

# Committee Agenda



## Epping Forest District Council

### **AREA PLANNING SUBCOMMITTEE SOUTH** **Wednesday, 13th March, 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, 13th March, 2013**  
at **7.30 pm** .

**Glen Chipp**  
Chief Executive

**Democratic Services**  
Officer

Mark Jenkins (The Office of the Chief Executive)  
Tel: 01992 564607 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 PLAN SHOWING THE LOCATION OF RODING VALLEY HIGH SCHOOL IS ATTACHED TO THIS AGENDA. A BRIEFING WILL BE HELD FOR THE CHAIRMAN, VICE-CHAIRMAN AND GROUP SPOKESPERSONS OF THE SUB-COMMITTEE, AT 6.30 P.M. PRIOR TO THE MEETING**

#### **WEBCASTING NOTICE**

**"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 then 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 then you should speak to the Webcasting Officer.”**

**If you have any queries regarding this, please contact the Senior Democratic Services Officer before the meeting on 01992 564249.**

**1. WEBCASTING INTRODUCTION**

1. This meeting is to be webcast;
2. Members are reminded of the need to activate their microphones before speaking; and
3. the Chairman will read the following announcement:

“I would like to remind everyone present that this meeting will be filmed live for subsequent uploading to the Internet and will be capable of repeated viewing.

If you are seated in the public seating area it is possible that the recording cameras will capture your image and this will result in the possibility that your image will become part of the broadcast although Officers will try and avoid this.

This may infringe your human and data protection rights and if you have any concerns about this you should speak to the Webcasting Officer.”

**2. ADVICE TO PUBLIC AND SPEAKERS AT COUNCIL PLANNING SUBCOMMITTEES (Pages 5 - 10)**

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

**3. APOLOGIES FOR ABSENCE**

(Assistant to the Chief Executive) To be declared at the meeting.

**4. MINUTES (Pages 11 - 24)**

To confirm the minutes of the last meeting of the Sub-Committee held on 13 February 2013.

**5. DECLARATIONS OF INTEREST**

(Assistant to the Chief Executive) To declare interests in any item on this agenda.

**6. ANY OTHER BUSINESS**

Section 100B(4)(b) of the Local Government Act 1972, together with paragraphs 6 and 25 of the Council Procedure Rules contained in the Constitution requires that the permission of the Chairman be obtained, after prior notice to the Chief Executive, before urgent business not specified in the agenda (including a supplementary agenda of which the statutory period of notice has been given) may be transacted.

In accordance with Operational Standing Order 6 (non-executive bodies), any item raised by a non-member shall require the support of a member of the Committee concerned and the Chairman of that Committee. Two weeks' notice of non-urgent

items is required.

**7. DEVELOPMENT CONTROL (Pages 25 - 74)**

(Director of Planning and Economic Development) To consider planning applications as set out in the attached schedule

**Background Papers:** (i) Applications for determination – applications listed on the schedule, letters of representation received regarding the applications which are summarised on the schedule. (ii) Enforcement of Planning Control – the reports of officers inspecting the properties listed on the schedule in respect of which consideration is to be given to the enforcement of planning control.

**8. DELEGATED DECISIONS**

(Director of Planning and Economic Development) Schedules of planning applications determined by the Head of Planning and Economic Development under delegated powers since the last meeting of a Plans Subcommittee may be inspected in the Members Room or at the Planning and Economic Development Information Desk at the Civic Offices, Epping.

**9. EXCLUSION OF PUBLIC AND PRESS**

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

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

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

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

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

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

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

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

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

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

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

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

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

### **Can I speak?**

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

### **Who can speak?**

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

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

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

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

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

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

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

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

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

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

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

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

### **Further Information?**

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



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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:** 13 February 2013  
South

**Place:** Roding Valley High School, Brook Road, Loughton, Essex IG10 3JA **Time:** 7.30 - 9.05 pm

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

**Other Councillors:** -

**Apologies:** K Angold-Stephens, G Chambers, R Cohen, C Finn, Ms J Hart, A Lion and Mrs L Wagland

**Officers Present:** K Smith (Senior Planning Officer), M-C Tovey (Planning Officer), A Hendry (Democratic Services Officer), S Mitchell (PR Website Editor) and G J Woodhall (Democratic Services Officer)

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### 63. 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.

### 64. WELCOME AND INTRODUCTION

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

### 65. MINUTES

**Resolved:**

(1) That the minutes of the meeting held on 16 January 2013 be taken as read and signed by the Chairman as a correct record.

### 66. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor H Mann declared a personal interest in the following items of the agenda. The Councillor had determined that his interest was non-pecuniary and would remain in the meeting for the consideration of the applications and voting thereon:

- EPF/1911/12 The Way BBQ, 160 Loughton Way, Buckhurst Hill; and

- EPF/2031/12 10 Rectory Lane, Loughton.

(b) Pursuant to the Council's Code of Member Conduct, Councillor D Wixley declared a personal interest in the following item of the agenda, by virtue of being acquainted with one of the registered public speakers. The Councillor had determined that his interest was non-pecuniary and remain in the meeting for the consideration of the application and voting thereon:

- EPF/2031/12 10 Rectory Lane, Loughton.

**67. ANY OTHER BUSINESS**

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

**68. DEVELOPMENT CONTROL**

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

**Resolved:**

(1) That the planning applications numbered 1 – 9 be determined as set out in the attached schedule to these minutes.

**69. 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**

**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/2084/12
<b>SITE ADDRESS:</b>	3 Woodcote Mews Loughton Essex IG10 4QS
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Forest
<b>DESCRIPTION OF PROPOSAL:</b>	TPO/EPF/04/98 T1 - Poplar - Fell
<b>DECISION:</b>	Grant Permission

**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=542897](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=542897)

**CONDITIONS**

NONE

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/2235/12
<b>SITE ADDRESS:</b>	4 Woodcote Mews Loughton Essex IG10 4QS
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Forest
<b>DESCRIPTION OF PROPOSAL:</b>	TPO/EPF/04/98 Poplar - Fell
<b>DECISION:</b>	Grant Permission

**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=543484](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=543484)

**CONDITIONS**

NONE

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/2141/12
<b>SITE ADDRESS:</b>	Rear of Key West 120 High Road Chigwell Essex IG7 5AR
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Chigwell Village
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of two storey building containing 2 x apartments with parking and access to the development site.
<b>DECISION:</b>	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=543081](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=543081)

**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: 6, 7, 8 and 9A
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. 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.
5. 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.

6. Prior to first occupation of the development hereby approved, the proposed window opening in the first floor, north west flank elevation, 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.
7. Gates shall not be erected on the vehicular access to the site without the prior written approval of the Local Planning Authority.
8. Prior to first occupation of the development hereby approved, the drive shall be constructed to a width of 5 metres for at least the first 6 metres from the back edge of the carriageway and provided with an appropriate dropped kerb crossing of the verge.
9. 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.
10. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary of the site.



**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/2021/12
<b>SITE ADDRESS:</b>	Coffee Shop & Patisserie 40 The Broadway Loughton Essex IG10 3ST
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Broadway
<b>DESCRIPTION OF PROPOSAL:</b>	Variation of condition 2 'opening hours' of EPF/0820/07 to increase the opening hours to 8am to 11pm Monday to Sunday (Revised application)
<b>DECISION:</b>	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](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.

**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/1911/12
<b>SITE ADDRESS:</b>	The Way BBQ 160 Loughton Way Buckhurst Hill Essex IG9 6AR
<b>PARISH:</b>	Buckhurst Hill
<b>WARD:</b>	Buckhurst Hill East
<b>DESCRIPTION OF PROPOSAL:</b>	Single storey extension for new preparation area.
<b>DECISION:</b>	Grant Permission

**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=542103](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=542103)

**CONDITIONS**

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

**Report Item No: 6**

<b>APPLICATION No:</b>	EPF/2031/12
<b>SITE ADDRESS:</b>	10 Rectory Lane Loughton Essex IG10 1NZ
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Johns
<b>DESCRIPTION OF PROPOSAL:</b>	Change of use of premises from use for storage purposes (Use Class B8) to use as a scrap yard for the purpose of recycling metals (Sui Generis)
<b>DECISION:</b>	Deferred

**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=542639](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=542639)

Members deferred making a decision on this item to allow a further 2 months monitoring of noise, particularly during noisy activities and to allow further consideration to be given to management of the loading/unloading of large vehicles.

**Report Item No: 7**

<b>APPLICATION No:</b>	EPF/2063/12
<b>SITE ADDRESS:</b>	63 Hainault Road Chigwell Essex IG7 5DH
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Grange Hill
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of an outbuilding in rear part of rear garden (building partly constructed)
<b>DECISION:</b>	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=542822](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=542822)

**CONDITIONS**

1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
2. Materials to be used for the external finishes of the proposed development shall be the same as those specified on the approved plans, unless otherwise agreed in writing by the Local Planning Authority.
3. Once the new house to be erected on this site has been occupied the outbuilding hereby approved shall only be used for domestic purposes incidental to the single family dwelling on the site, and it shall not be used as primary residential accommodation, for example, as a bedroom, living room, or kitchen.

**Report Item No: 8**

<b>APPLICATION No:</b>	EPF/2189/12
<b>SITE ADDRESS:</b>	112 Forest Edge Buckhurst Hill Essex IG9 5AB
<b>PARISH:</b>	Buckhurst Hill
<b>WARD:</b>	Buckhurst Hill West
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed two storey side/rear extension, single storey rear and front extensions and loft conversion including rear facing dormer window and roof lights in the front roof slope. (Revised application)
<b>DECISION:</b>	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=543284](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=543284)

**CONDITIONS**

1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
2. Materials to be used for the external finishes of the proposed development, shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.

**Report Item No: 9**

<b>APPLICATION No:</b>	EPF/2291/12
<b>SITE ADDRESS:</b>	51 Epping New Road Buckhurst Hill Essex IG9 5JT
<b>PARISH:</b>	Buckhurst Hill
<b>WARD:</b>	Buckhurst Hill West
<b>APPLICANT:</b>	Hillcote Ltd
<b>DESCRIPTION OF PROPOSAL:</b>	Extension of time limit on EPF/0822/09 (Demolition of existing property and erection of 2 x 1 bedroom and 8 x 2 bedroom flats with underground parking) Allowed at appeal
<b>RECOMMENDED DECISION:</b>	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=543744](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=543744)

**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: All prefixed 2053\_SK:  
06-1C, 06-2D, 06-3E, 06-6A, 13-1G, 13-2F, 13-3F, 13-5G, 13-7A, 14G, 15, 16 and 17A
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. No development shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
5. Prior to first occupation of the development hereby approved, the proposed window openings on the first floor east elevation 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.
6. 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.

7. No development shall take place until a schedule of landscape maintenance for a minimum period of five years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. The landscape maintenance plan shall be carried out in accordance with the approved schedule.
8. 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.
9. No gate or other barrier to the free flow of vehicles shall be erected across any vehicular access to the highway.
10. No development hereby permitted, including any works of demolition or site clearance, shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the demolition and construction period.

The Statement shall provide for:

- (1) the parking of vehicles of site operatives and visitors;
  - (2) loading and unloading of plant and materials;
  - (3) storage of plant and materials used in constructing the development;
  - (4) the erection and maintenance of any security hoarding including decorative displays and facilities for public viewing, where appropriate;
  - (5) measures to control the emission of dust and dirt during construction, including wheel washing; and
  - (6) a restriction on any burning of materials on site.
11. Before the first occupation of the building hereby permitted 1.5 metre x 1.5 metre sight lines shall be provided at each side of each vehicular access to the site in accordance with plans which shall be first submitted to and approved in writing by the Local Planning Authority. Thereafter, nothing exceeding 0.6metres in height shall be placed within the sight lines thereby approved.
  12. The vehicle access to the underground car park shall be constructed at a gradient not exceeding 4% for the first 6 metres measured from the carriageway edge.

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## AREA PLANS SUB-COMMITTEE SOUTH

13 March 2013

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**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/2281/12
<b>SITE ADDRESS:</b>	18 Albion Park Loughton Essex IG10 4RB
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Forest
<b>APPLICANT:</b>	Mr McCarthy
<b>DESCRIPTION OF PROPOSAL:</b>	TPO/EPF/02/89 T2 - Pine - Fell T3 - Sycamore - Fell
<b>RECOMMENDED DECISION:</b>	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=543700](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=543700)

**CONDITIONS**

- 1 The works hereby authorised shall not be undertaken after a period of three years from the date of this consent has expired.
- 2 2 replacement trees, of a species, size and in a position as shall have been agreed in writing by the Local Planning Authority, shall be planted and agreed by the Local Planning Authority (LPA) to be in accordance with the details prior to implementation of the felling hereby agreed, unless varied with a written agreement of the LPA. If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, or dies, or becomes seriously damaged and defective another tree of the same species and size of that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 3 The felling authorised by this consent shall be only be implemented once the Local Planning Authority has received in writing 5 working days notice of such works.

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

**Description of Site:**

A two storey, "villa" style 1950's residential property, standing within a well treed garden. The level of the land drops from Albion Park to Hazelwood to the North. The house runs broadly southeast to northwest, with a wide frontage, but shallow depth. The pine stands less than 2m. from the northern flank wall of the garage and close to the street. The sycamore is less visible from the road, behind the pine and some 5m. beyond the house's northern corner.

### **Description of Proposal:**

T2, pine fell  
T3, sycamore fell

### **Relevant History:**

TPO/EPF/2/89 was made in 1989 to protect the trees on the site at the specific request of the owners, concerned that their trees might be harmed by over-enthusiastic cutting back of overhanging branches by their neighbours.

Since then the trees have been cut on several occasions, for the benefit of the trees and the residents of Hazelwood, and with advice from the Council's Landscape Officer. The most recent, both approved with conditions are:

EPF/0294/08: reduction of horse chestnut and reduction of overhang;

EPF/1644/10: reduction of cypresses, sycamores etc.

### **Policies Applied:**

Epping Forest District Local Plan and alterations,

LL09: felling of preserved trees

Summary: felling must be necessary and justified; replacement is required.

### **Summary of Representation:**

14 and 18 HAZELWOOD: welcome the fact that the application has been submitted; make various points about the difficulties experienced in making representations: question whether the council will be consistent in requiring replacement if trees are felled to ensure continuation of the intent of the TPO. Note that on previous occasions only trimming was permitted to these trees.

LOUGHTON TOWN COUNCIL: the committee objects to applications which will result in inappropriate treatment to any significant tree and also objects to any application to fell such a tree, and so objected to this application. If however the district councils arboricultural officer deems this application acceptable, whether with amendments or not then the committee was willing to waive its objection.

