

# Committee Agenda



## Epping Forest District Council

### **AREA PLANNING SUBCOMMITTEE SOUTH** **Wednesday, 30th October, 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, 30th October, 2013**  
at **7.30 pm** .

**Glen Chipp**  
Chief Executive

**Democratic Services  
Officer**

Gary Woodhall(The Office of the Chief Executive)  
Tel: 01992 564470 Email:  
democraticservices@eppingforestdc.gov.uk

#### **Members:**

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

**A PLAN SHOWING THE LOCATION OF RODING VALLEY HIGH SCHOOL IS ATTACHED TO THIS AGENDA. A BRIEFING WILL BE HELD FOR THE CHAIRMAN, VICE-CHAIRMAN AND GROUP SPOKESPERSONS OF THE SUB-COMMITTEE, AT 6.30 P.M. PRIOR TO THE MEETING**

#### **WEBCASTING/FILMING NOTICE**

**Please note: this meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed. The meeting may also be otherwise filmed by third parties with the Chairman's permission.**

**You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Council's published policy.**

Therefore by entering the Chamber and using the lower public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for web casting and/or training purposes. If members of the public do not wish to have their image captured they should sit in the upper council chamber public gallery area or otherwise indicate to the Chairman before the start of the meeting.

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

**1. WEBCASTING INTRODUCTION**

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

“I would like to remind everyone present that this meeting will be broadcast live to the internet (or filmed) and will be capable of repeated viewing (or another use by such third parties).

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

This may infringe your human and data protection rights and if you wish to avoid this you should speak 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**

**4. MINUTES (Pages 11 - 27)**

To confirm the minutes of the last meeting of the Sub-Committee.

**5. DECLARATIONS OF INTEREST**

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

**6. ANY OTHER BUSINESS**

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

of which the statutory period of notice has been given) may be transacted.

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

**7. CONFIRMATION OF TREE PRESERVATION ORDER TPO/EPF/22/13 - 4 CONNAUGHT HILL, LOUGHTON (Pages 28 - 31)**

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

**8. CONFIRMATION OF TREE PRESERVATION ORDER EPF/13/13 GABLE LODGE, 108 CHURCH HILL, LOUGHTON, ESSEX (Pages 32 - 35)**

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

**9. CONFIRMATION OF TREE PRESERVATION ORDER TPO/EPF/11/13 - 71A STONARDS HILL, LOUGHTON (Pages 36 - 40)**

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

**10. THREAT OF SPECIAL MEASURES AND REFUNDING OF PLANNING FEES (Pages 41 - 44)**

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

**11. DEVELOPMENT CONTROL (Pages 45 - 72)**

(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.

