object – the height of the building and its close proximity would result in an invasion of our privacy; this is an overdevelopment of the site; object to patio doors overlooking our property and to waste bins next to our fence; it would set a precedent for similar development between two rows of properties; no provision for trade waste is made for the shop; no parking provision is made for shop workers and shop visitors, and this development and others locally will aggravate current parking problems and congestion.

157B, PRINCES ROAD – strongly object - on grounds of loss of privacy - 6 windows and 2 sets of doors will overlook parts of my property.

179, PRINCES ROAD – concerned at amount of new residential properties being proposed locally e.g. at Daneley Court, since the area is already congested and over parked; concerned at loss of privacy, and noise of cars entering and leaving the site.

ESSEX COUNTY COUNCIL HIGHWAYS – Initially had no objections in principle but requested amendments to the car parking area. Revised plans are now acceptable subject to 2 conditions being imposed requiring the parking area to be provided before the houses are occupied, and that a residential travel information pack for sustainable transport be provided to the Council before the houses are occupied.

Issues and Considerations:

Principle of developing the site

This site comprises some 6 long-vacant garages and a hard surfaced area. Experience shows that lock up garages that are located away from, or out of sight, of residential properties are unpopular, and it is most unlikely that these garages will be reused by residents to park their cars. In planning terms the site constitutes previously developed land and it is therefore a brownfield site – and it is not tantamount to garden space as two neighbours have suggested. Policy H2A of the Local Plan, and paragraph 111 of the NPPF, encourages the effective reuse of this form of brownfield site, and hence its development for housing is acceptable in principle, subject to other issues being satisfactory.

Amenity issues

The rectangular part of this site measures some 23m by 16m and it is proposed to erect a pair of semi detached houses on the site. The main orientation of the houses is to the west and there are no first floor flank clear windows facing south over the rear gardens of Princes Road properties.

The southern flank of the houses will lie between 2.2m and 4.3m from the rear boundary of the site with the rear gardens of the Princes Road houses. This flank wall will be 5.5m in height to eaves, with a hipped roof over, sloping away from this boundary rising to ridge point of 6.4m in height. The rear gardens of the houses in Princes Road are long, between 27 and 33m in depth, and the Princes Road houses stand on higher land. Bearing in mind these measurements and site characteristics the proposed development will not be a physically obtrusive one that would significantly detract from the outlook and amenity of residents in Princes Road. There are also trees close to the site's boundaries in gardens of the adjoining Princes Road and Queens Road properties, and these trees will provide some screening of the proposed 2 houses thereby further reducing their impact.

Objectors living in the Princes Road houses have also raised concerns about overlooking. Ground floor patio doors are proposed in the flank elevation facing the southern boundary of the site with the rear gardens of the Princes Road properties, and fences on this boundary will ensure no loss of privacy will result. A first floor stairwell is also proposed in this south facing flank but this window will be obscured with the bottom section being non opening. Consequently no overlooking will result from this window, and a condition is proposed requiring it remains as obscured and with the lower section fixed shut. To the east of the site lies a large area of waste land at the rear of an off licence at no.158 Queens Road. A planning application for residential development of this site has recently been withdrawn but may be resubmitted in a reduced form. With this in mind the east facing elevation of the proposed two houses has a sloping roof feature at first floor level which will contain roof light or velux windows in this roof slope. These windows will allow light into a bedroom and bathroom in the proposed two houses, but their height and angle will ensure occupants could not look over and down onto the adjoining site at the rear of no.158, and hence no loss of privacy would result. The west elevation of the two houses will lie 9.7m from the boundary with the area to the rear of shops and flats at numbers 164 to 168 Queens Road, and this area is heavily screened by trees within this adjoining plot. There will not therefore be any significant overlooking of this neighbouring rear area at the rear of 164 to 168.

The design of the houses is simple and acceptable, and a sloping roof on all four sides leading to a small section of ridge helps in reducing the profile of the proposed building.

Parking Issues

The proposed houses have 2 bedrooms (a double and a single), and 4 car spaces are proposed - although one of these spaces is earmarked for the flat above the existing shop at no.162 leaving 3 spaces for the 2 proposed houses. The 2009 Essex Parking Standards require 2 spaces to be provided for houses containing 2 bedrooms or more – however it also states in urban areas with frequent public transport a reduction to this requirement can be considered. The site is located less than half a mile from the Buckhurst Hill tube station and the locality is also served by bus routes. In this context provision of 3 spaces for two houses is acceptable. The concerns of neighbours regarding parking and congestion in the locality are acknowledged, but it should be noted that many commercial and residential properties in the neighbourhood do not have off street car spaces, and it would be unreasonable to refuse a development for 2 houses which in fact provides for an appropriate off street car parking facility.