### **Issues and Considerations:**

#### **Introduction**

The application is on the basis that subsidence has occurred to the property, that the cause is the two trees and that their removal offers the most cost effective resolution. The possibility of resultant heave has been considered and eliminated as a risk. The alternative would be a substantial strengthening and deepening of the existing foundations by underpinning, at substantial cost, (estimated at min. £17,000 + VAT). Members will be aware that under the tree preservation order legislation costs that flow from the LPA's decisions in relation to applications are reclaimable at the Lands Tribunal.

The rationale for the application has been tested, including a site visit with an independent engineer and careful examination of the basis of the application, including the heave calculations. The advice of the engineer is that a connection has been made between substantial elements of the damage and the 2 trees named in the application and that the degree of heave expected as a result of felling is tolerable by the existing structure. In other words felling the trees allows repair of the property without the cost of underpinning that retention of the trees would otherwise require.

### Key Issues

It is suggested that the key issues to be considered are;

- the value of the trees in terms of the local amenity that they provide;
- the strength of the engineering case that has been made for their removal;
- whether there are alternative explanations for the building movement or alternative solutions; and
- the feasibility of replacement planting in the garden, as partial replacement of lost amenity.

Dealing with these in turn:

### The value of the trees

The trees are of considerable visual importance locally. The pine tree is a major feature in the street scene of Albion Park; it is a healthy and well formed specimen with a long life expectancy (40 years plus). The sycamore is less important from Albion Park, but does stand out in views from Hazelwood where it forms a sky line feature. It is a multi stemmed tree of moderate, rather than high amenity value, but again with a long life expectancy.

### The strength of the engineering case

The evidence consists of an arboricultural appraisal, including a description of the damage, a trial pit and bore-hole investigation, detailing the subsoil investigations, the depth of the foundations and the presence of roots from both of the implicated trees beneath the foundations, and an engineering report. Unlike in most applications the engineering report is recent, (November 2012) and comprehensive.

The analysis is based on movement monitoring around the building, which shows seasonal movement is at its greatest in the flank wall closest to trees. The main damage involves cracking at the junction of the garage and the main body of the house and stepped cracking to the rear elevation of the garage. There is also cracking throughout the property although not all of it is related to the presence of the trees.

The independent engineer, Andrew Martin of Peter Kelsey Associates, visited the property on 18 January 2013 and "noted damaged to the super structure and ground floor slab located predominately to the left side of the property" (i.e. that closest to the trees). The pattern of damage was judged to be consistent with subsidence of the foundations and ground floor and he noted that it suggested the source of the movement was to the left and towards the front (i.e. where the trees are located).

Following a detailed interrogation of the application documentation he concluded that the application had "clearly demonstrated that a nuisance is being caused by both the pine and the sycamore". Subject to a heave calculation he therefore recommended that the council allow the felling of the trees as the most cost effective solution, avoiding extensive underpinning. Subsequent to that the heave calculations undertaken by the engineers for the owners has been received and commented on by the independent engineer. The initial submission had a mistake in it which made it appear that there might be excessive heave. However, this mistake has been remedied and demonstrated that the degree of heave should be within accepted parameters. In other words the building should be able to accommodate the movement caused by the removal of the trees and underpinning is not required to take account of heave.

On that basis it is concluded that the engineering justification for felling the trees has been demonstrated.

### Alternative explanations/ solutions

The evidence strongly suggests that a superstructure repair of the building would be sufficient were the trees to be felled, and that underpinning would not otherwise be required to allow for

ground heave as a result of the felling. Because the building movement is seasonal it cannot result from leaking drains. Although foundations are not to modern standards, they were to the acceptable standards of the day, and so cannot be blamed. There is no room for a viable root barrier allowing the trees to be retained between the trees and the building. Because of the locations of the trees pruning to restrict water demand as a remedy would not be successful, and would not be accepted by the applicants.

#### Replacement planting

In relation to replacement planting although large trees close to the house are not likely to be acceptable the agent has accepted that there will be room in the garden for replacement trees. At worst this would be low water demand trees such as birch which would have a beneficial impact in the street scene, although clearly not comparable to that of the existing trees. However it is hoped that a suitable location for larger and longer lived trees such as field maple can be found. This will be reported orally to members.

#### Conclusion

That, subject to the planting of 2 trees in suitable locations, felling has been demonstrated to be necessary and justified and so to grant consent accords with policy LL9 of the Local Plan and Alterations. 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:***

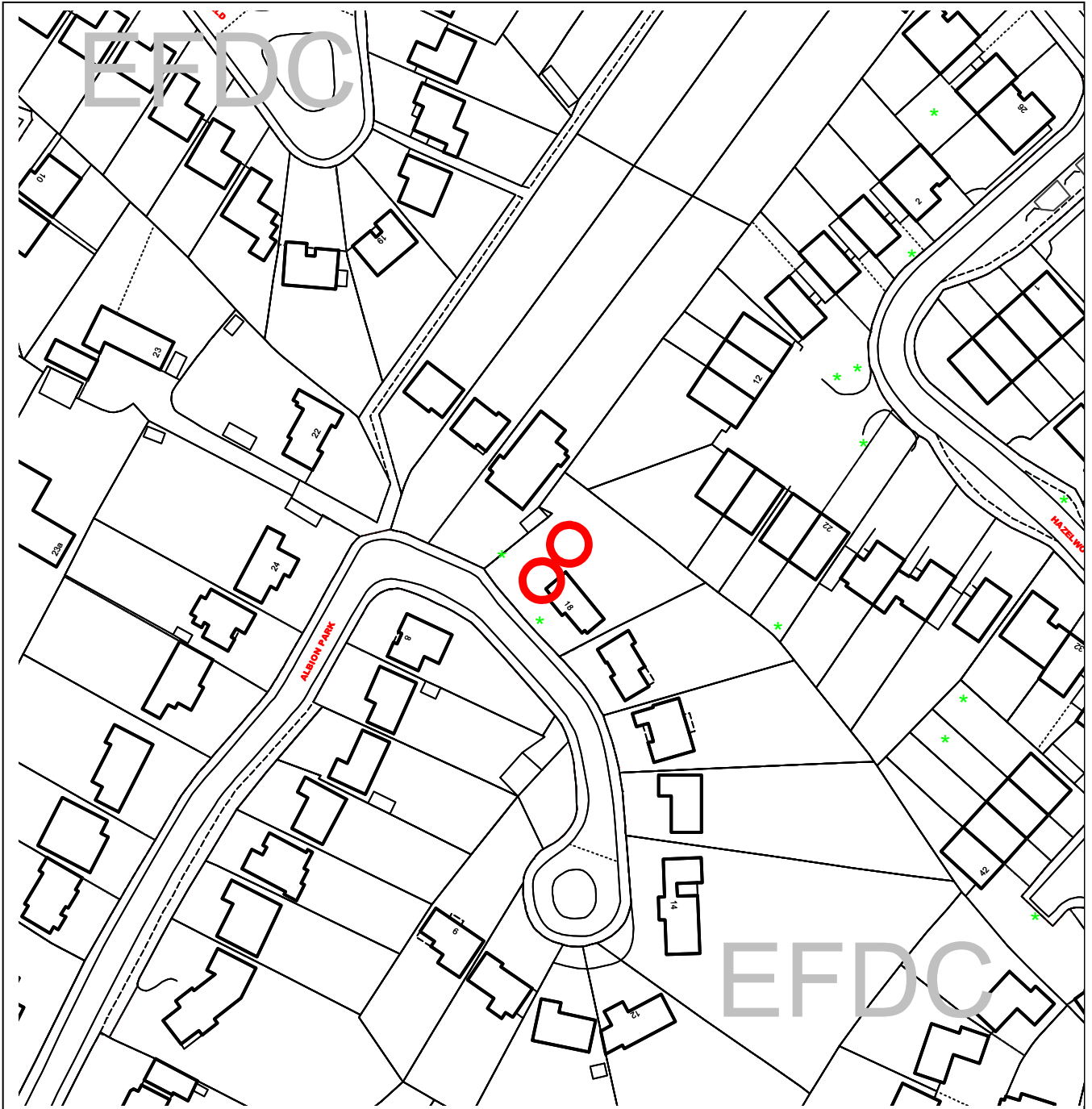
***Planning Application Case Officer: Christopher Neilan  
Direct Line Telephone Number: 01992 564117***

***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	1
Application Number:	EPF/2281/12
Site Name:	18 Albion Park, Loughton IG10 4RB
Scale of Plot:	1/1250

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/0059/13
<b>SITE ADDRESS:</b>	63 Manor Road Chigwell Essex IG7 5PH
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Grange Hill
<b>APPLICANT:</b>	Mr Imran Umrani
<b>DESCRIPTION OF PROPOSAL:</b>	TPO/EPF/10/74 T7 - Cypress - Fell T28 - Plum - Fell
<b>RECOMMENDED DECISION:</b>	Split Decision: T28 – Plum – Grant Permission (with condition) T7 - Cypress – Refuse Permission

**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=544794](http://planpub.eppingforestdc.gov.uk/AniteLM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=544794)

**CONDITION (T28 – Plum)**

- 1 The felling authorised by this consent shall be carried out only after the Local Planning Authority has received, in writing, 5 working days prior notice of such works.

**REASON FOR REFUSAL (T7 – Cypress)**

- 1 Although it is recognised that T7 cypress is displaying early signs of infection this is not sufficient to justify the loss of its visual and other amenity. The loss of the tree's existing and potential visual amenity is therefore contrary to policy LL9 of the Council's Adopted Local Plan and Alterations.

*This application is before this Committee because any application to fell preserved trees falls outside the scope of delegated powers*

**Description of Site:**

This is a large residential property in a sizeable garden, with extensive tree cover, mostly mature oaks to front and rear.

**Description of Proposal:**

T7 - Cypress - Fell  
T28 - Plum – Fell (referred to on application as T26)



### **Relevant History:**

The TPO dates from 1974, and is an area order, giving indiscriminate protection to all trees on the site. There are no recent records of pruning or removing trees at the site on record but several dead or ailing trees have been removed to assist in the practical progress of the construction works.

This application is partnered by a further one, TRE/EPF/0058/13, to be determined using delegated authority, involving carefully specified pruning with removal of deadwood involving many of the other trees, for safety reasons and to allow light to the garden, and rear rooms.

EPF/1897/10 granted approval for the demolition of the previous house and construction of the new detached house, with basement, with tree protection conditions, to which officers have had to call attention on at least several occasions.

### **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 appropriate replacement of the tree.

### **Summary Of Representations**

CHIGWELL PARISH COUNCIL objected to the felling of important trees but would be willing to waive their objection should the tree officer deem the works acceptable

### **Issues and Considerations:**

This application stems from a programme of generally reasonable tree management in both front and back garden. It appears likely that one of the trees would never have been protected, had an individual order been imposed, but the other tree involved still adds character to the local street scene and provides useful screening, even though it is not a native tree. The application cites disease and poor form, but some stress may also be attributed to high intensity development works in its immediate neighbourhood, with an incomplete attention to the requirements of the tree protection condition.

### **Issues**

The reasons given for this application have been summarised, as follows:

- i) T7 Cypress has brown, diseased, growth and the lower crown is unbalanced due to past competition with a smaller tree, recently removed by agreement.
- ii) T28 Plum is in a poor condition, with decay within the main stem.

### **Consideration of the reasons given**

- i) T7 Cypress: Brown, diseased growth and unbalance lower crown form.

Across the district, Monterey cypress have long suffered from a fungal infection known as Coryneum Canker, which appears initially on branch tips. The dieback of branch ends occurs randomly across a tree's crown. As the disease advances whole sections of the crown die off and lose all foliage. Ultimately the tree succumbs.

In this case, inspection shows a relatively small amount of tip browning and no large areas of defoliation. Subject to careful pruning to remove the worst of the incipient diseased areas reasonable safe useful life expectancy is expected to be up to 15 years. It provides very useful screening for the property viewed from the street.

The tree's form is marred by a gap in the foliage when viewed from the southern aspect, where a much smaller partner cypress has been recently removed. This other tree was badly diseased with the same canker disease, and was assessed as being past any hope of recovery and so outside TPO protection. This area of absent foliage will not grow back and detracts from the tree's otherwise generally impressive appearance.

A Holm oak has been planted as a replacement for the removed tree, and all being well, should form a replacement for both trees in the medium term.

#### ii) T28: Decayed Plum

This old orchard tree is located in the rear garden, close to the side boundary and is in clear decline. Decay is visible within the main stem and bark is peeling from the stem. The crown is full of deadwood and the tree is of no public visual significance. Its removal would have no landscape impact.

It would have been unlikely to have been assessed as suitable for protection, had an individual order been made.

#### Other planning considerations

##### Replacements:

The offer has been made to replace the Monterey cypress with a native oak. However an assessment of the immediate location suggests that due to the presence of services, planting in its immediate vicinity is unlikely to be an option. The recently planted Holm oak will in any case make a ready made replacement, but will not have a real visual impact for some 15 years, even assuming good growth.

A replacement for the plum is unnecessary on grounds of (lack of) visibility.

#### **Conclusion**

The tree assessment showed T28 Plum to be poor and insignificant in landscape terms. It is recommended to allow this tree to be removed and the need to replant waived unless a more visible location might be sought for it.

The Monterey cypress is a striking tree with important function in screening from street views but with incipient health problems. On balance, it is considered that its removal is currently premature. This view is subject to reassessment, should its condition rapidly worsen. It is, therefore, recommended to refuse permission to fell this tree on the grounds that the reasons given do not justify the need for the tree's removal. The proposal in this part is contrary to Local Plan Landscape Policy LL9.