**12. 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.

**13. 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.

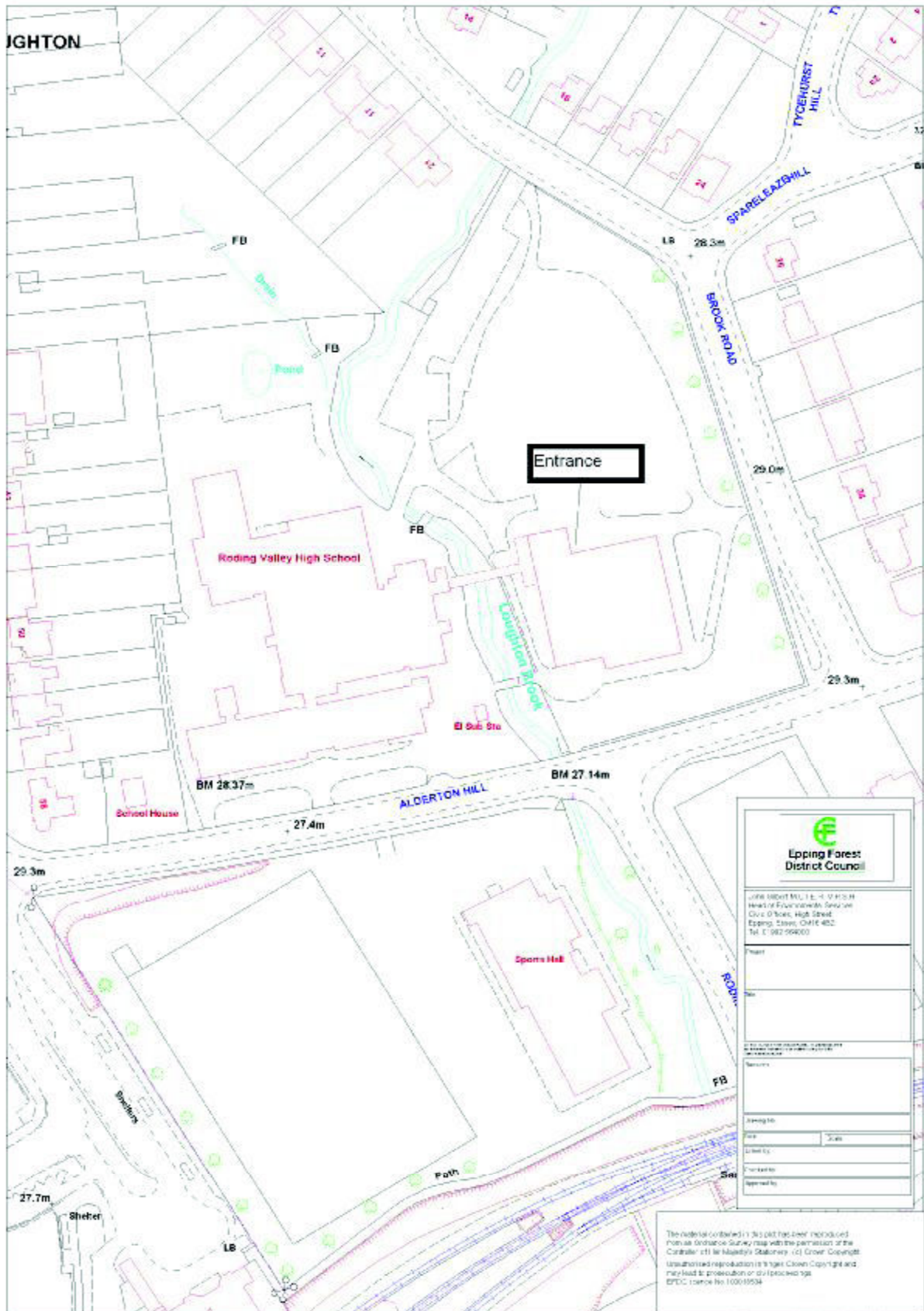
The order of speaking will be (1) Objector, (2) Parish/Town Council, then (3) Applicant or his/her agent. The Subcommittee will then debate the application and vote on either the recommendations of officers in the agenda or a proposal made by the Subcommittee. Should the Subcommittee propose to follow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

# Area Plans Subcommittee South – Location Plan



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Area Planning Subcommittee South 2013-14  
 Members of the Committee:



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

**Committee:** Area Planning Subcommittee **Date:** 2 October 2013  
South

**Place:** Roding Valley High School, Brook Road, Loughton, Essex IG10 3JA **Time:** 7.30 - 9.20 pm

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

**Other Councillors:**

**Apologies:** K Angold-Stephens, G Chambers, L Leonard, A Lion, H Mann, G Mohindra and Mrs T Thomas

**Officers Present:** N Richardson (Assistant Director (Development Control)), J Leither (Democratic Services Assistant), A Hendry (Democratic Services Officer) and P Tredgett (Information Assistant)

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### 29. 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.

### 30. MINUTES

#### RESOLVED:

That the minutes of the meeting held on 11 September 2013 be taken as read and signed by the Chairman as a correct record.

### 31. DECLARATIONS OF INTEREST

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

- EPF/1448/13 Sainsbury's Supermarkets Limited

(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 working with a member of the family in the past. The Councillor had determined that his interest was non-pecuniary and indicated that he would leave the meeting for the consideration of the application and voting thereon:

- EPF/1704/13 The Willow Paddock

(c) Pursuant to the Council's Code of Member Conduct, Councillor N Wright declared a personal interest in the following item of the agenda, by virtue of carrying out work for the establishment in the past. The Councillor had determined that his interest was non-pecuniary and would remain in the meeting for the consideration of the application and voting thereon:

- EPF/1413/13 Royal Oak PH

**32. ANY OTHER BUSINESS**

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

**33. DEVELOPMENT CONTROL**

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

**RESOLVED:**

That the planning applications numbered 1 – 10 be determined as set out in the attached schedule to these minutes.