Conclusions:

The proposed 2 houses are modest in scale, are located well off the rear boundary of the site with the long gardens of the Princes Road houses, and have been designed to avoid significant overlooking. Consequently they will not have an undue impact on the amenity, outlook and privacy of nearby properties, including those in Princes Road. The Parish Council raise no objections to this scheme which represents an appropriate use for an unused brownfield site. The proposal complies with the NPPF and relevant Local Plan policies, and planning permission, subject to conditions, is recommended.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

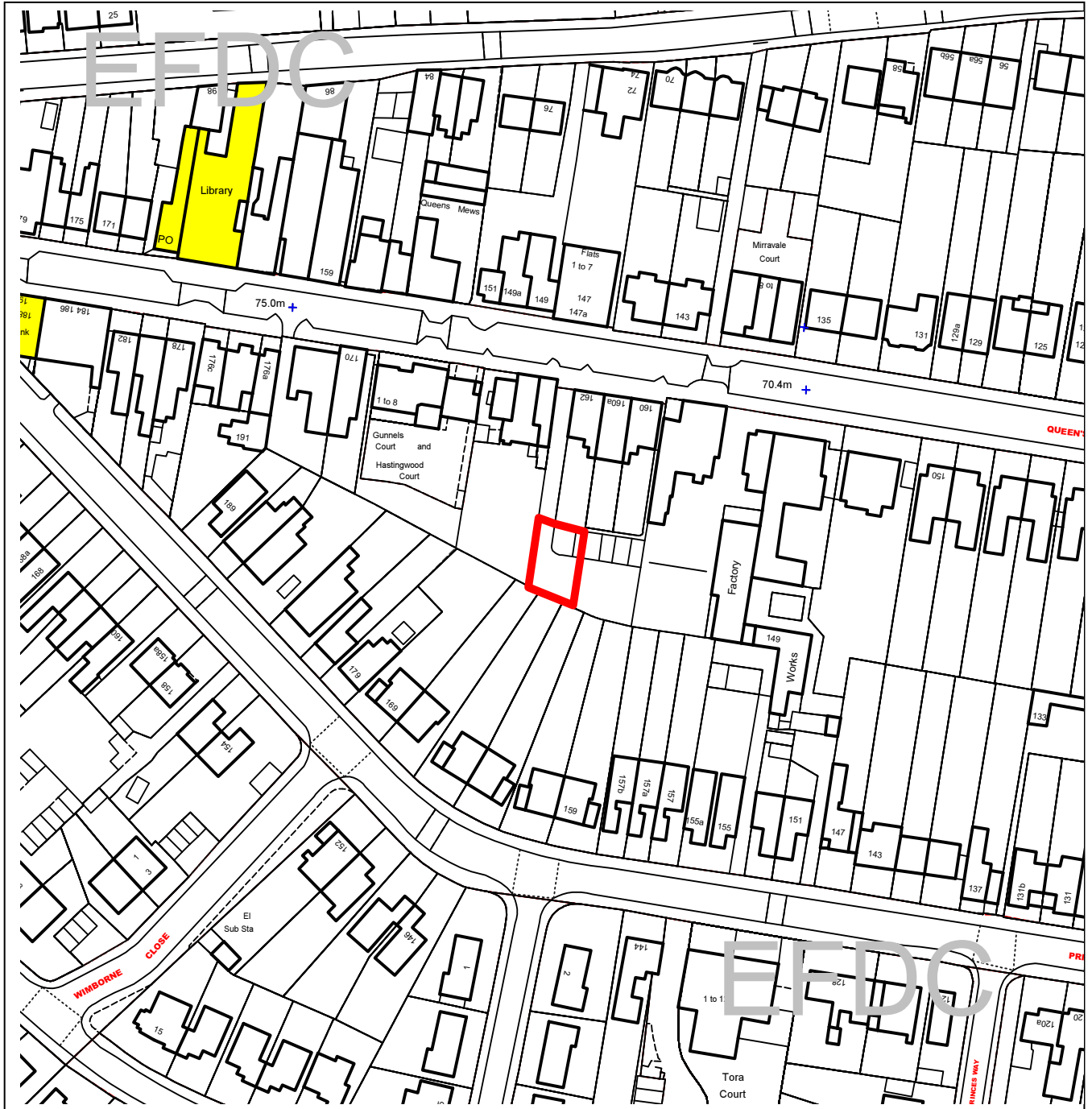
**Planning Application Case Officer: David Baker
Direct Line Telephone Number: 01992 564514**