***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:***

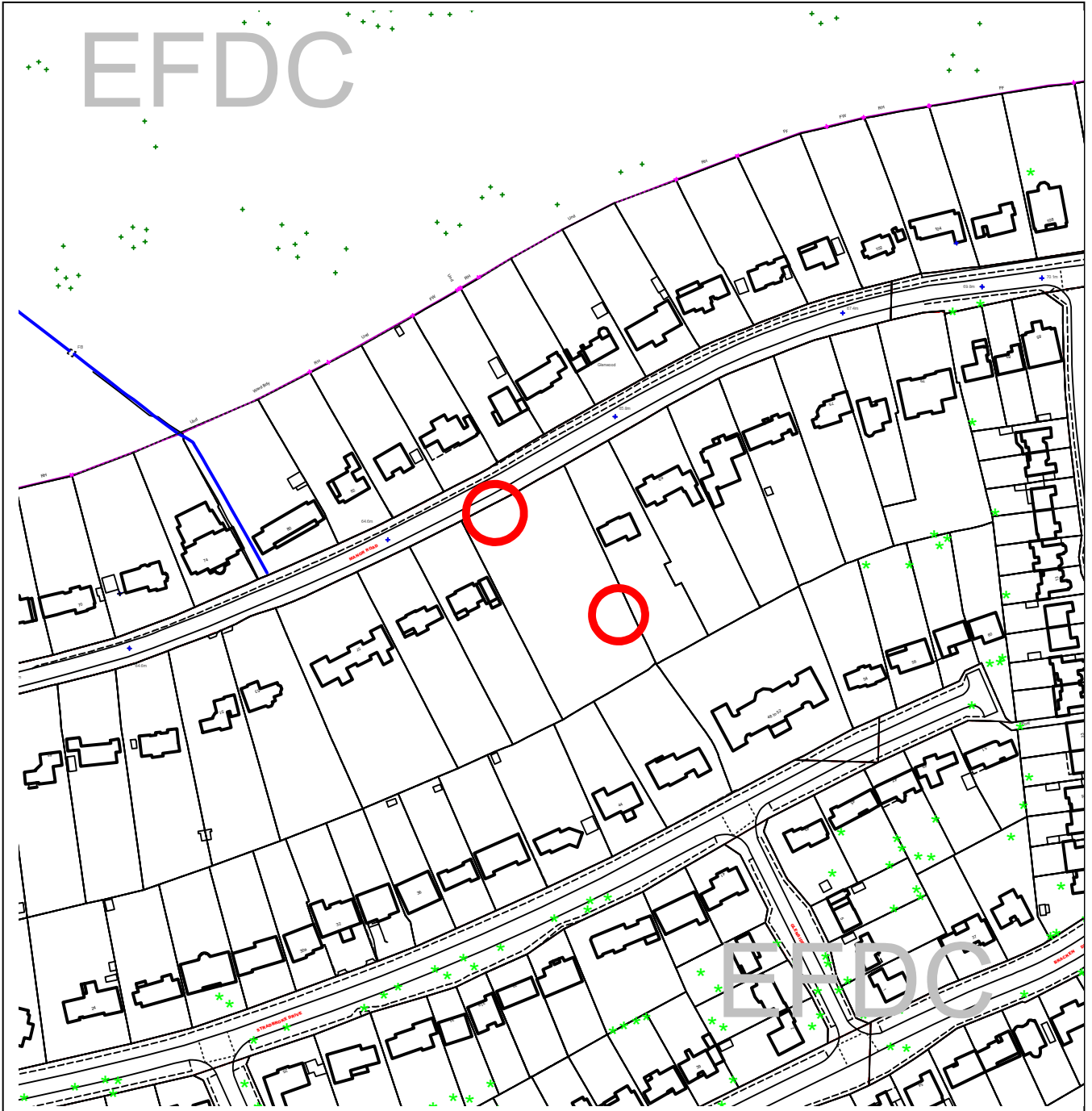
***Planning Application Case Officer: Robin Hellier  
Direct Line Telephone Number: 01992 564546***

***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	2
Application Number:	EPF/0059/13
Site Name:	63 Manor Road, Chigwell IG7 5PH
Scale of Plot:	1/2500

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/0095/13
<b>SITE ADDRESS:</b>	7 Albion Hill Loughton Essex IG10 4RA
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Forest
<b>APPLICANT:</b>	Mr Mark Bowman
<b>DESCRIPTION OF PROPOSAL:</b>	Change of use of an existing care home (consisting of 22 rooms) to 7 private residential flats, consisting of 2 x 1-Bed, 4 x 2-Bed and 1 x 3-Bed flats with associated amenity space, on-site car parking, cycle and refuse store. The proposal includes the demolition of the original house dating back to the 1870's and its re-construction, 'like-for-like'.
<b>RECOMMENDED DECISION:</b>	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=544931](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=544931)

**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: 4832 IN 02, 4832 IN 03, 4832 IN 04, 4832 IN 05, 4832 IN 06, 4832 IN 07, 4832 IN 08, 4832 IN 09, 4832 IN 10, 4832 IN 11 and 4832 IN 11 (all dated July 2012) together with approved drawing nos: 4832 DE 101, 4832 DE 102, 4832 DE 103, 4832 DE 104, 4832 DE 105, 4832 DE 106, 4832 DE 107, 4832 DE 108, 4832 DE 109, 4832 DE 110, 4832 DE 111, 4832 DE 112 and 21212(11) (all dated January 2013).
- 3 Within one month of the commencement of the development hereby approved, details of the proposed refuse store shall be submitted to the Local Planning Authority for approval in writing. The refuse store shall be installed in accordance with the agreed details prior to the first occupation of a dwelling hereby approved.
- 4 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.

- 5 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.
- 6 The parking areas shown on approved drawing number 4832 DE 101 dated January 2013 shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents and visitors vehicles.
- 7 Prior to the first occupation of the dwellings hereby approved, privacy screens of 1.7m in height shall be erected along the western side of the balcony serving flat no. 6 (the side facing 9 Albion Hill) and also along the northern side of the balcony serving flat no 7 (the side facing 5 Albion Hill).
- 8 No demolition or construction works shall take place until further details of the means to control dust arising from such activity have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be fully implemented for the duration of demolition and construction activity on the site.
- 9 The development hereby approved shall be carried out in strict accordance with the approved Construction Method Statement dated January 2013.
- 10 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 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 11 There shall be no bonfires on the site throughout the demolition and construction phase of the development;

*This application is before this Committee since it is an application for residential development consisting of 5 dwellings or more (unless approval of reserved matters only) and is recommended for approval (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(d))*

#### **Description of Site:**

A two storey (with additional lower ground floor accommodation) building, last in use as a 22 bed residential care home. The site includes small garden and courtyard areas to the rear of the building and a small car park area (containing 5 spaces) to the front of the site. An adjacent piece of land containing the hardstanding of a former garage is also incorporated into the application site.

#### **Description of Proposal:**

This application seeks planning permission for the conversion of the existing building into 7 flats (Comprising a mix of 2 x 1 bed; 4 x 2 bed; and 1 x 3 bed). It is also proposed to demolish and rebuild on a "like-for like" basis the oldest part of the building, which is the western part of the building fronting Albion Hill adjacent to the site boundary with 9 Albion Hill.

The development proposes the provision of 9 car parking spaces. Access to these car parking spaces would be via the existing entrance points onto Albion Hill.

The proposal also includes minor physical changes to the building including alterations to fenestration; the addition of an access staircase on the front elevation; the addition of a dormer window and doors with Juliet balcony and second floor level on the South-East (side facing 5½ Albion Hill) elevation; a new spiral staircase and the addition of a full height first floor window with Juliet balcony on the North-East (rear facing 5 Albion Hill) elevation; and the removal of a staircase, creation of a balcony at first floor level and addition of a large flat roofed dormer in the North-West elevation (facing 9 Albion Hill).

**Relevant History:**

EPF/0457/86. Change of use to residential old persons house, formation of vehicular access and 5 car parking spaces. Approved 02/06/1986.

Included 'Condition 8' - *the existing vehicular access to Albion Hill shall be closed off before the use hereby permitted is commenced.*

Subsequent planning applications for extensions between 1987 and 2006.

EPF/2290/03. Demolition of existing garage and reconstruction as new single storey office building with pitched roof. Approved 07/01/2005

*NB – this planning permission is likely to have been commenced by the demolition of the garage.*

EPF/1657/12 Change of use of an existing care home (consisting of 22 rooms) to 7 private residential flats, consisting of 2 x 1-Bed, 4 x 2-Bed and 1 x 3-Bed Flats, with associated amenity space, on-site car parking, cycle and refuse storage. Approved 21/11/2012

**Policies Applied:**

DBE1 - Design  
DBE 2, 9 – Amenity  
DBE6 – Car Parking  
LL10 – Retention of Landscaping  
LL11 – Landscaping Schemes  
CP2 – Protecting the Quality of the Rural and Built Environment  
CP3 – New Development  
CP7 – Urban Form and Quality  
H2A – Previously Developed Land  
H4A – Dwelling Mix  
ST4 – Highway Safety  
ST6 – Vehicle Parking

**Summary of Representations:**

Notification of this application was sent to Loughton Town Council and to 11 neighbouring residents and a planning consultant who acted for an objector to application EPF/1657/12.

The following representations have been received:

LOUGHTON TOWN COUNCIL. "The Committee had NO OBJECTION to this application but asked for a planning condition to re-use as many of the existing materials and features as possible."

### 3 ALBION HILL. Objection.

Parking provision is inadequate. Parking provision at two spaces per flat should be provided. Albion Hill is narrow and cannot cope with additional vehicles. An underground car park may be a solution.

### 4 ALBION HILL. Objection.

Parking provision is inadequate and the design and access statement misrepresents the existing on-street parking position on Albion Hill. The designation of 2 of the proposed parking spaces as disabled bays and dedication of 2 spaces (including one of the disabled bays) to the penthouse flat amounts to a reduction in the number of parking spaces proposed for the development. The undedicated disabled bay would not be fully accessible on both sides.

The proposal would lead to additional on-street parking, which would be harmful to highway safety since the road is very narrow and cars often park partially on the footway. The development would lead to further obstruction of the footway.

Construction activity could be disruptive, particularly if it is necessary to temporarily close Albion Hill to traffic. This must be properly controlled in the interests of amenity and safety.

### **Issues and Considerations:**

The proposed conversion of the building to provide 7 flats served by 9 parking spaces has recently been approved. The current proposal is materially different since it relies on substantial reconstruction works. The need for the works is properly set out in a structural survey submitted with the application. Since the new works would not appear different to the existing they would clearly complement the building and consequently are acceptable in design terms and in terms of the impact on the living conditions of neighbours. The applicant specifies external materials for the rebuilt part of the building and they would match the existing adjacent materials. It is necessary to secure this by condition.

This assessment therefore primarily deals with the impact of the demolition and construction activity necessary to complete the proposed works. The applicant recognises such activity could cause harm and has submitted a construction method statement. The key points set out in the method statement are as follows:

1. Demolition of the relevant part of the building would take 1 week.
2. The entire project comprising of demolition, rebuilding and conversion works would take 34 weeks.
3. Foundations for the reconstructed part of the building would be piled.
4. Deliveries would be by appointment only by vehicles suitable for the width of the road.
5. Delivery appointments would be managed to minimise potential for congestion and therefore will avoid times when children are normally dropped off and collected from Oaklands School.
6. Lorries will only access the site in reverse gear under the direction of a trained Banksman.
7. Pedestrian access along Albion Hill will be maintained and, as necessary, a barrier footway will be provided.
8. A vehicle wash down point will be provided adjacent to the site entrance to prevent debris on the road.
9. Site working hours will normally be restricted to 07:30 to 18:30 Monday to Friday and 08:00 to 13:00 on Saturday only.
10. If demolition cannot take place in school holidays, plant and vehicles used for demolition will not be used during normal school drop-off and pick-up times.

11. Liaison will be maintained with neighbours and specific notice given for demolition works, noisy activity, structural works, any necessary road or footway closures and specialist deliveries.
12. Waste will be sorted off site by a specialist contractor.
13. Demolition waste will be collected by grab lorry each day.
14. All concrete for foundations and retaining walls will be pumped.
15. No tower crane will be used.
16. Externally sheeted scaffold will be erected to enclose new structures and will be inspected weekly.
17. A timber and metal hoarding with lockable gates will secure the site boundaries.
18. The main contractor will maintain an open contact policy and contact telephone numbers for the public displayed.

Health and safety matters relating to the construction project would be controlled by the Health and Safety Executive and are therefore not material planning considerations. Similarly, Essex County Council as Highway Authority has independent powers to control any restriction of access along Albion Hill during construction. The proposals for managing construction traffic and ensuring highway safety have clearly been considered by the applicant and, in the context of independent controls of the Highway Authority, are found to be appropriate for the scale of the proposed demolition and construction activity.

Environmental Health Officers have given consideration to the potential impact of the construction proposals on the amenities of neighbours. It is found that the construction method statement is sufficient to mitigate harm to amenity and recognises the need to coordinate school opening and closing times. However, further information dealing with the means to control dust arising from demolition and construction activity is necessary. This can be secured by condition. EHO's also recommend the imposition of the standard construction hours condition, which expressly prohibits audible working activity on Sundays and Bank/public holidays, and the imposition of a condition prohibiting bonfires. It is also necessary to secure the implementation of the construction method scheme by way of a planning condition.

There is a preserved tree on neighbouring land adjacent to the western site boundary. At the time of preparing this report insufficient information dealing with the potential impact on the tree and appropriate mitigation has been submitted. The applicant has undertaken to submit this prior to the Sub-Committee meeting where this application will be considered. That will be assessed by the Council's Tree and Landscape Team and its findings and recommendations will be reported verbally.

### **Conclusion:**

In light of the above appraisal, it is considered that the proposed development is acceptable, in that it accords with local plan policies and would not give rise to unacceptable harm to neighbouring amenity, the character and appearance of the area, existing trees and landscaping or highway safety and efficiency. It is, therefore, recommended that planning permission be granted, subject to the imposition of the planning conditions discussed in this report and any further conditions recommended by the Council's Tree and Landscape Team.