**34. 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/1708/13
<b>SITE ADDRESS:</b>	23 Forest Lane Chigwell Essex IG7 5AF
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Chigwell Village
<b>DESCRIPTION OF PROPOSAL:</b>	TPO/EPF/01/88 G1 - 3 Cypress, 1 Oak & 1 Hornbeam - Fell
<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=552810](http://planpub.eppingforestdc.gov.uk/Anitelm.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=552810)

The Committee's attention was drawn to a letter of representation from Chigwell Parish Council.

**CONDITIONS**

- 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.

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/1833/13
<b>SITE ADDRESS:</b>	30 Church Hill Loughton Essex IG10 1LA
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Johns
<b>DESCRIPTION OF PROPOSAL:</b>	TPO/EPF/19/03 T5 - Horse chestnut - fell
<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=553270](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=553270)

The Committee's attention was drawn to a letter of representation from Loughton Town Council.

**CONDITIONS**

- 1 The replacement trees shall be two Thuja plicata 'Zebrina' and one Ginkgo Biloba and shall be at least 3 metres in height at time of planting. The tree shall be planted within three months of the felling agreed, unless varied with the prior written agreement of the Local Planning Authority. If within a period of five years from the date of planting the replacement tree is removed, uprooted or destroyed, dies or becomes seriously damaged or defective another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 2 The 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.

An informative has been added to the decision notice as follows:

Of the three replacement trees within condition 1, the Thuja plicata 'Zebrina' (to be located approx. 8m from the right hand boundary of the site) shall be taken as the replacement tree for the TPO'd horse chestnut tree which is the subject of this application. The other Thuja and the Ginkgo tree are being planted as part of the landscape scheme for the development of the site.

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/1413/13
<b>SITE ADDRESS:</b>	Royal Oak PH 148 Forest Road Loughton Essex IG10 1EG
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Forest
<b>DESCRIPTION OF PROPOSAL:</b>	Retrospective application for the installation of driveway gates to private car park.
<b>DECISION:</b>	Grant Permission

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

[http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=551396](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=551396)

**CONDITIONS**

NONE

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/1428/13
<b>SITE ADDRESS:</b>	96 Swanshope Loughton Essex IG10 2NB
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Fairmead
<b>DESCRIPTION OF PROPOSAL:</b>	Double storey side extension.
<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=551474](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=551474)

**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: 5**

<b>APPLICATION No:</b>	EPF/1448/13
<b>SITE ADDRESS:</b>	Sainsburys Supermarkets Ltd Old Station Road Loughton Essex IG10 4PE
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Forest
<b>DESCRIPTION OF PROPOSAL:</b>	Variation of condition 17 of EPF/0400/00 to revise delivery hours to 6.00am to 11.00pm Mondays to Saturdays and 8.00am to 10.00pm on Sundays.
<b>DECISION:</b>	Deferred

**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=551591](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=551591)

This item was deferred by the Committee to allow the application to meet with the objectors in Station Road and between them to agree on an amicable solution to the amenity harm likely to result on the objectors from the proposed development before reporting this application back to the Committee for a decision.

**Report Item No: 6**

<b>APPLICATION No:</b>	EPF/1585/13
<b>SITE ADDRESS:</b>	Green Owl Cafe 44 Queens Road Buckhurst Hill Essex IG9 5BY
<b>PARISH:</b>	Buckhurst Hill
<b>WARD:</b>	Buckhurst Hill West
<b>DESCRIPTION OF PROPOSAL:</b>	Variation of condition 2 on planning permission EPF/1093/01 to allow A3 (cafe and restaurant) use to open till 11.30 pm.
<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=552152](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=552152)

This item was deferred by the Committee to seek clarification on the red line identifying the application site, which appears to not include the whole site, in particular, to not include the rear outdoor seating area of the premises. The applicant and objectors were advised to also negotiate a possible amicable way forward on the use of the rear outdoor seating area.