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	4
Application Number:	EPF/1921/12
Site Name:	Land to rear of 162 Queens Road Buckhurst Hill, IG9 5BD
Scale of Plot:	1/1250

Report Item No: 5

APPLICATION No:	EPF/1981/12
SITE ADDRESS:	225 Lambourne Road Chigwell Essex IG7 6JN
PARISH:	Chigwell
WARD:	Chigwell Row
APPLICANT:	Mr S Ahilan
DESCRIPTION OF PROPOSAL:	Retrospective planning application to retain loft conversion involving increase to the ridge of the roof, three front dormers and rear dormer including proposed reduction in size of rear dormer.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=542437

CONDITIONS

- 1 The works to the dormer hereby approved shall be carried out within 6 months of the date of this permission and carried out strictly in accordance with the plans hereby approved.
- 2 Materials to be used for the external finishes of the proposed development, shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A. (g))

Description of Site:

The application site is a two storey, detached property located on the north side of Lambourne Road within the built up area of Chigwell. The property is set back from the road by some 22m and there is a protected tree within the front garden. The property is not within the Metropolitan Green Belt or a Conservation Area.

Description of Proposal:

The proposal seeks retrospective planning permission to retain a loft conversion involving the increase to the ridge of the roof and construction of three front dormers and a rear dormer with proposed reduction in size of the rear dormer and realignment of the dormer windows. The

proposed alterations to the dormer would result in a dormer measuring 9.7m wide and consist of 1 Juliet balcony and 2 windows. The front dormers are pitched roof with a central Juliet balcony and no changes are proposed to the front element. This application also proposes the removal of a side addition. This application has been submitted following an ongoing enforcement investigation. Measurements taken by enforcement suggest that the roof has been raised to accommodate the loft conversion.

Relevant History:

EPF/0848/07 - Loft conversion with front and rear dormer windows (revised application) – App/Con
EPF/2569/11 - Retrospective Planning Application to retain loft conversion involving increase to the ridge of the roof, and construction of three front dormers and a rear dormer – Refused (appeal dismissed)

EPF/0953/12 - Retrospective Planning Application to retain loft conversion involving increase to the ridge of the roof, and construction of three front dormers and a rear dormer with proposed removal of side addition and reduction in size of dormer – Withdrawn

Policies Applied:

Epping Forest District Local Plan and Alterations

CP2 – Protecting the Quality of the Rural and Built Environment

DBE9 – Loss of amenity

DBE10 – Residential extensions

Summary of Representations:

CHIGWELL PARISH COUNCIL – The Council OBJECTS to this application on the grounds of the excessive height, over dominance of the streetscene, and the central Juliet balcony.

NEIGHBOURS

4 neighbours were consulted and no responses received

Issues and Considerations:

The 2007 application was granted planning permission for the raising of the side roof height and three centrally positioned pitched roof dormers to the front and rear roof slopes. None of these dormers had Juliet balconies. The 2011 scheme was to retain the works as currently built and was refused for the following reasons:

The side protrusion to the west, first floor flank wall of the room marked 'shrine room' is an incongruous addition that results in a near terracing effect. Furthermore, the materials are not in keeping with the property and this therefore fails to accord with Adopted Plan Policies CP2 and DBE10.

The rear dormer to be retained, due to its overall width, size and bulk, it would be detrimental to the visual amenity of neighbouring occupiers and character of the surrounding area. It therefore fails to accord with Adopted Local Plan policies CP2, DBE9 and DBE10.

The application was also subsequently dismissed at appeal. Therefore the main issue is whether or not the proposed amendments to the scheme overcome these previous reasons for refusal.

This proposal has removed the side protrusion from the scheme and therefore the first reason for refusal is considered to have been resolved, as there is no longer a threat of a terracing effect from the proposal.

With regards to the second reason for refusal, the current scheme proposes a 2m reduction in the width of the dormer. It is still a large dormer, but is now in line with the main central part of the house and it is proposed that the Juliet balcony and windows are realigned so that they are inline with those below which is more in keeping with design guidance. The proposed alterations to the dormer will bring it broadly in line with the appearance of a permitted development dormer. The proposed reductions to the dormer and realignment of the windows are considered sufficient to overcome the second previous reason for refusal.