***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***

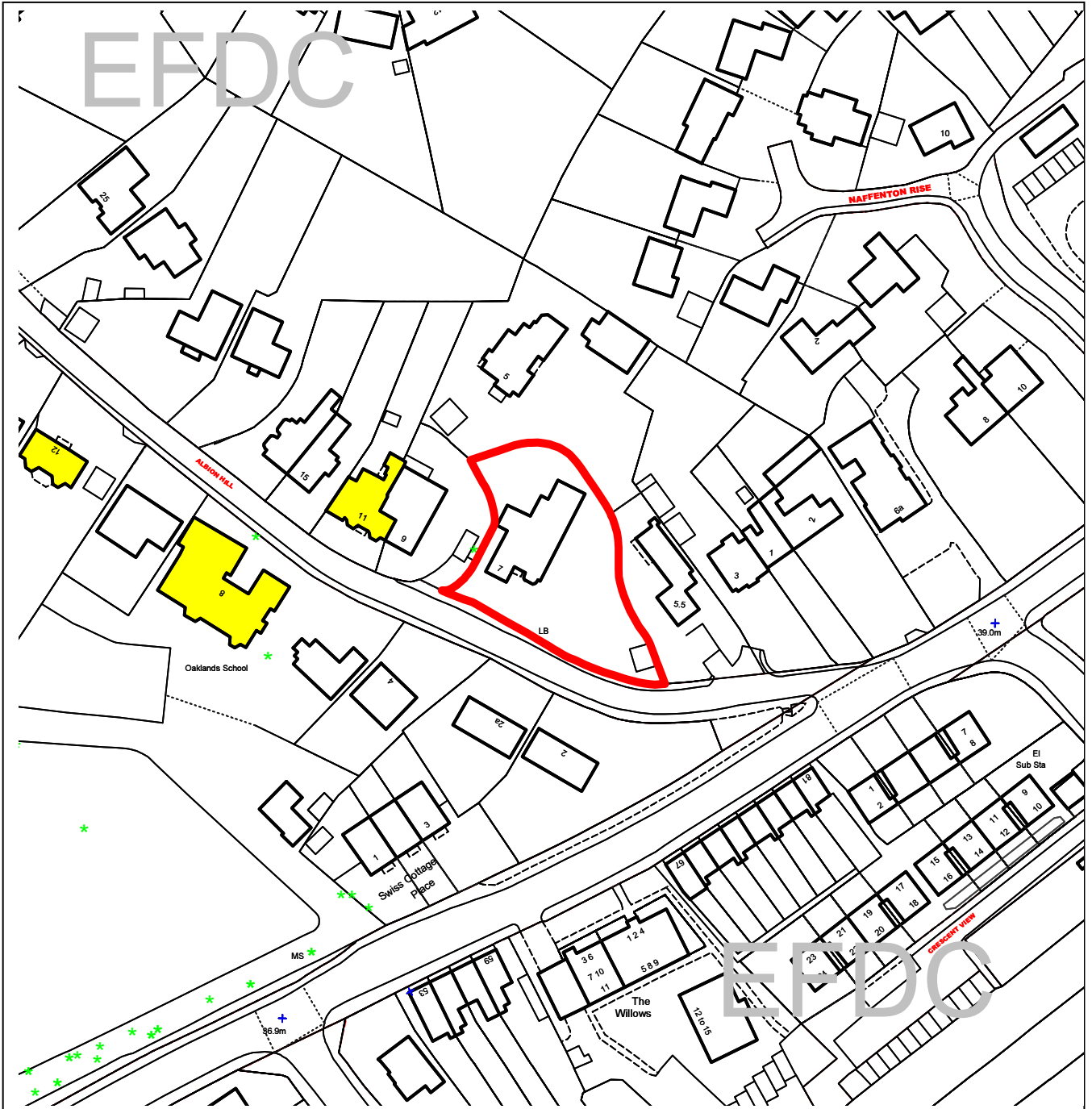
***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***





# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	<b>3</b>
Application Number:	EPF/0095/13
Site Name:	7 Albion Hill, Loughton IG10 4RA
Scale of Plot:	1/1250

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/0444/12
<b>SITE ADDRESS:</b>	84 & 86 England's Lane Loughton Essex IG10 2QQ
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Johns
<b>APPLICANT:</b>	Mr Paul Cockram
<b>DESCRIPTION OF PROPOSAL:</b>	Loft extension to adjoining properties.
<b>RECOMMENDED DECISION:</b>	Grant Permission (Subject to Legal Agreement)

**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=535655](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=535655)

**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 works hereby approved to 84 and 86 Englands Lane shall be carried simultaneously. Should works to one house be commenced more than 14 days prior to works starting at the neighbouring attached house, those works shall cease and not recommence until works to the attached house have also been commenced. No work to form the dormer windows hereby approved shall be commenced until the ridge of both houses has been raised and roof slopes formed to the height and pitch shown on the approved plans.
- 3 The development hereby permitted will be completed strictly in accordance with the approved drawing numbers 1 -7 as numbered by the Local Planning Authority.
- 4 No construction works above ground level shall have taken place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing, prior to the commencement of the development. The development shall be implemented in accordance with such approved details.

*This application is before this Committee since the recommendation conflicts with a previous resolution of a Committee (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(i))*

**Subject to the completion, within 3 months of a resolution to grant planning permission, an agreement under section 106 of the Town and Country Planning Act 1990 requiring the owners of 84 and 86 Englands Lane to carry out the approved works to both houses simultaneously.**

### **Background:**

This application was considered by Members of this Committee on 30 May 2012. At that meeting, the Committee resolved to grant planning permission, subject to the completion of a legal agreement within 6 months. The period for completing the legal agreement was subsequently extended until 21 February 2012 (giving an additional 3 months). One of the applicants' mortgage lenders has subsequently had difficulty with the terms of the S106 but this was resolved and the lender now accepts the Council's position. However, the period permitted for completing the S106 has since expired and in order to proceed it is necessary to gain authority to extend the time for completion. In the particular circumstances of this case it is considered appropriate to extend the period for a further three months. Accordingly, it is recommended that the Committee extend the period in which the agreement must be signed, by 3 months from the date of this meeting – i.e. expiring 13 June 2013.

The original report on the application is reproduced from the agenda of this Committee on 30 May 2012.

### **Description of Site:**

The application site comprises a pair of modern semi-detached houses with unusually shallow pitched gabled roofs situated on the north side of Englands Lane, some 30m west of its junction with Goldings Lane. Land rises to the north from the road such that the pair of houses are on higher land and their rear gardens rise to the rear of the application site. Land rises more gently from east to west.

The back gardens of 2a, 2b and Hillside, Goldings Lane, all two-storey houses, back on to the eastern site boundary. They are 10m in length. The rear garden of 2 Goldings Lane extends along the northern site boundary. The house at 2a aligns with the flank wall of 86 and is at slightly lower level. 2b is at a similar level and Hillside is at higher level.

The house immediately to the west, 80 Englands Lane, is a significantly taller two-storey detached house that has a steeply pitched roof. It is set back rear of the front elevations of 84 and 86 and continues 4m beyond their rear elevation. Its height is emphasised by its siting on higher land.

The immediate locality is characterised by two-storey houses that vary in size, design and, to a limited extent, in their relation to the street.

### **Description of Proposal:**

It is proposed to reconstruct the roof of both houses at the application site, raising their ridge by 1.3m and increasing their pitch to 33.5 degrees. The additional height is required to facilitate loft conversions and both houses would have a pair of modest dormer windows in the front roof slope and linked box dormers in the rear facing roof slope.

The owners of both houses have stated in writing that they undertake to only carry out the enlargement of their house simultaneously with the works to enlarge the attached house. That undertaking is not in the form of a Unilateral Undertaking under S.106 of the Town and Country Planning Act.

### **Relevant History:**

None. An application for a loft conversion at 84 Englands Lane involving the raising of its roof by 1m was submitted in 2011, ref EPF/1388/11, but was subsequently withdrawn.

### **Policies Applied:**

CP2	Quality of Rural and Built Environment
DBE9	Loss of Amenity
DBE10	Residential Extensions

### **Consultation Carried Out and Summary of Representations Received**

Number of neighbours consulted. 8  
Site notice posted. No, not required  
Responses received: No response received from neighbours.

LOUGHTON TOWN COUNCIL: "The Committee OBJECTED to this application and considered the proposed scheme over-large and detrimental to the streetscene. Members expressed concern for the visual impact and overlooking the loft extension would cause to neighbouring properties at the front (as Englands Lane was very narrow) and to dwellings at the side in Goldings Road (from the two rear Juliet balconies). The proposal was deemed contrary to policies DBE9 (i) and (ii), and DBE10 (i) of Epping Forest District Council's adopted Local Plan and Alterations."

### **Main Issues and Considerations:**

#### *Design and Appearance*

Having regard to the variety of size and design of house type in the locality, the degree of separation from adjacent houses and since the resulting pitch of the enlarged roof would not be uncommon, the proposal to raise the height of the roof by 1.3m is acceptable in principle.

At the front elevation, the proposed dormer windows would be modest (1.7m wide) and set in substantially from the edges of the roof. They would be set 2m from the edge of the eaves and 1m from the ridge. They would be set 0.75m from the flank elevations and there would be a distance of 1.2m between those at each house, although only 0.5m would separate the centre two dormers. Having regard to their size and spacing the proposed front dormer windows would on balance meet the policy test to complement the appearance of the enlarged roof and, as a whole, the proposal would not cause harm to the street scene.

The rear elevation of the enlarged roof would be dominated by a substantial linked box dormer window set 0.75m from the flank elevations and the edge of the eaves. Each dormer would have a large centrally positioned window enclosed by a Juliette balcony. Although a very dominant feature, its scale and design would be consistent with the style of the original house. The dormer would not generally be visible from the street but it would be clearly visible from the rear of 2a, 2b and Hillside, Goldings Road. Since it would complement the design of this particular pair of houses the proposed rear dormers are acceptable in their context. They would not necessarily be acceptable in the rear elevation of houses of a different design.

The main risk posed by the proposal is if the development was only implemented at one of the pair of semi detached houses. That would give the pair an extremely unbalanced appearance that would be harmful to the character and appearance of the locality. Since the potential harm would be so serious it is only possible to effectively resolve this matter by requiring the owners of both 84 and 86 Englands Lane to enter into a S106 agreement requiring the development to be carried out at the same time. Given the written undertaking already given by them there should be no difficulty in securing that. As an additional safeguard, it is also recommended that a planning condition duplicating the effect of the S106 agreement is included on any consent given, although that is not strictly necessary in these circumstances.

### Impact on living conditions

Due to its size and the relationship to neighbouring properties (set out in the site description section of this report) the proposal would not appear overbearing or cause any loss of light. Its visual impact would be acceptable.

Loughton Town Council is particularly concerned about the potential for the proposal to give rise to excessive overlooking of neighbouring properties. Overlooking of properties across public areas such as a street is not normally expected to give rise to any loss of privacy but this is one of the concerns raised. The potential for such overlooking arises from the proposed front dormer windows. Since they are set rear of the front elevation they are further away from properties on the opposite side of Englands Lane than the existing front elevation windows. Furthermore, they are modest in size and a minimum distance of 21m would separate the dormers from the front elevation of houses opposite the site. In the circumstances there is no potential for the front dormer windows to give rise to any excessive overlooking.

Notwithstanding the size of windows in the proposed rear dormers, it would not be possible to overlook any part of the rear elevations of 2a Goldings Road from them and any views of the rear of 2b would be within a highly restricted angle. There would be somewhat less oblique views of Hillside from the dormer proposed at 86 Englands Lane that would primarily take in the rear garden area of that house. However, the rear elevation of the house is at least 21m from the position of the window in the proposed dormer and most of the potentially visible part of the rear garden is at least 16m away and set off to the east. Views would be somewhat more than from existing first floor windows in the rear elevation of that house but would be obscured by trees in the rear garden of Hillside. As a consequence, the proposed rear dormers would not give rise to an excessive degree of overlooking.

Overall, the proposal would safeguard the living conditions of neighbouring properties and while the matters raised by the Town Council warrant careful consideration, the above analysis of the proposal demonstrates no excessive harm would be caused.

### **Conclusion:**

The proposal would complement the appearance of this particular pair of houses and consequently would appear appropriate in the street scene. Moreover, given the relationship with neighbouring properties their living conditions would not be harmed by the proposal. In the circumstances the proposal complies with relevant policies listed above and it is recommended that planning permission be granted following the completion of an appropriate planning obligation.

***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:***

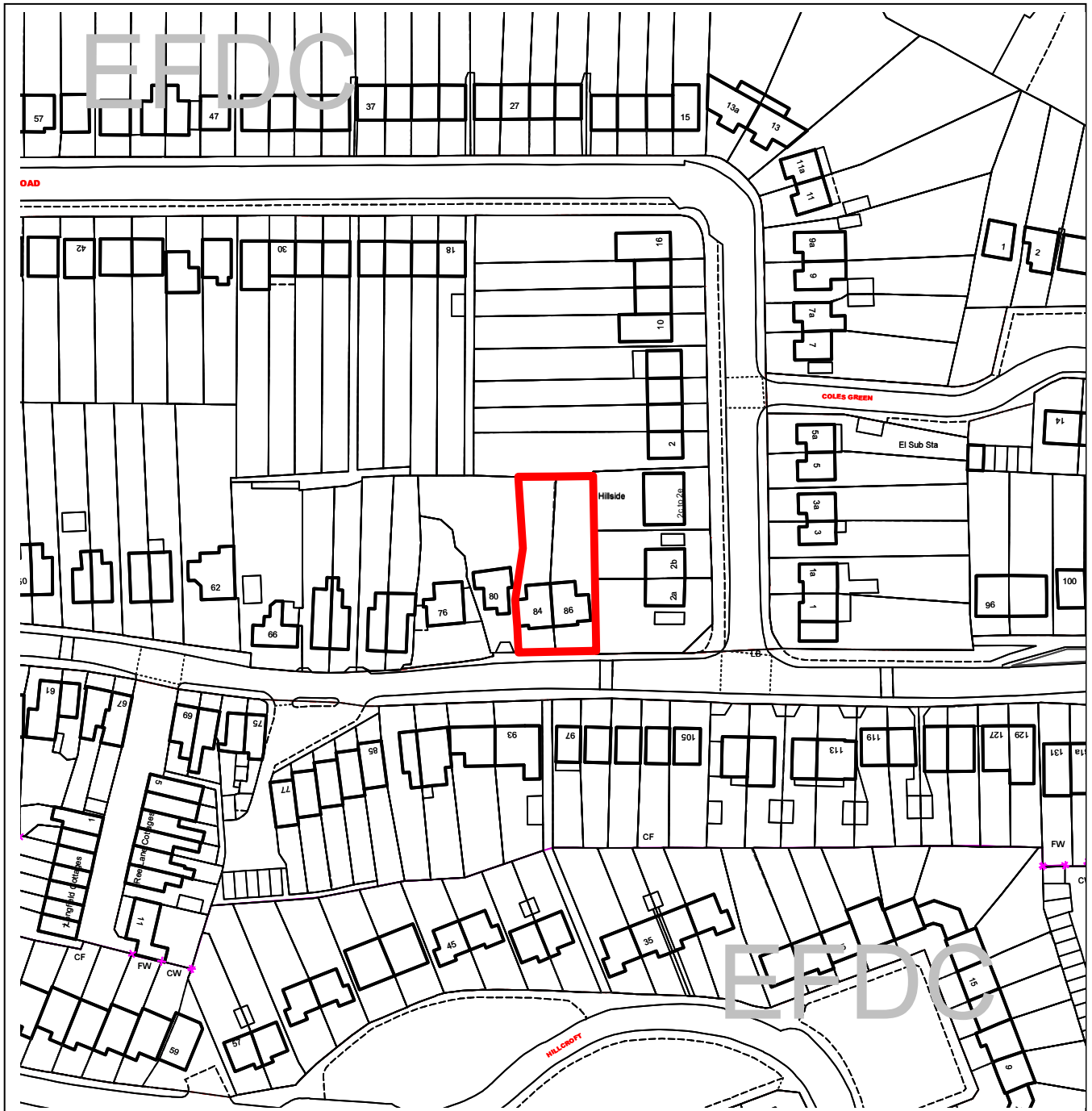
***Planning Application Case Officer: Stephan Solon  
Direct Line Telephone Number: 01992 564018***

***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	<b>4</b>
Application Number:	EPF/0444/12
Site Name:	84 & 86 England's Lane, Loughton IG10 2QQ
Scale of Plot:	1/1250

**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/1984/12
<b>SITE ADDRESS:</b>	Buckhurst Hill Football Club Roding Lane Buckhurst Hill Essex IG9 6BJ
<b>PARISH:</b>	Buckhurst Hill
<b>WARD:</b>	Buckhurst Hill East
<b>APPLICANT:</b>	Mr Graham Baldwin
<b>DESCRIPTION OF PROPOSAL:</b>	Replacement of the existing palisade fencing and gates with 'Metal framed infill panels'. (Revised application)
<b>RECOMMENDED DECISION:</b>	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=542458](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=542458)

**CONDITIONS**

- 1 Within 3 calendar months of the date of this decision, the panels within the fence/gates hereby approved shall be replaced with green coloured metal framed mesh infill panels in accordance with the details submitted within the planning application.
- 2 The development hereby permitted shall be removed from the site together with any associated materials within 2 years of the date of this decision 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 site is on the southern side of Roding Lane. It forms one of two open fields demarcated by a ditch/ channel. The east side is used as a football ground with a pavilion and the west side is used as a playing field.