**Report Item No: 7**

<b>APPLICATION No:</b>	EPF/1605/13
<b>SITE ADDRESS:</b>	24 Stradbroke Drive Chigwell Essex IG7 5QY
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Grange Hill
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of existing dwelling house and construction of new dwelling. (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/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=552294](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=552294)

**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: A100 Rev 1, A101 Rev 1, A102 Rev 1, A103 Rev 1, A104 Rev 1, A105 Rev 1, A106 Rev 1, A106a Rev 1, A112 Rev 1, A150 Rev 2, A151 Rev 1, A200 Rev 1 and A201 Rev 1
- 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 The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site.

Should any discoloured or odorous soils be encountered during development works or should any hazardous materials or significant quantities of non-soil forming materials be found, then all development works should be stopped, the Local Planning Authority contacted and a scheme to investigate the risks and / or the adoption of any required remedial measures be submitted to, agreed and approved in writing by the Local Planning Authority prior to the recommencement of development works.

Following the completion of development works and prior to the first occupation of the site, sufficient information must be submitted to demonstrate that any required remedial measures were satisfactorily implemented or confirmation provided that no unexpected contamination was encountered.

- 5 Prior to first occupation of the development hereby approved, the proposed first floor window openings in the flank elevations 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 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.
- 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 Part 1, Class A, B and E shall be undertaken without the prior written permission of the Local Planning Authority.
- 8 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.
- 9 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.
- 10 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.
- 11 No development shall take place until details of levels have been submitted to and approved in writing 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.

- 12 All material excavated from the below ground works hereby approved shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.
- 13 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.

In the case of 1, 2 and 3 above, this shall be prohibited from taking place on any of the grass verges in front of the application site and in front of neighbouring properties in this road. Should any of the verges be damaged during the construction period, they shall be repaired and reinstated by the applicant prior to first occupation of the development hereby approved.

**Report Item No: 8**

<b>APPLICATION No:</b>	EPF/1704/13
<b>SITE ADDRESS:</b>	The Willow Paddock Chase Lane Chigwell Essex
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Chigwell Row
<b>DESCRIPTION OF PROPOSAL:</b>	Change of use of part of agricultural paddock land for the purpose of enlarging adjoining gardens.
<b>DECISION:</b>	Deferred

**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=552797](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=552797)

This item was deferred by the Committee to allow for the applicant to revise the current plans to overcome the amenity harm to residents of adjacent properties at 13 and 14 Willowmead and restrict the merging together and future built development taking place on these proposed enlarged gardens, through a planning legal agreement to accompany this planning application before reporting back for a decision by this Committee.

**Report Item No: 9**

<b>APPLICATION No:</b>	EPF/1728/13
<b>SITE ADDRESS:</b>	94 Lawton Road Loughton Essex IG10 2AA
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Fairmead
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed Change of Use from NCH Family Centre (Use Class D1) to Student Accommodation including 16 rooms and 1 flat (Sui Generis). Enclosure of courtyard adjacent cycle store, new windows and alterations.
<b>DECISION:</b>	Withdrawn from Agenda

**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=552853](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=552853)

Following a late representation, this item was withdrawn by Officers, prior to the meeting.

**Report Item No: 10**

<b>APPLICATION No:</b>	EPF/1808/13
<b>SITE ADDRESS:</b>	102 Manor Road Chigwell Essex IG7 5PQ
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Chigwell Village  Grange Hill
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of an existing dwelling and garage, with the erection of an 8 bedroom family house, with under croft garage and indoor leisure facilities. (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/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=553137](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=553137)

**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:  
  
16  
17  
22 J  
26 J  
27 J  
28 J  
30  
31 J  
33 J  
34 J  
35 J  
36 J  
41 J  
46 J
- 3 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such approved details.



- 4 Prior to first occupation of the development hereby approved, the proposed window opening(s) in the [direction to be inserted] flank elevation(s) shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 5 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.
- 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, 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.
- 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 development shall take place until details of levels have been submitted to and approved in writing 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.
- 10 All material excavated from the below ground works hereby approved shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.