Comments on Representations Received

The Parish Council have objected on the grounds of the excessive height, over dominance of the streetscene, and the central Juliet balcony. These issues were considered acceptable with the 2011 application and are still considered acceptable with this application. These factors did not form part of the previous reasons for refusal and in any event it would not be appropriate to introduce a new reason for refusal at this stage.

Conclusion:

The proposed amendments to the scheme are on balance considered an acceptable compromise that overcomes the previous reason for refusal and the application is therefore recommended for approval.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

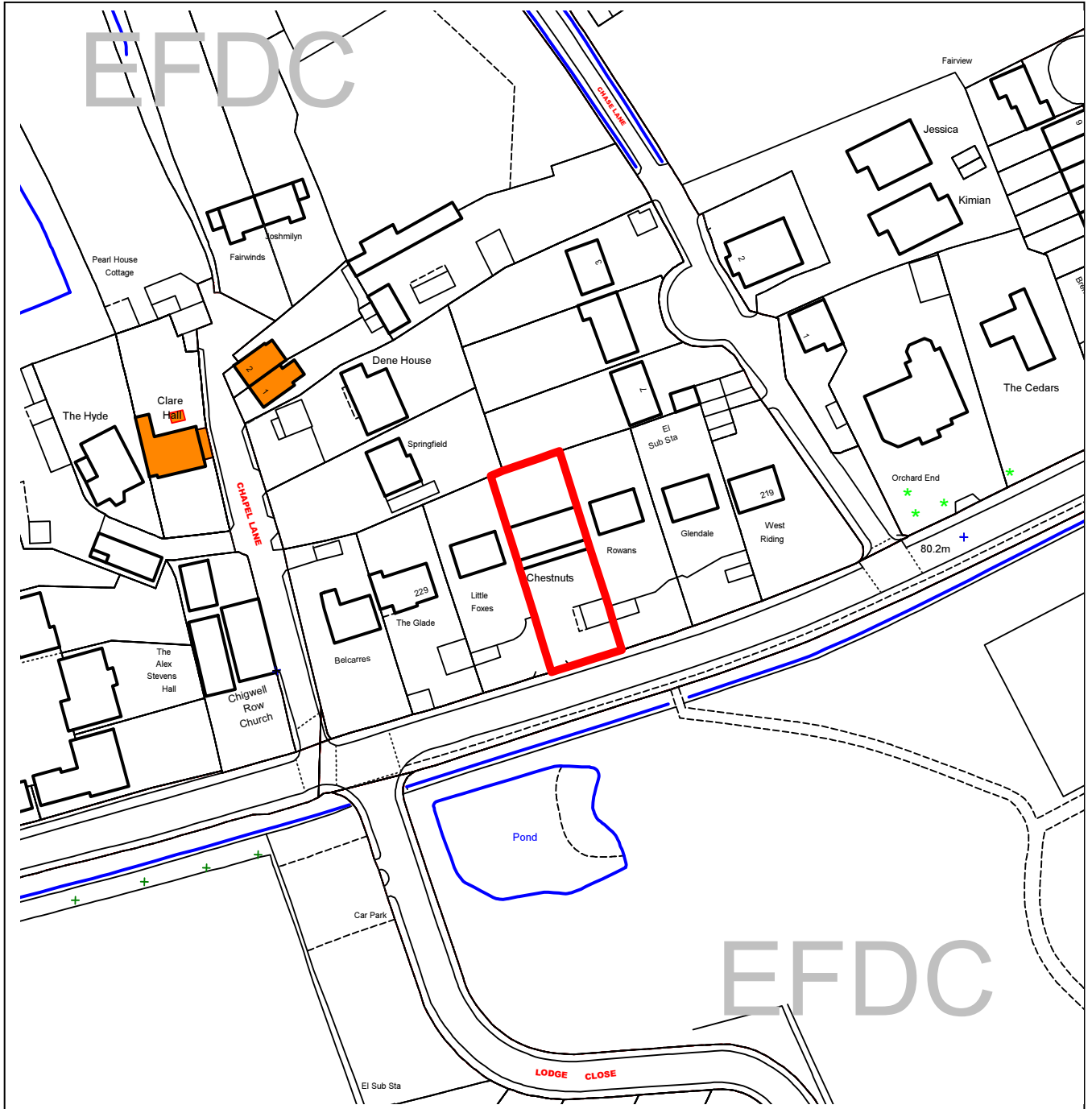
***Planning Application Case Officer: Marie-Claire Tovey
Direct Line Telephone Number: 01992 564371***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	5
Application Number:	EPF/1981/12
Site Name:	225 Lambourne Road, Chigwell IG7 6JN
Scale of Plot:	1/1250