Immediately east of the site is the River Roding. The surrounding area is predominantly used for recreational purposes. Across Roding Lane to the north is a designated public footpath; however, there is no designated public footpath across the subject site. There are new entrance gates that front onto Roding Lane with a thick hedgerow that runs along part of the front boundary to the road.

The site is within Flood Zone 2 and 3 and is within the Green Belt.

A section of green palisade fence (containing gates) has been erected at the vehicle access point from the site into Roding Lane, without planning permission having been granted.

### **Description of Proposal:**

This application seeks planning permission for the retention of the existing unauthorised gates, but with some proposed alteration to their design.

The application proposes the removal of the vertical struts from the palisade fencing/gates and provision of metal mesh infill panels. As a result of the removal of the vertical struts, the overall height of the gates would be reduced by 40cm to 2m.

During the course of the application, the Applicant has requested that planning permission be given for a limited period only, expiring after a period of two to three years. This is because the Club has more ambitious long terms plans for the development of its facilities, concentrating on the playing field on the other side of the drainage channel. Those ambitions for the Club include the provision of additional car parking on the other field (accessed from the existing authorised site entrance) and may negate the need for the second access point, which forms the subject of this application.

In the meantime, the Club advises that the retention of a secure fence is necessary to safeguard all users of the site. They explain that the site provides essential training sessions for local boys and girls ranging from 4-18 years and also senior football.

### **Relevant History:**

EPF/1185/11. Creation of an access bridge. Approved 22/08/2011.

EPF/2027/11. Replace existing entrance gates. Withdrawn prior to decision.

EPF/2342/11. Retention of the erection/installation of palisade fencing and gated entrance/exit to Football pitch area. Refused planning permission for the following reason:

*The fencing and gates, due to its inappropriate height, design and position is unsightly and therefore harms the openness of this part of the Metropolitan Green Belt, contrary to policies CP2, GB2A and GB7A of the Adopted Local Plan.*

The above decision to refuse planning permission was subsequently upheld at appeal.

EPF/1538/12. Provision of new first team pitch, including fencing, floodlighting and spectator stands, improved car parking provision and refurbishment of existing changing pavilion. Withdrawn prior to decision being taken.

### **Policies Applied:**

#### **Adopted Local Plan and Alterations**

GB2A – Development in the Green Belt

GB7A – Conspicuous Development

CP1 – Achieving Sustainable Development Objectives

CP2 – Protecting the Quality of the Rural and Built Environment

DBE1 – Design of New Buildings



ST4 – Highways Considerations  
LL11 – Landscaping Schemes

Also relevant are the policies and planning principles contained within the National Planning Policy Framework ('The Framework').

### **Summary of Representations:**

Notification of this application was sent to Buckhurst Hill Parish Council and to 6 neighbouring properties.

The following representations have been received to date:

BUCKHURST HILL PARISH COUNCIL. Objection. Height – too high. Appearance – still industrial looking. Would prefer an application where the gates are 1m high but appreciate security

BUCKHURST HILL RESIDENTS SOCIETY. Objection. We very strongly object to this application. The gates continue to be too high and obstruct views across the fields. The proposed design is more industrial in appearance than the current spiked palisades and would be more appropriate in a prison environment. The metal framed infill panels resemble cages used to restrain animals in zoos and are entirely inappropriate in a green belt environment. This application does not address the points raised in the recent planning inspectors report.

8 CASCADE ROAD. Objection. These gates are totally inappropriate for the green belt, being even more industrial in design, larger, more imposing and obscuring even more of the rural view than the previous one. They really look like gates to a prison establishment and would have a serious detrimental effect on openness and the character of the countryside. The Inspector has already ruled that No Special Circumstance exists on this site to allow such a development and also that the height of the gates should be limited to 1 metre: *"Despite the depth of the entrance, itself partly the result of the ditch running along the boundary, I consider the gates and fence to be "adjacent" to the road for this purpose. If proposed as 'permitted development' therefore they would be subject to the 1m limit."* This proposal is identical and I would argue worse than the previous one which has already gone to the inspector and been turned down and needs to be thrown out and the planning department needs to refer this to the enforcement section as soon as possible.

### **Issues and Considerations:**

The main issues to be considered are the impacts of the altered gates and fence on the character and appearance of the area, in particular in relation to the open character and appearance of the Green Belt. Consideration will be given to the recent Inspector's decision, which must be afforded weight when considering this application for a similar proposal. For ease of reference, the Inspector's decision is appended to this report.

#### **Appearance and impact on the Green Belt**

At paragraph 8 of the Inspector's Decision, they clearly state that any form of gateway or fencing leading into the site would be bound to have some impact on openness, even if that impact was very limited. The development is, therefore, defined as one which is inappropriate within the Green Belt. Accordingly, for it to be approved it must be demonstrated that very special circumstances exist.

The Inspector concluded at paragraph 13 that 'the harm by reason of inappropriateness and loss of openness might well be outweighed by the need to secure the site' the Inspector states that the

reason they did not find that very special circumstances existed related to the design of the gates and fencing previously proposed. The Inspector did, however, accept the need for the site to be kept secure from trespassers and damage. At paragraph 10, the Inspector is specific regarding his concerns with his objections to the design of the boundary treatment – ‘it is neither their height, of itself, nor their position, which makes them unacceptable however, so much as their design, which is utilitarian at best and of a kind that might be expected around a secure compound, for example, or on an industrial estate...’.

It is the view of the Planning Officer that the proposed alteration to the gate/fence which would reduce the overall height of the structure, remove the aggressive spiked upright struts and replace them with metal mesh infill panels, would reduce the harshness of the appearance of the gates, addressing previous concerns regarding their design. Furthermore, the proposed finish would allow for less obstructive views of the playing fields, reducing (albeit not entirely eliminating) the impact on openness.

A clear need for the erection of these gates to protect the security of the site and facilitate the recreational activities which occur within it exists, at least in the short term, whilst the Club’s longer term plans for the site are under review. It is the view of the Planning Officer that following the proposed revisions, the continued retention of the gates would be justified as an exception to normal green belt policies of restraint, because of this need to secure the site. However, given the uncertainty around the longer term need for these gates, it is recommended that any consent which is granted be limited to a period of 2 years, to allow for consideration to be given as to whether this need still exists, beyond that period.

#### Matters Raised by Other Parties

*Height* - Objections have been raised in relation to the height of the fence/gates and it has been suggested that the height of the structure should be reduced to 1m. Contrary to the representation received by a local resident, the Inspector does not state that the structure should not exceed 1m, but comments at paragraph 4 that if the fence were to be erected as permitted development, its height would be limited to 1m. Elsewhere the Inspector accepts the need to secure the site. It is not considered by the Planning Officer that the suitable site security would be provided by a structure limited to 1m in height. At paragraph 11 of their report the Inspector states ‘the gates and fencing should not be replaced with something ineffective just because it looks nice’. The height of the existing unauthorised structure is proposed to be reduced from 2.4m to 2m. It is considered that this reduction achieves a suitable balance between the need for security and the visual impact of the structure.

*Character* – Within representations received from other parties, the fencing is likened to that which surrounds industrial sites, prisons and zoos. It is the view of the Planning Officer that the design and character of the fencing now proposed would not be dissimilar to that which often surrounds school grounds and playing fields. The design is, therefore considered appropriate to the current use of the site.

#### Conclusion:

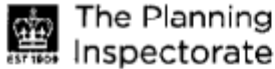
In light of the above appraisal, it is considered that the retention of the gates/fence in the altered form proposed would be acceptable, for a limited period of two years pending consideration to their ongoing need following the formulation of plans or the development of the Club’s facilities within both the site and adjoining field. It is, therefore recommended that planning permission be granted.

**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](mailto:contactplanning@eppingforestdc.gov.uk)**

## Appendix 1: Appeal Decision – EPF/2342/11



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# Appeal Decision

Site visit made on 21 August 2012

by **R O Evans BA(Hons) Solicitor MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19 September 2012

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**Appeal Ref: APP/J1535/A/12/2174057**

**Buckhurst Hill FC, Roding Lane, Buckhurst Hill IG9 6BJ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Pelley House Sports and Social Club against the decision of Epping Forest District Council.
  - The application Ref PL/EPF/2342/11, dated 10 November 2011, was refused by notice dated 29 February 2012.
  - The development proposed is the erection / installation of palisade fencing and gated entrance to football pitch area.
- 

### Decision

1. The appeal is dismissed.

### Reasons

2. *Preliminary Matters.* The appeal site is a playing field on the southern side of Roding Lane, a short distance to the east of the built up area of Buckhurst Hill. The subject gates and fencing were erected before the application was made so the appeal falls to be treated as one in relation to development already carried out. For the sake of clarity, whether any public right of way runs across the site, and if so, whether it runs through this gateway, are not questions which I can determine in this appeal. On the evidence before me however, the land appears to be in private ownership and I know of no reason why the appeal should not be determined on its planning merits.
3. As a preliminary issue, the Appellants rely on a 'fallback' position based on Schedule 2, Part 1, Class A of the Town and Country Planning (Permitted Development) Order 1995 (as amended). This permits the erection of a gate, fence or other means of enclosure, subject to an overall maximum height of 2m, or 1m if erected "adjacent to a highway used by vehicular traffic".
4. The structures in this instance consist of 2 sections of steel palisade fencing and a pair of gates, with a combined width shown on the plans as some 9m but said by the Council to be about 11m. I was not able to verify either measurement but the Council's has not been challenged in the Appellants' 'Final Comments'. There are also return sections projecting in front of the gates by some 2.7m. There is no dispute over their height, at 2.4m, nor over the fact that the gates are some 11m from the edge of the road. They form not only part of the overall boundary treatment however but also a barrier at the site entrance between the main body of the site and the road. The term "adjacent" in its ordinary usage does not necessarily imply 'touching' or 'contiguous' but can equally mean 'close to' or 'nearby'. Despite the depth of

[www.planningportal.gov.uk/planninginspectorate](http://www.planningportal.gov.uk/planninginspectorate)

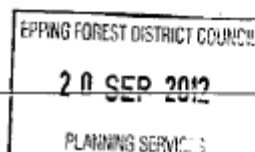
EPPING FOREST DISTRICT COUNCIL

20 SEP 2012

the entrance, itself partly the result of the ditch running along the boundary, I consider the gates and fence to be "adjacent" to the road for this purpose. If proposed as 'permitted development' therefore they would be subject to the 1m limit.

5. *Main Issues.* There is no dispute that the site lies within the Metropolitan Green Belt. The main issues are thus first, whether the gates and fencing are an inappropriate form of development in the Green Belt, and second, if so, whether 'very special circumstances' exist such that permission should nevertheless be granted.
6. *Inappropriateness.* Saved policy GB2A of the 2006 Epping Forest District Local Plan ("the LP") sets out categories of development considered appropriate within the Green belt. These include the construction of new buildings for outdoor participatory sport and recreation, including "associated essential small scale buildings." The recently published National Planning Policy Framework ("the NPPF") provides that the construction of new buildings should be regarded as inappropriate in the Green Belt unless for specified purposes, including the "provision of appropriate facilities for outdoor sport ... as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it." The statutory definition of a "building" includes "any structure or erection"<sup>1</sup>. I see no reason therefore not to treat the gates and fencing as such for present purposes.
7. As the case is put, the Appellants granted a 25 year lease shortly before the fencing and gates were erected to the Buckhurst Hill FC, who occupy adjoining land to the east. In summary, that club organises some 25 football teams covering all age groups and wish to use (if they are not already doing so) the appeal site as part of their Youth Development Centre. Where before there was a small gateway and pedestrian access, the new structures are intended to control both pedestrian and vehicular access and to provide security from trespassers and damage. That, it is said, would also allow the club sufficient security to construct a bridge over the stream running between the two playing fields, thereby enabling children in particular to avoid having to cross and walk along Roding Lane in order to go from one field to the other.
8. The Council have specifically accepted the "need for the site to be kept secure from trespassers and damage." Given the reported and undisputed history, and however regrettable, I share that view. Indeed, I saw evidence of graffiti on a building in the park opposite. The purpose of providing the gates and fencing can thus be said to enhance the beneficial use of the Green Belt by improving the opportunities for outdoor sport and recreation. They are not therefore in principle in conflict with the purposes of including land within the Green Belt, but rather the opposite and thus amount to an "appropriate facility"<sup>2</sup>. Any form of gateway and/or fencing around the site entrance is bound however to have some impact on openness, even if limited, and cannot therefore be said to "preserve" it. The first NPPF proviso therefore renders the development inappropriate for present purposes.
9. *'Very Special Circumstances'.* As the NPPF now advises 'very special circumstances' will not exist "unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by

<sup>1</sup> Section 336, 1990 Act  
<sup>2</sup> NPPF paras 81 & 89.

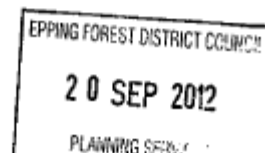


other considerations." Further, saved LP Policy GB7A provides that permission should be refused for development within the Green Belt that would have an excessive adverse impact upon the openness, rural character or visual amenities of the Green Belt, while Policy CP2 seeks to maintain and improve the quality of the rural and built environment.