Report Item No: 6

APPLICATION No:	EPF/2021/12
SITE ADDRESS:	Coffee Shop & Patisserie 40 The Broadway Loughton Essex IG10 3ST
PARISH:	Loughton
WARD:	Loughton Broadway
APPLICANT:	Mr Abbas Balta
DESCRIPTION OF PROPOSAL:	Variation of condition 2 'opening hours' of EPF/0820/07 to increase the opening hours to 8am to 11pm Monday to Sunday (Revised application)
RECOMMENDED DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=542602

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 A3 and A5 use hereby permitted shall not be open to customers / members outside the hours of 0600 - 2300 Monday to Sunday.
- 3 Equipment, the details of which shall be approved by the Council in writing, shall be installed to suppress and disperse cooking/food preparation fumes and smell to a minimum. The equipment shall be effectively operated and maintained for so long as the use continues.

For the avoidance of any doubt, the continued operation of the use in accordance with the details approved under application reference EPF/1506/12 would be in compliance with this planning condition.
- 4 The rating level of noise (as defined by BS4142:1997) emitted from any mechanical plant shall not exceed 5dB(A) above the prevailing background noise level. The measurement position and assessment shall be made according to BS4142:1997.
- 5 Drains serving the kitchens in the development shall be fitted with a grease separator or other effective means of grease removal and shall be retained and maintained while the site is in use.

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(g))

Description of Site:

Retail unit located in the Broadway, recently rebranded as 'Broadway Fried Chicken and Pizza'.

Upper floors of the three storey building appear to be in residential use.

Description of Proposal:

Variation of planning condition imposed limiting hours of use.

Proposed to extend opening hours to 8am to 11pm, seven days a week.

Relevant History:

EPF/0820/07. Change of use from A1 to A3 and A5 uses. (ie restaurant/cafe and hot food take away). Approved 07/06/2007 subject to planning conditions including:

Condition 2:

The A3 and A5 use hereby permitted shall not be open to customers / members outside the hours of 0600 - 1630 Monday to Saturday, and not at all on Sundays or public holidays.

Reason:- In order to minimise disturbance to local residents.

EPF/1505/12. Variation of condition 2 'opening hours' of EPF/0820/07 to increase the opening hours to 8am to 12am Monday to Sunday. Refused 05/10/2012 for the following reason:

The proposed hours of use, by reason of the proximity of the retail premises in relation to residential properties above, would give rise to excessive noise and disruption to nearby residents, to the detriment of their enjoyment of their property, contrary to policy DBE9 (iv) of the Adopted Local Plan and Alterations.

EPF/1506/12. Application for approval of details reserved by condition 3 'extraction fan', condition 4 'noise levels' and condition 6 'refuse storage' of EPF/0820/07 (change of use). Approved 10/12/2012.

Policies Applied:

DBE9 – Loss of Amenity

Summary of Representations:

Notification of this application was sent to Loughton Town Council and to 5 neighbouring properties.

The following representations have been received:

LOUGHTON TOWN COUNCIL. Objection. The Committee OBJECTED to the revised opening hours to 11pm daily and reiterated its comments made for the initial application EPF/1505/12, as members wished to “avoid disturbance to residents in the flats above the premises, but had no objection to the restaurant remaining open until 10.30pm every evening”.

42A THE BROADWAY. Objection. The shop is directly below flats and likely to cause noise and environmental problems. Existing problems of anti-social behaviour are not dealt with, despite being reported to the Council. Since the food shop has opened instances of anti-social behaviour have worsened. At night staff throw fatty grease into the road.

Issues and Considerations:

The use of the premises as an A3/A5 premises is already in place and that consent has planning conditions attached to it which can deal with the matter of extraction and odour nuisance. Since the refusal of the previous application, details of grease extract have been agreed by Environmental Health officers – who are monitoring compliance.

This application relates solely to the proposal to extend the permitted opening hours for the premises and the main issue for consideration is the impact of such an extension on the amenities of neighbouring residents – particularly those of the flats immediately above the premises and either side.

The planning condition that was imposed when the consent was granted limited the use to Monday – Saturday, ending at 16.30. This was reasonable, given that those were the opening hours sought and the use has successfully operated in accordance with this limitation. However, longer hours are now sought and this is not particularly surprising, given that it is common for A3 (restaurant) and A5 (take-away) uses to extend later into the evening.