10. The gaps between the upright sections of the fencing and gates allow for views between them and for vegetation, at least in the summer months, to grow up around and between them. They are also set at a slightly lower level than the road and are now painted green, all factors which serve to mitigate their visual impact but not to avoid it. It is neither their height, of itself, nor their position, which makes them unacceptable however, so much as their design, which is utilitarian at best and of a kind that might be expected around a secure compound, for example, on an industrial estate, or at least where an overriding need exists for such treatment. With an open field beyond and hedgerows and trees either side of it, the structure as a whole is thus an incongruous, obtrusive and alien feature in this semi-rural setting.
11. The need for security, and the benefits to the club of providing it, do not mean that these structures are the only or best way of achieving it. That equally does not mean the gates and fencing should be replaced with something ineffective just because it 'looks nice'; that would be to defeat their purpose. Other types of fencing materials appear not to have been explored however, nor other possibilities, so that I am not satisfied that the case for a barrier of such harsh design and appearance has been made out. Indeed, if permission has been given for the erection of a bridge, the question might be asked why this entrance is needed at all. Something more extensive than for example, the gate to the club's entrance may be needed but that serves as a less obtrusive example.
12. Replacing the gates and fencing is likely to have financial consequences for the club, but the risk in carrying out development without first obtaining planning permission is that permission will be refused. The fact that the club is a charity providing facilities for children can carry little weight on this point, where it is not the principle of the development that is in issue so much as the manner in which it has been executed. Indeed, I know of no reason why dismissal of this appeal, on that ground, should prevent the club carrying on any of its activities.
13. *Conclusion.* The harm by reason of inappropriateness and loss of openness might well be outweighed by the need to secure the site. The harm caused to the rural character and visual amenities of this part of the Green Belt by reason of the design of the gates and fencing places them however in conflict with the above development plan policies. While I have taken account of all other matters raised, it is that harm which is not outweighed by other considerations, so that the 'very special circumstances' necessary to a grant of permission have not been made out.

*RO Evans*

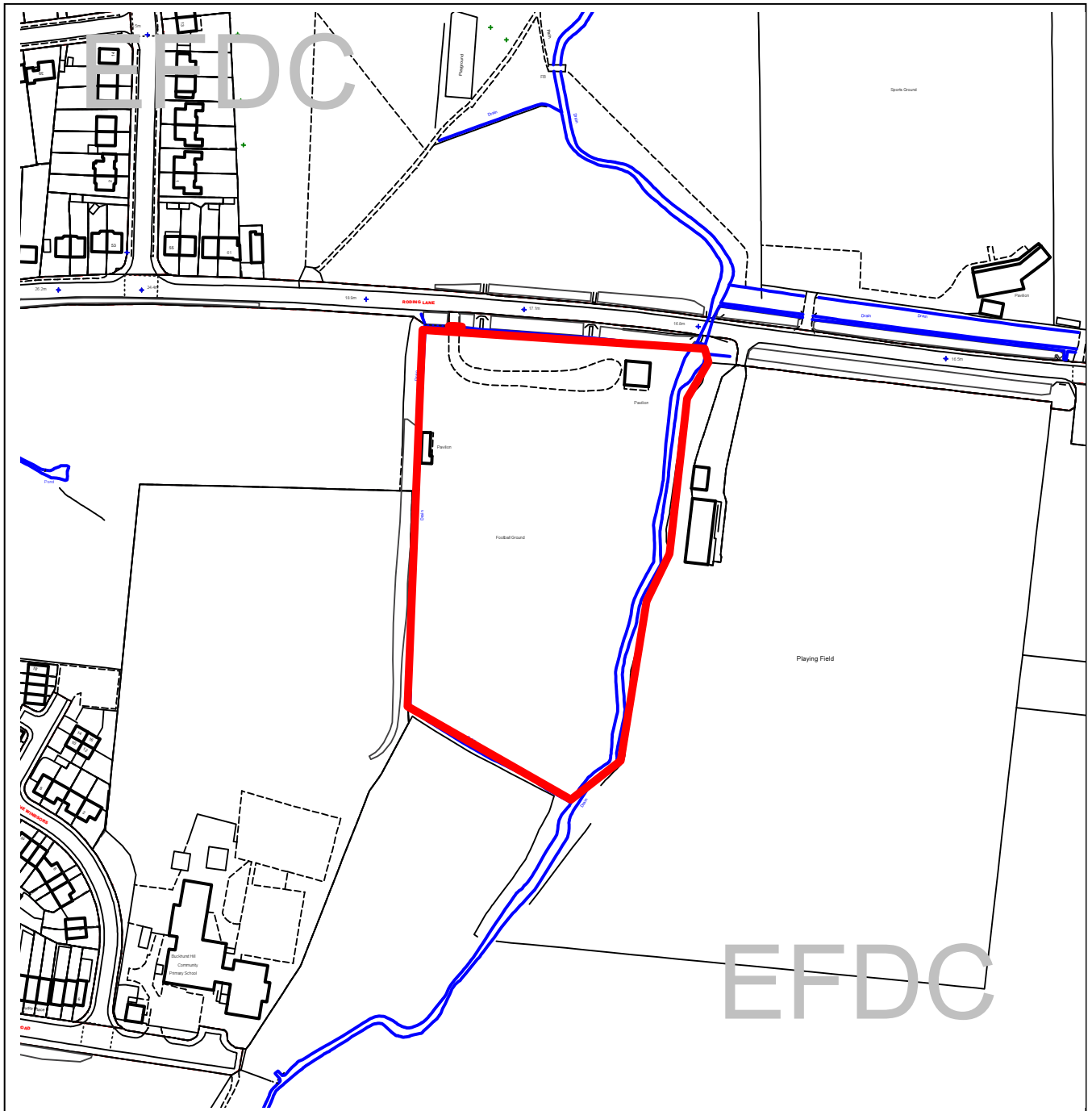
Inspector





# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	<b>5</b>
Application Number:	EPF/1984/12
Site Name:	Buckhurst Hill Football Club Roding Lane, Buckhurst Hill, IG9 6BJ
Scale of Plot:	1/2500

**Report Item No: 6**

<b>APPLICATION No:</b>	EPF/2214/12
<b>SITE ADDRESS:</b>	5 Roding View Buckhurst Hill Essex IG9 6AF
<b>PARISH:</b>	Buckhurst Hill
<b>WARD:</b>	Buckhurst Hill East
<b>APPLICANT:</b>	Mr Dean Taylor
<b>DESCRIPTION OF PROPOSAL:</b>	Two storey and single storey side extension.
<b>RECOMMENDED DECISION:</b>	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=543381](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=543381)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed 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 semi-detached house with detached garage separating the house from the southern site boundary. The detached garage projects approximately 2.5m rear of the rear elevation of the house and is sited on the site boundary. The application site is situated on the east side of Roding View, a short distance from its junction with Loughton Way. The locality is characterised by a mix of two-storey house types, predominantly with hipped roofs.

The neighbour to the south, 3 Roding View, is a detached house set at lower level. Unusually, it has no windows serving habitable rooms in the rear elevation. It has windows to habitable rooms in the north elevation facing the side boundary of the application site. The rooms at the rear of the house (a bedroom at first floor and a kitchen at ground floor) are only served by windows in the north elevation.



### **Description of Proposal:**

It is proposed to demolish the existing detached garage and erect a part single-storey, part two-storey side extension.

The extension would be set 500mm rear of the front elevation of the house. At ground floor it would be set 1m from the site boundary with 3 Roding Road and align with the rear elevation of the existing house. At first floor the extension would be set 2m from the site boundary with 3 Roding Road and 1m forward of the rear elevation of the existing house. The extension would have a hipped roof to both the ground and first floor elements that would match the pitch of the existing main roof. The ridge of the first floor roof would be set below that of the existing main roof.

### **Relevant History:**

EPF/0318/07 Two-storey side extension and basement garage. Refused on the basis of harm to the character and appearance of the locality and living conditions of 3 Roding View.

EPF/2481/07 Two-storey side extension (Revised application). Refused on the basis of harm to the living conditions of 3 Roding View.

### **Policies Applied:**

CP2            Quality of Rural and Built Environment  
DBE9         Loss of Amenity  
DBE10        Residential Extensions

NPPF

### **Consultation Carried Out and Summary of Representations Received**

Number of neighbours consulted. 11

Site notice posted: No, not required

Responses received:

3 RODING VIEW, BUCKHURST HILL – Strong objection.

“The impact of the proposed extensions with their close proximity to our property would be both intrusive and detrimental to our privacy.

The only window of the main bedroom on the first floor would be obscured by the brick walls of the two storey and single storey side extensions which will be as little as approx 2.5 metres away from the side of our house. This will seriously impact upon the amount of natural light that will enter the room, and also impair the view.

With regards to the kitchen, our back door will open out on to a parallel brick wall, again as little as approx 2.5 metres away from the side of our house. As a direct result all the windows and the back door within the kitchen will be denied any natural light that would otherwise be available in what is our main habitual room within the house. Additionally the view from all the windows and the back door will be severely diminished, if not entirely obscured.

Our garden will also be affected by the position of the proposed extension as the amount of natural light will be significantly reduced in what is the main communal area.”

BUCKHURST HILL PARISH COUNCIL: - Objection

Overdevelopment

Lack of light amenity and impact on No 3

Street scene is not in keeping with neighbouring property, the design would cause loss of symmetry.

**Main Issues and Considerations:**

The issues raised by the proposal are design and impact on the living conditions of neighbours. Existing off-street parking would be maintained in the front garden and the garage to be demolished is too small to accommodate a car therefore the proposal raises no parking issues.

Design:

By maintaining a short set-back from the front elevation and a lower ridge level the scale and bulk of the development would be subordinate to the existing house. It would also maintain the visual integrity of the existing pair of semi-detached houses. In terms of its detailing, the proposed extension would match that of the existing house. External finishes are proposed to match and it would be necessary to secure that by condition if planning permission is granted.

The subordinate design would assist in maintaining a smooth transition in roof heights between the existing house and the detached neighbour, 3 Roding View, since it allows for the fall in ground level between the two properties. The ridge of the two-storey part of the extension would be close to that of 3 Roding View.

The maintenance of a distance of 1m from the site boundary at ground floor together with a distance of 2m at first floor would ensure the proposal would not cause a terracing effect with 3 Roding View and is in excess of the distance sought in the supporting text to Policy DBE10. That is appropriate in this case where there is a difference in ground level between the two properties. The visual separation is further assisted by the following facts:

- The house at 3 Roding View is set a minimum of 1m from the site boundary, increasing to some 2m to the rear since it is set at an angle to the application site
- Due to their relative positions the front elevations of the houses at 3 and 5 Roding View are not in alignment
- Both 3 Roding View and the proposed extension have hipped roofs.

The proposal would therefore achieve a harmonious relationship between 3 and 5 Roding View and complement the design of the existing house. As a consequence the proposed extension would safeguard the character and appearance of the locality.

Living Conditions:

The ability to achieve an extension of the dimensions proposed and maintain specified distances to the site boundary has been verified on site.

The ground floor element of the proposal would not cause any excessive harm to the amenities of neighbours. The impact of the ground floor element of the proposal on the amenities of 3 Roding View is not significantly greater than that of an existing 1.8m high fence on the site boundary and much less than that of the existing detached garage. Indeed, a single-storey side addition projecting the same distance from the existing flank as the ground floor element could be constructed as permitted development.

The only part of the proposal that could potentially cause harm to the living conditions of neighbours is the first floor component and its roof. That would be set a distance of 2m from the site boundary with 3 Roding View and 1m forward of the rear elevation of the existing house. As identified in the objections raised, the proposal would impact on outlook from the first floor bedroom window in the flank of 3 Roding View. However, the greater part of the affected window, some two-thirds of its width, is sited rear of the rear wall of the first floor element of the proposal. The third of the window directly opposite the flank of the first floor element would be separated from it by a distance of at least 3.5m. As a consequence of this relationship the proposal would maintain the clear views that window presently enjoys across the rear garden of the application site. It is therefore found that outlook from the affected window would not be excessively harmed and there would certainly be no loss of light to that window.

The first floor element of the proposal would not cause any excessive loss of light to the ground floor flank windows of 3 Roding View. The greater impact would be from the nearer ground floor element and, as discussed above, that impact would not be excessive. Moreover, it would not be appropriate to withhold consent for that reason in any event since, notwithstanding the neighbour's objection, the affected ground floor windows do not serve habitable rooms.

There would be no overlooking of 3 Roding View from the proposal since it would not contain any flank windows. A rear facing first floor window would increase existing overlooking of the rearmost part of the back garden of 1 Roding View, but the degree of additional overlooking would not be excessive.

### **Conclusion:**

The proposal overcomes the reasons for refusing previous proposals for two-storey side extensions in 2007. The side extension is acceptable in design terms since it would complement the design of the existing house and safeguard the character and appearance of the locality. Furthermore, through careful design that limits the scale of the first floor element of the proposed extension the proposal would safeguard the living conditions of neighbouring properties. As a consequence it complies with relevant planning policy and it is recommended that planning permission be granted

***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:***

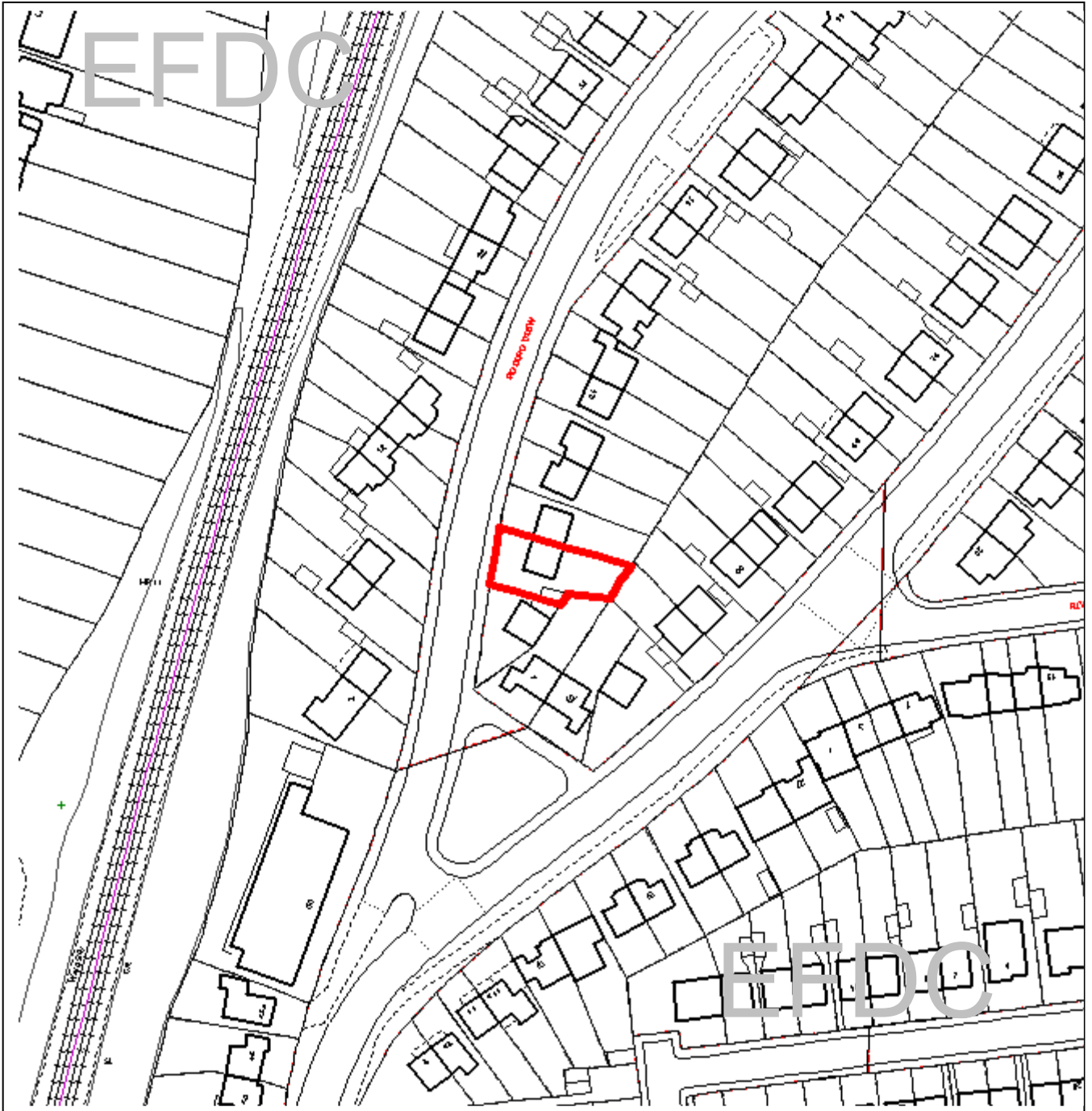
***Planning Application Case Officer: Stephan Solon  
Direct Line Telephone Number: 01992 564018***

***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	<b>6</b>
Application Number:	EPF/2214/12
Site Name:	5 Roding View, Buckhurst Hill IG9 6AF
Scale of Plot:	1/1250

**Report Item No: 7**

<b>APPLICATION No:</b>	EPF/2462/12
<b>SITE ADDRESS:</b>	153A Princes Road Buckhurst Hill Essex IG9 5DS
<b>PARISH:</b>	Buckhurst Hill
<b>WARD:</b>	Buckhurst Hill West
<b>APPLICANT:</b>	Mr Tony Gladwell
<b>DESCRIPTION OF PROPOSAL:</b>	Change of use of vacant commercial building from B1/B8 (Business/Storage) use to use as a dwelling, including provision of a north facing dormer window at first floor level and provision of courtyard garden and parking space.
<b>RECOMMENDED DECISION:</b>	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=544441](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=544441)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed development, shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 3 The development hereby permitted will be completed strictly in accordance with the approved four drawings numbered PAS/GLA/01 to PAS/GLA/04.
- 4 Other than the openings shown on the plans hereby approved no more window or door openings shall be formed without the prior approval of the local planning authority.
- 5 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 approved by Essex County Council.
- 6 The existing gates across the access road to the site shall be retained, or replacement gates provided in accordance with details to be approved by the local planning authority before any work commences on site. These gates shall thereafter be retained on a permanent basis.
- 7 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of

Schedule 2, Part 1, Classes A, B and E shall be undertaken without the prior written permission of the Local Planning Authority.

- 8 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.  
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]
- 9 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.  
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows]
- 10 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.  
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows]

- 11 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval in writing. The approved monitoring and maintenance programme shall be implemented.
- 12 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.

*This application is before this Committee because the recommendation for approval is contrary to a) more than two objections received from neighbours which are material to the planning merits of the proposal, and b) 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 (f) and (g)).*

**Description of Site:**

A part one and part two storey workshop/commercial premises. It stands at the foot of an access road running between the residential properties of 153 and 155 Princes Road. This premises is an old and longstanding one, and despite a recent refurbishment it stands empty. The building is not listed nor does it lie in a conservation area.

**Description of Proposal:**

Change of use of vacant commercial building from B1/B8 (Business/Storage) use to use as a dwelling, including provision of a north facing dormer window at first floor level, and provision of courtyard garden and parking space.

**Relevant History:**

None.

**Policies Applied:**

DBE1 - Design  
DBE2/9 – Loss of amenity.  
H2A – Previously developed land  
E4A – Protection of employment sites  
ST4 – Road safety.  
ST6 – Vehicle parking.  
National Planning Policy Framework.

### **Summary of Representations:**

BUCKHURST HILL PARISH COUNCIL – Strongly object – inappropriate use of site, insufficient amenity space eg garden, hazardous access, lack of practical parking.

NEIGHBOURS – 22 properties consulted and 5 replies received:-.

153, PRINCES ROAD - object – the premises historically has been accessed from an interconnecting doorway to 156 Queens Road but now it is proposed to access the site by foot and car from Princes Road – however this is unlawful and there is no right of way. The access road is not wide enough to allow a car to pass a pedestrian safely. Contrary to details supplied in the application the site has only been marketed for a short period of time in early 2013. My house adjoins the access road to the site and hence any vehicular pedestrian movement will cause excessive disturbance and loss of privacy. The bedroom on the first floor will overlook my property. The site is too small to accommodate a dwelling and associated garden space, refuse area and parking area. We are concerned at light pollution, and the proposed dwelling will be too close to our gardens and home.

155, PRINCES ROAD – object – The shared access runs all the way down the side of my house so there will be constant disturbance, and there will be more risk of burglaries. Noise from the courtyard will be loud and close to my children's bedrooms. The access road is shared by myself and the owners of this building. I would prefer a commercial use compared to a 24/7 residential use. My predecessor erected gates across the access road to improve security (with the agreement of others) but this security could well be lost with new residents. Recycling bins would either have to be sited alongside my house or dragged along the access road. A commercial B1/B8 use is a preferable use which is likely to have set Mon to Fri hours of operation.

155A, PRINCES ROAD – contrary to the impression given in the details supplied with the application this access road has not been used for over 9 years except during the recent refurbishment. We have no objection to the change if use to a dwelling but would object if parking is allowed in the access road causing noise to our gardens. We are also concerned about means of escape, there is no vehicular turning area, and cars would have to be reversed which is unacceptable and dangerous.

ESSEX COUNTY COUNCIL HIGHWAYS – No objections subject to condition requiring that a residential travel information pack for sustainable transport be provided to the Council before the dwelling is occupied.

### **Issues and Considerations:**

The proposed dwelling would contain a living room, kitchen diner, 2 bedrooms, (one on the smaller first floor section of the building) a courtyard garden area of 40 sq.m, and space for parking of one car alongside the building. The application forms certify that the applicant is the owner of the access road leading to the site and hence further car parking is available if the need arose.

#### **Principle of change of use to a dwelling**

Although the premises have been vacant for a long period they still retain use rights as a workshop or commercial unit. Given the backland nature of the site reuse for commercial purposes could well give rise to noise nuisance to residents and there would in fact be no control over the hours and days of any new commercial use. Moreover any van or lorry attracted to a commercial use would find it difficult to manoeuvre in the access road and would be likely to cause noise nuisance and/or on street parking. For these reasons the proposed loss of potential employment is satisfactory, and the requirements of policy E4A, relating to residential use of redundant employment sites are met.



### Amenity issues and other concerns of neighbours

It is acknowledged that this site has been unused and hence quiet for a long time, and hence adjoining residents are concerned about a new use which could cause noise and disturbance. However, the use rights for commercial/workshop use have not been extinguished, and on balance it is considered that reuse as a dwelling rather than a commercial use would cause less nuisance to nearby homes.

Contrary to what one objector states there is no bedroom window facing south overlooking the gardens of the Princes Road houses. In fact there are no windows at all in this south elevation. A dormer window is proposed to provide better headroom in the upstairs bedroom but this window faces north over the recently approved gymnasium premises at the rear of 156 Queens Road. There is one existing window that faces east over commercial properties and rear sections of gardens, and the use of this window to provide light to a proposed bedroom will not give rise to significant loss of privacy.

A garden area of 40 sq m is proposed in the courtyard area and this is regarded as satisfactory for this small dwelling. This sheltered courtyard garden will be sited a minimum of 23m away from the rears of houses in Princes Road, and objectors concerns over noise nuisance to their homes and gardens is not shared.

In terms of security there is an existing security gate across access road behind the line of the front walls of the adjoining houses of 155 and 153. This gate was apparently erected by a previous owner of 153 with the agreement of the owner of the application premises. It would seem logical that the new occupants of any dwelling to be created in 153a would wish to retain this gate and ensure it is locked in order to prevent unauthorised access. To this end a condition is proposed requiring the retention of this gate or a similar replacement. In this context the security concerns raised by objectors are in part addressed, and indeed the security risk would be greater if the premises were used for commercial purposes and occupied by a number of staff and potential visitors.

### Other Matters

*Land Contamination* – due to the former industrial uses of the site there is potential for the existence of contaminated land. This may be dealt with by the imposition of standard planning conditions requiring investigation and the undertaking of any necessary remediation/mitigation works.

*Refuse* – Concern has been raised regarding the arrangements for the collection of refuse from the dwelling. As stated, refuse would need to be brought down to the street edge. This would be similar to arrangements for other backland dwellings and also if the site continued in industrial use,. It is not, therefore considered that this is justification for withholding planning permission.

*Future development* – the physical constraints of the site are such that it could not accommodate extensions to the building without there being considerable potential for harm. It is, therefore considered necessary that if permission is given for the change of use to a dwelling, the dwelling does not benefit from permitted development rights that would enable extensions, roof extensions or the addition of outbuildings.

### **Conclusions:**

In planning terms this building still retains an established workshop or commercial usage. Change of use to a residential dwelling is likely to cause less noise and nuisance to adjoining residents than reuse by a commercial or industrial firm – particularly in terms of vehicular generation and

manoeuvring. The design of the proposal does not give rise to any appreciable loss of privacy. The dwelling would be located in a sustainable location and makes good use of a poorly located commercial building. Finally there are examples of similar backland dwellings on nearby sites in Princes Road – indeed at the rear of no.99 there are 5 dwellings serviced by an access road narrower than the access road on this application site. In conclusion 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:***

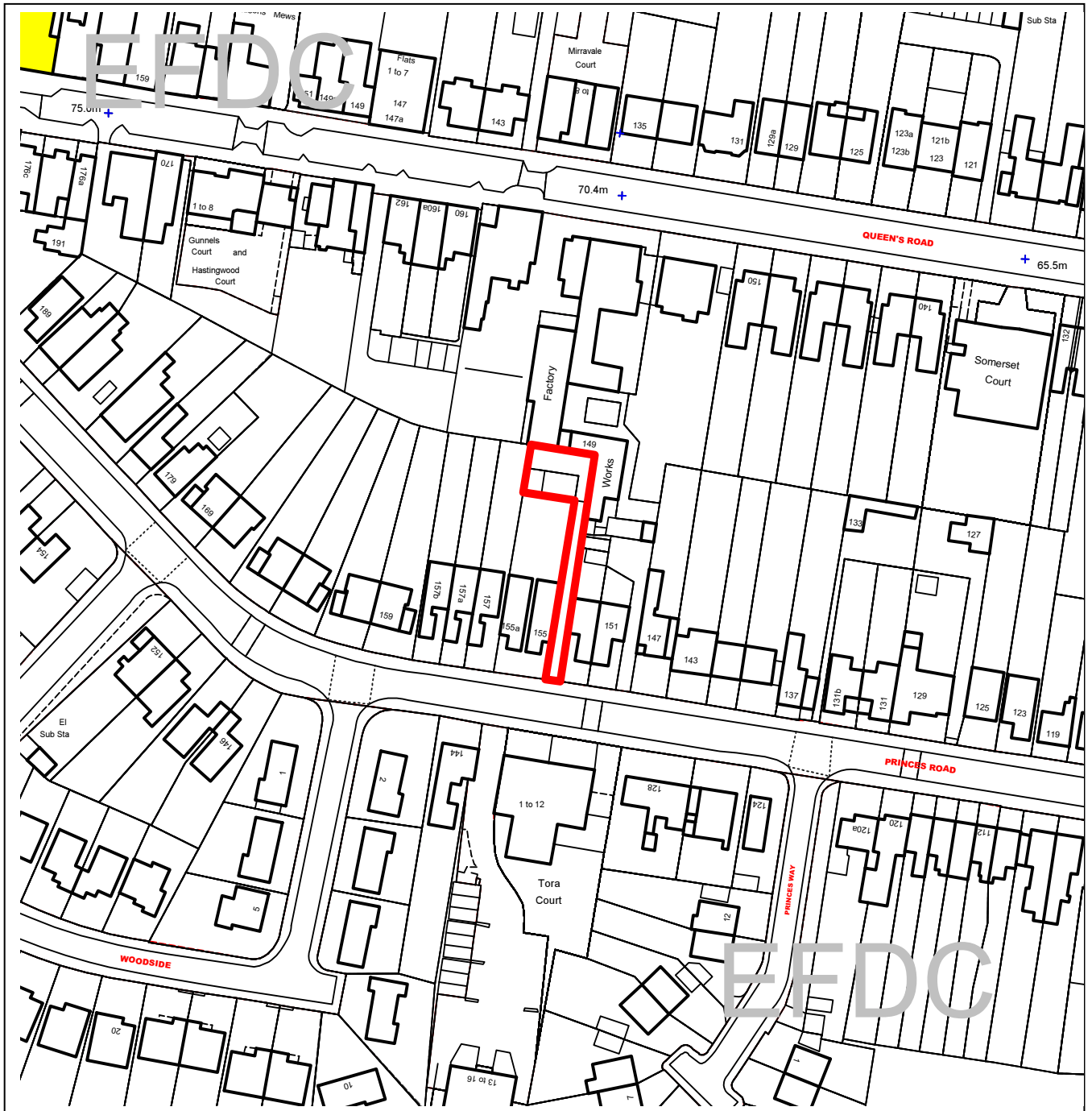
***Planning Application Case Officer: David Baker  
Direct Line Telephone Number: 01992 564514***

***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	7
Application Number:	EPF/2462/12
Site Name:	153A Princes Road, Buckhurst Hill IG9 5DS
Scale of Plot:	1/1250

**Report Item No: 8**

<b>APPLICATION No:</b>	EPF/0136/13
<b>SITE ADDRESS:</b>	212 Manor Road Chigwell Essex IG7 4JX
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Grange Hill
<b>APPLICANT:</b>	Mr Mark Bacon
<b>DESCRIPTION OF PROPOSAL:</b>	Reserved matters for 68 residential units (52 affordable) including public open space pursuant to outline planning permission granted under application EPF/1399/09. (Revised application)
<b>RECOMMENDED DECISION:</b>	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=545156](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=545156)

**CONDITIONS**

- 1 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: Dwg No: 12-2155: 001; 002 Rev.P; 003 Rev. E; 004 Rev. G; 005 Rev. E; 006 Rev. E; 007 Rev. E; 008 Rev.E; 009 Rev. B; 010 Rev. B; 010.1; 011 Rev. B; 012 Rev. B; 012.1; 013 Rev. A; 013.1; 014 Rev. A; 015 Rev. B; 015.1 Rev. A; 016; 017 Rev.B; 017 Rev. B; 018 Rev. A; 019 Rev.A; 020 Rev. A; 021; 022 Rev. B; 023 Rev. A; 023.1 Rev. B; 024 Rev. B; 025 Rev. B; 026 Rev. B; 027 Rev. A; 028 Rev. A; 30 Rev. A; 031 Rev. A; 032 Rev. B; 033 Rev. B; 034 Rev.B; 035 Rev. C; 036 Rev. C; 037 Rev.E; 038 Rev. E; 039 Rev. E; 040 Rev. E; 041 Rev. F; 050 Rev.D; 051 Rev. D; 052 Rev. D; 053 Rev. D; 054 Rev. C; 055 Rev. C; 060 Rev. A; 061 Rev. A; 062 Rev. A; 063
  
- 2 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
  1. The parking of vehicles of site operatives and visitors
  2. Loading and unloading of plant and materials
  3. Storage of plant and materials used in constructing the development
  4. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
  5. Measures to control the emission of dust and dirt during construction, including wheel washing
  6. A scheme for recycling/disposing of waste resulting from demolition and construction works.