When the previous planning application was refused consent it was on the basis that it was considered that the use of the premises would be such that there would be material harm caused to residents above if the use continued until midnight – the A5 use being likely to be more disruptive than A3 because of the more regular comings and goings of customers. However, within the Officer’s report, it was noted that an extension of time beyond 1630, including some use of a Sunday could be accommodated without causing material harm. Two respondents to that previous planning application who have not commented in respect of this revised plan, Loughton Residents Association (Plans Group) and the occupiers of 40a The Broadway, had commented that the proposed opening hours could be extended to 11pm and 8/9pm respectively.

Planning Officers consider that the extended opening hours to 11pm would be reasonable and, bearing in mind the mixed commercial and residential character of The Broadway, would not cause undue harm to residential amenity. The objections raised by a resident are noted, however the unfortunate behaviour described cannot reasonably be solely attributed to the extended opening hours of 40 The Broadway. On the basis that the use already lawfully exists and there are other restaurant/take away uses within the locality that open into the evening it is not considered that planning permission may reasonably be withheld.

Conclusion:

In light of the above appraisal, it is considered that the proposed relaxation of the planning condition following the revision to the opening hours proposed is acceptable. It is, therefore recommended that planning permission be granted.

As the grant of planning permission will result in the issuing of a new planning permission, it will be necessary to re-impose all necessary planning conditions from the original consent.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

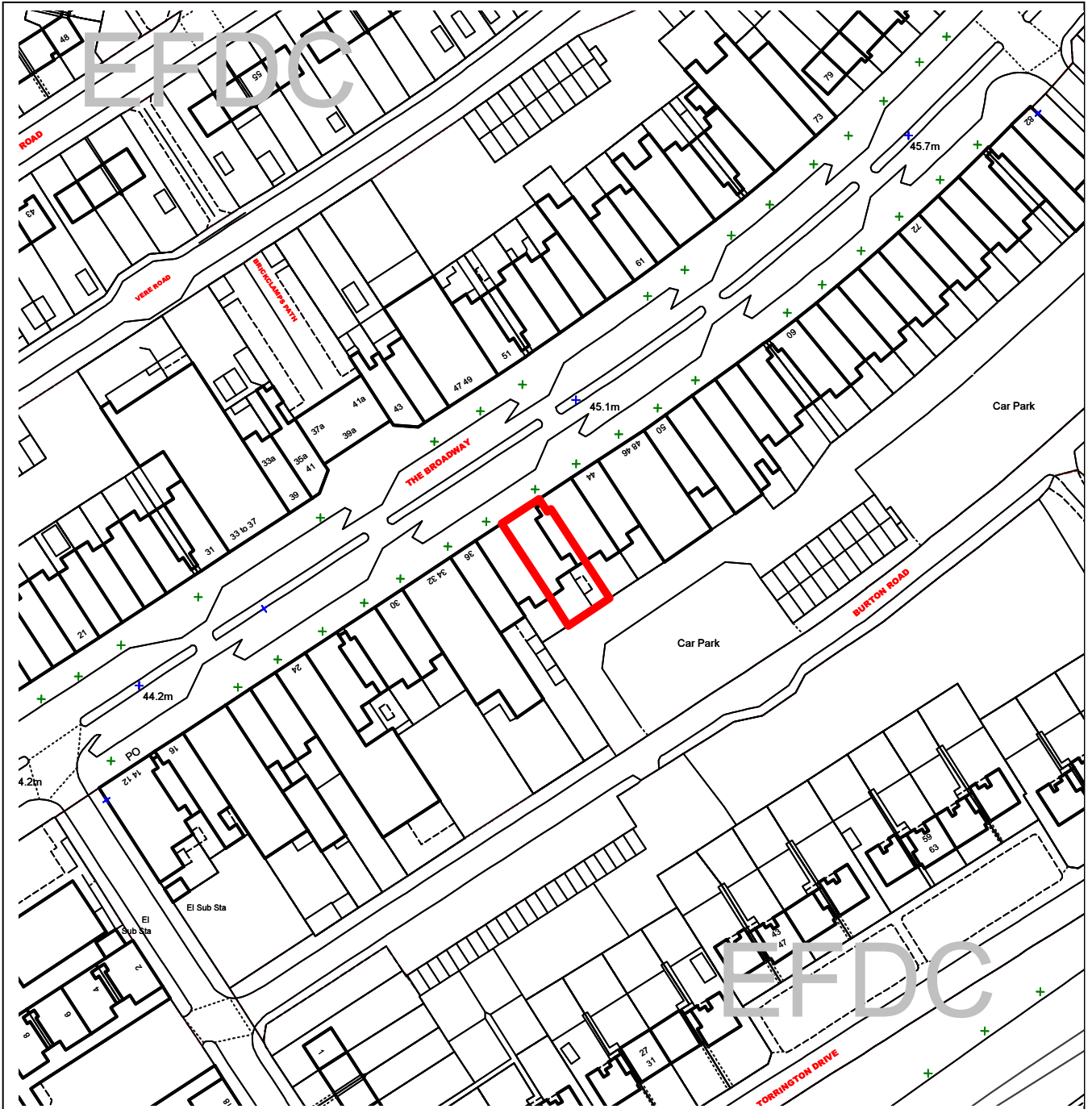
**Planning Application Case Officer: Mrs Katie Smith
Direct Line Telephone Number: (01992) 564109**

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	6
Application Number:	EPF/2021/12
Site Name:	Coffee Shop & Patisserie, 40 The Broadway, Loughton, IG10 3ST
Scale of Plot:	1/1250

Report Item No: 7

APPLICATION No:	EPF/2122/12
SITE ADDRESS:	43 Trap's Hill Loughton Essex IG10 1TB
PARISH:	Loughton
WARD:	Loughton St Marys
APPLICANT:	Mr Paolo Ingrao
DESCRIPTION OF PROPOSAL:	New front boundary wall with a gated entry. (Revised application)
RECOMMENDED DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=543018

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 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such approved details.
- 3 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) and implementation programme (linked to the development schedule) have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping 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 minor artefacts and structures, including signs and lighting and functional services above and below ground. The 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.

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A. (g))

Description of Site:

The application site is a two storey detached property located on the south side of Traps Hill within a large plot. There is an existing post and rail fence to the front and an existing opening for vehicular access. There is some existing vegetation along the front boundary. Although within the built up area of Loughton, Traps Hill is largely characterised by wide plots, with open frontages and where there are boundary treatments these tend to be low walls. The property is not within the Metropolitan Green Belt or a Conservation Area.

Description of Proposal:

The proposal seeks permission for a new front boundary fence, with brick piers and new gate. The fence is to be 2.1m in height and will be a green, plastic-coated mesh fencing with four brick piers, two at the side boundaries and 2 either side of the proposed gate. The gate will have a maximum height of 2.5m and will be a solid timber gate. Planting has been proposed on both sides of the fencing. This is a revised application following a refused permission for a 2.4m high brick and render wall with gates.

Relevant History:

EPF/1390/12 - New front boundary wall with a gated entry - Refused

Policies Applied:

Epping Forest District Local Plan and Alterations
CP2 – Protecting the Quality of the Rural and Built Environment
ST4 – Highway Safety
DBE2 – Effect on Neighbouring Properties
DBE1 – Design

Summary of Representations:

LOUGHTON TOWN COUNCIL – The Committee OBJECTED to the revised application as it is considered a boundary enclosure of 2.1metres was still too high, despite the reduction in the number and height of the piers. Furthermore, members considered the proposed plastic chain link-type fencing to be inappropriate in the streetscene, but were glad to see the scheme included planting.

NEIGHBOURS

4 neighbours were consulted and no responses received

Issues and Considerations:

The main issues that arise with this application are considered to be the following:

- Design
- Impact on amenity
- Highway safety

Design

The surrounding area is characterised by low walls, and where boundary treatments are higher this is by railings, retaining an element of openness. The general character of the surrounding area is quite sylvan in nature, which creates an almost rural character to the road therefore this is something that should be retained. This proposal is for an open mesh fence, which although unusual, the proposal also includes landscaping, and if a robust planting scheme is implemented the fence will be obscured quickly. Although some vegetation will be removed to implement this proposal, the Tree and Landscape Officer has no objection to this scheme since replacement vegetation is proposed and existing landscaping has no significant trees within it. Therefore, subject to a condition requesting a landscaping scheme, the Tree and Landscape Officer considers the scheme acceptable.

Although the fence, gates and pillars are over 2m, only the gates and brick piers will be visible once the planting is implemented and it is considered that the proposed planting will soften the appearance of the proposal to the extent that it will not disrupt the appearance of the streetscene or the character of the surrounding area.

Amenity

The proposal is not considered to result in any significant impact on neighbouring amenity, given that it is some distance from neighbouring properties.