- 3 Prior to the first occupation of any dwelling hereby permitted, details of boundary screen walls and fences shall be submitted to the Local Planning Authority for approval in writing.
- 4 No external lighting shall be erected within the site without the prior written approval of the Local Planning Authority.
- 5 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 extensions or outbuildings generally permitted by virtue of Schedule 2, Part 1, Classes A and E shall be undertaken without the prior written permission of the Local Planning Authority.

*This application is before this Committee since it is an application for major commercial and other developments, (e.g. developments of significant scale and/or wide concern) and is recommended for approval (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(c))*

### **Description of Site:**

The application site is previously developed land within the Green Belt, accommodating part of the Jennykings Garden Centre. The site is bounded by Manor Road to the south, the Central Line railway to the west and Froghall Lane to the east. The site has recently been cleared in preparation for development and now contains no significant trees or landscaping. The land across the site is generally level, but with a slight decrease towards the Froghall Lane boundary.

### **Description of Proposal:**

This application seeks the approval of reserved matters relating to an outline planning permission for a residential development comprising 68 dwellings.

The submitted plans detail a dwelling mix of 52 affordable dwellings (22 x 2 bed flats, 18 x 2 bed houses and 12 x 3 bed houses) and 16 private market dwellings (8 x 3 bed houses, 3 x 4 bed houses and 5 x 5 bed houses).

Also proposed are a total of 79 car parking spaces (provided both to the front of dwellings and within car courts) and an area of public open space of approximately 367m<sup>2</sup>.

The apartment block located to the front of the site (adjacent to Manor Road) would be two storeys in height, as would most of the dwellings – although the dwellings facing towards the internal estate road would be 2.5 storeys in height. The two apartment blocks located at the rear of the site would be three and four storeys in height.

### **Relevant History:**

EPF/1399/09. Outline planning permission for 68 residential units (52 affordable) including public open space with all matters reserved except access. Planning permission (subject to S106 obligations) granted 12/10/2012.

### **Policies Applied:**

#### **Adopted Local Plan and Alterations**

HC12 – Development Affecting the Setting of a Listed Building  
GB2A – Development in the Green Belt

GB7A – Conspicuous Development  
GB16 – Affordable Housing  
H2A – Previously Developed Land  
H3A – Housing Density  
H4A – Dwelling Mix  
H5A – Provision for Affordable Housing  
H6A – Site Thresholds for Affordable Housing  
H7A – Levels of Affordable Housing  
CP1 – Achieving Sustainable Development Objectives  
CP2 – Protecting the Quality of the Rural and Built Environment  
CP3 – New Development  
CP4 – Energy Conservation  
CP5 – Sustainable Building  
CP6 – Achieving Sustainable Urban Development Patterns  
CP7 – Urban Form and Quality  
CP8 – Sustainable Economic Development  
DBE1 – Design of New Buildings  
DBE2 – Impact of New Buildings  
DBE5 – Design and Layout  
DBE8 – Amenity Space Provision  
ST1 – Location of Development  
ST2 – Accessibility of Development  
ST4 – Highways Considerations  
ST6 – Car Parking Standards  
LL11 – Landscaping Schemes  
E4A – Protection of Employment Sites

Also relevant are the policies and planning principles contained within the National Planning Policy Framework ('The Framework').

### **Summary of Representations:**

Notification of this application was sent to Chigwell Parish Council and to 38 neighbouring properties and a site notice has been displayed outside the site.

This report has been prepared in advance of the closure of the public consultation (27<sup>th</sup> February), but the following representations have been received to date:

CHIGWELL PARISH COUNCIL. No objection. The Council has No Objection to this application on the understanding that the permission is required for the change in layout to accommodate the movements of the waste disposal vehicles.

Any additional comments received will be verbally reported to the Committee at the meeting.

### **Issues and Considerations:**

The approval of the outline planning application established the principle of this residential development within this site.

Accordingly, the main issues for consideration are the design of the proposed development, the standard of amenity that will be enjoyed by the future occupiers of the dwellings, parking and highway safety and proposed landscaping/ amenity space.

### Design

The layout of the proposed development would be such that the front block, which would front Manor Road, would be two storeys in height and designed to resemble a dwelling. It is intended that this block would complement the design of the three blocks approved to the front of the adjacent development site, thereby creating a new section of street frontage that has a unified appearance.

The layout of the main part of the development would be largely dominated by the main section of estate road, which would run through its length. However, this would curve around slightly towards the left-hand side of the site, adding some prominence to the central section of public open space.

Beyond the public open space would be a row of four detached dwellings which would front onto the open space/estate road. The single detached dwelling at plot 68 would also face onto the estate road, but remaining buildings along the sides of the road would be the ends of terraces along with two of the apartment blocks. However the end walls of the terraces would generally (with the exception of plot no. 67) contain windows and doors and as a result would contribute to creating an attractive street frontage, rather than include a number of unarticulated blank walls. Boundary treatment along the edge of the road screening areas of private amenity space would be softened by planting. Lengthy street scenes would be visually broken by changes in external materials, within the proposed palette of buff and red brick, render and weatherboarding.

The height, scale and density of the development are considered appropriate to its urban setting.

### Residential Amenity

The habitable rooms of all dwellings within the proposed development would achieve adequate levels of natural light and outlook.

The development would, however, be quite tight and as a result distances between habitable room windows would be less than usually sought, for example back-to-back distances of 16m (at minimum) between plots 3-5 and 6-10; 19m between plots 57-61 and 48-52; and 19m between plots 11-15 and 16-20. Distances between the fronts of dwellings would be tighter still (between 12.8m and 17.5m) although this is not uncommon for the fronts of dwellings. The closest relationship would be between flats in Apartment Block 2 which would have balconies some 12.8m from a bedroom window in the dwelling of plot 16 (although this would also have a window in the flank elevation, so need not be clear glazed) and similarly between the balcony of a flat in Apartment Block 3 and a bedroom window in the dwelling on Plot 50. Whilst these relationships would be tight, due to the situation of these windows within the front (public) elevation of the dwelling, it is considered that a satisfactory level of amenity would be achieved. The relationships are, therefore, considered acceptable.

The sizes of private amenity areas would vary within the development, with the smaller gardens serving plots 33-39 and 52-60. The shorter plots would be only 7.5 metres in depth (which on some plot widths of 5.6 metres would give a garden area of only 42m<sup>2</sup>). Whilst this falls below the standard within the Local Plan for a two bedroom dwelling, it would create a usable area of space to be enjoyed by the occupiers of the dwelling.

### Parking/Highways

The development would provide a total of 82 car parking spaces for the 68 dwellings, which given the sustainable location of the site close to a London Underground Station and local services is considered acceptable.

Following the withdrawal of the previous application for reserved matters approval, the layout of the development has been changed to accommodate concerns raised by County Highways. These concerns have now been addressed and, subject to confirmation from the landowner that they accept liability for the Council's contractors to collect refuse via private roads, Waste Management are satisfied with the proposed layout. An acceptable letter has been received.

#### Landscaping/ Public Amenity Space

The proposed development would benefit from the centrally positioned area of public open space, which at 367m<sup>2</sup> exceeds the developer's obligation contained within the Section 106 legal agreement that an area of at least 290m<sup>2</sup> is provided. Also of importance are the areas of green verge along the sides and junctions of the estate road, as these serve to soften the appearance of the proposed development. In addition to the area of public open space, communal amenity areas would also be provided to the rear of the larger apartment blocks (approximately 120m<sup>2</sup> to the rear of Apartment Block 2 and 50m<sup>2</sup> to the rear of Apartment Block 3). In addition flats within the fronts of these blocks and also within Apartment Block 1 would have access to a private balcony area.

Landscaping for the development has been approved under planning conditions imposed on the outline planning permission and its implementation is required by that condition.

#### Other Matters

Other Matters including approval of the materials used within the development, flood risk measures and ecological works are being separately considered under planning conditions imposed on the outline planning permission.

#### **Conclusion:**

In light of the above appraisal, it is considered that the proposed detail for the residential development of this site is acceptable. It is fairly high density, but does not exceed the number of dwellings approved on the outline proposal. Back-to-back distances between dwellings are significantly below those recommended within the Essex Design Guide, but not unacceptable given that this is a new housing development and therefore there is no reduction to any existing amenity levels. The layout is considered preferable to alternatives for providing this level of housing through a development containing a greater proportion of flats rather than the mix of flats and houses that is proposed. The development would have an acceptable appearance through the varied design of dwellings within the development and its appearance would be enhanced by the proposed provision of public amenity/open space. The layout of the estate road has been altered to meet the requirements of County Highways.

It is, therefore recommended that planning permission be granted. In addition to those planning conditions attached to the outline permission, additional conditions restricting the hours of construction/installation of wheel washing facilities etc; the erection of boundary treatments between dwellings and the provision of external lighting are also necessary. Furthermore, due to the high density of the development proposed, it is necessary to limit the permitted development rights which would allow dwellings on smaller plots to be extended without planning permission, in order to protect the amenities of neighbouring residents and to ensure suitable sized gardens are retained.



**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:**

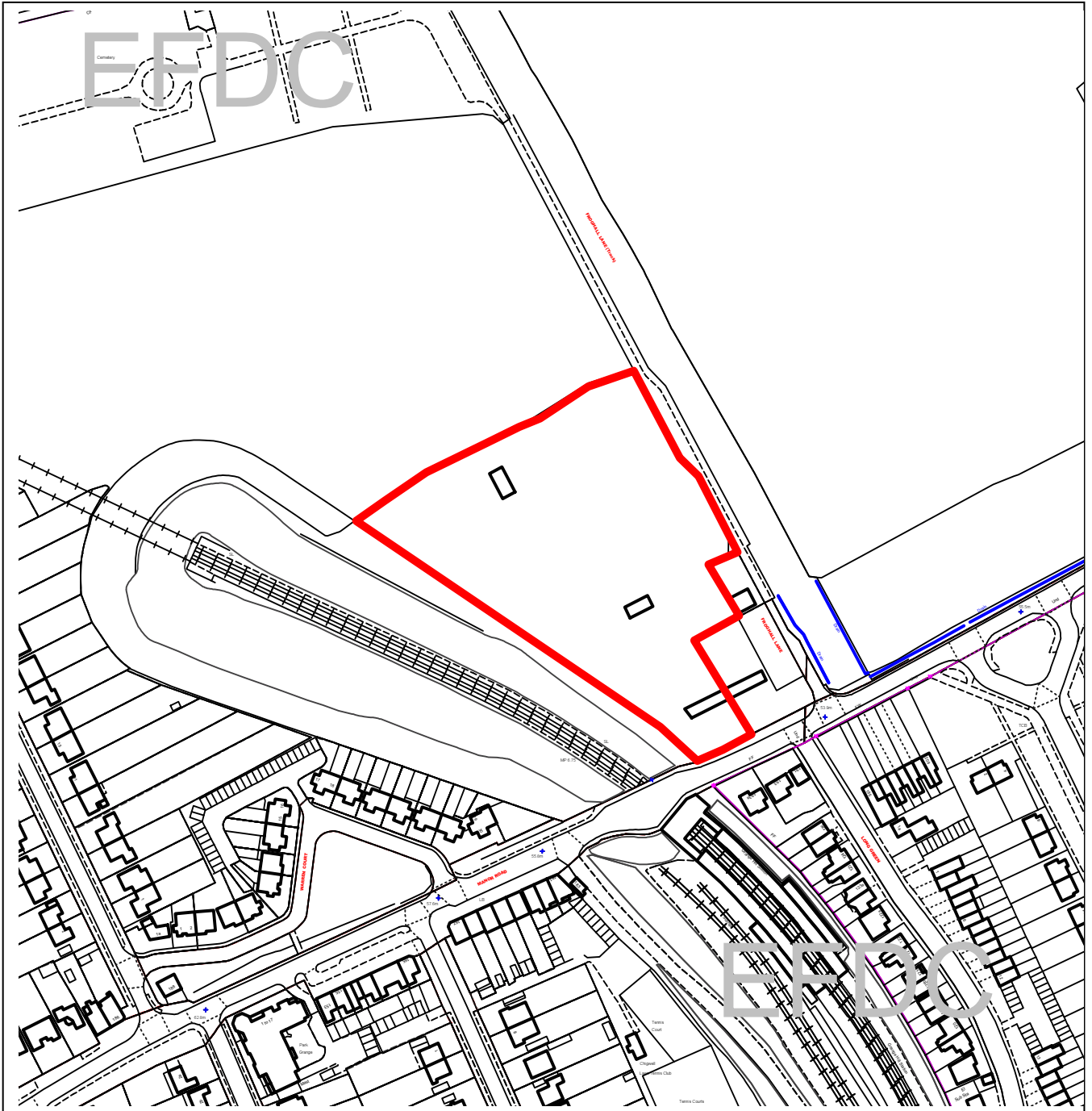
**Planning Application Case Officer: Mrs Katie Smith**  
**Direct Line Telephone Number: (01992) 564109**

**or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)**



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	<b>8</b>
Application Number:	EPF/0136/13
Site Name:	212 Manor Road, Chigwell IG7 4JX
Scale of Plot:	1/2500