Highway Safety

The proposed gates are not set back the required 6m from the back edge of the carriageway, however in this case a 5.3m set back is considered acceptable as it negates the need for further development to curve/set back the gates/brick piers.

Conclusion:

The proposed alterations to the previously refused scheme are considered on balance to be acceptable subject to a condition ensuring a landscaping scheme is submitted and implemented to an acceptable level and therefore the proposal is recommended for approval.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

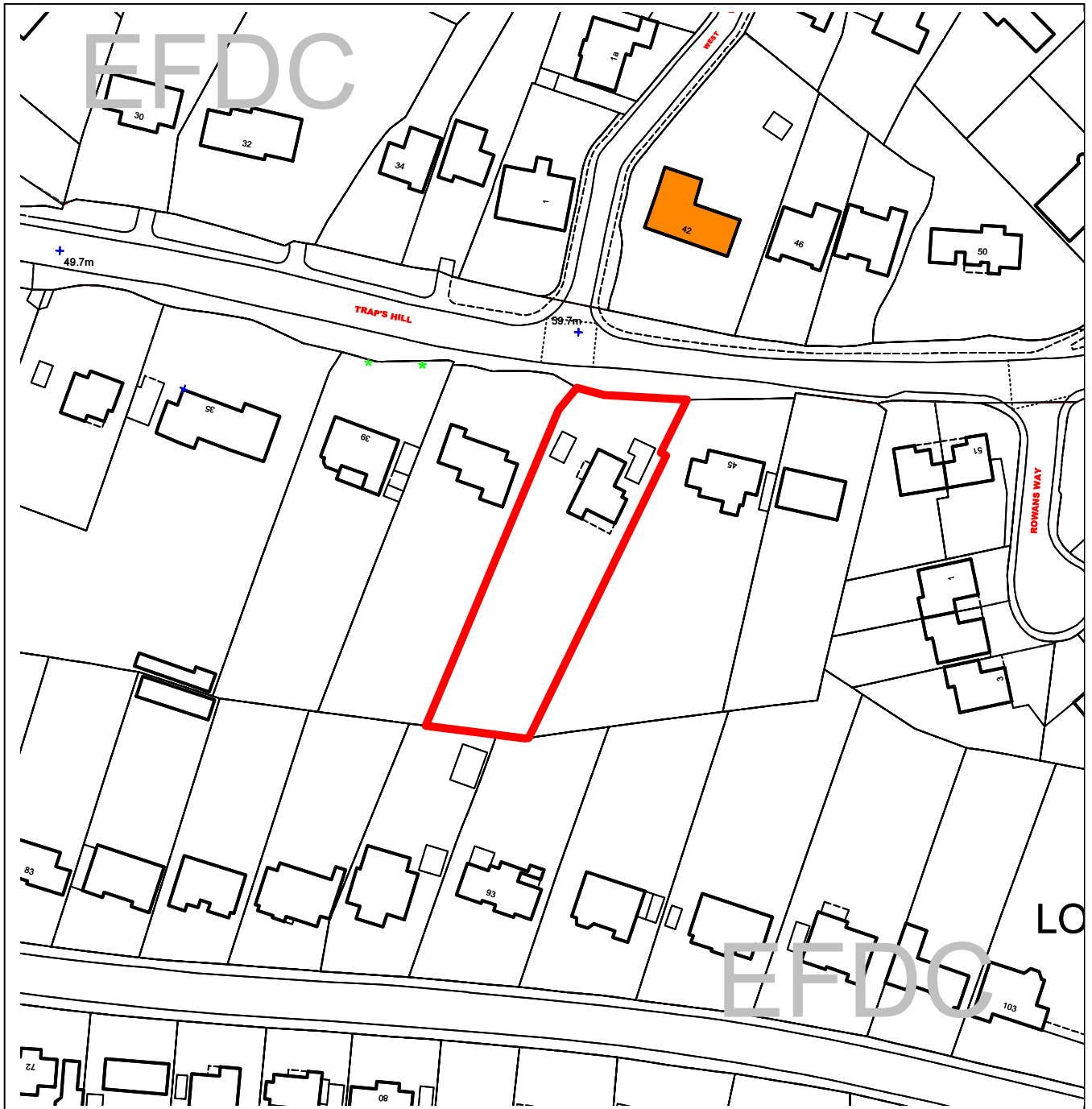
***Planning Application Case Officer: Marie-Claire Tovey
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Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	7
Application Number:	EPF/2122/12
Site Name:	43 Trap's Hill, Loughton IG10 1TB
Scale of Plot:	1/1250

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