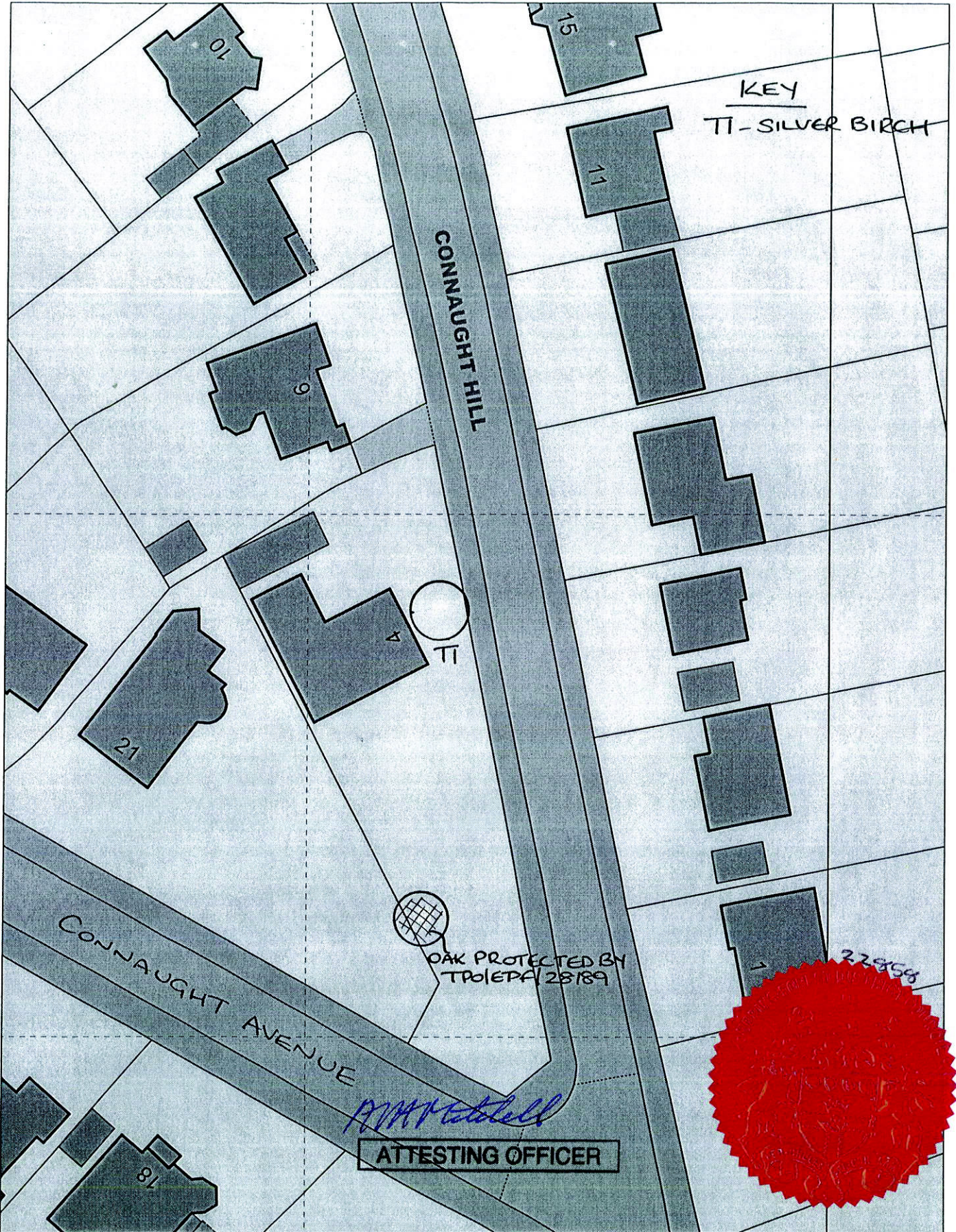
11 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

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.

In the case of 1, 2 and 3 above, this shall be prohibited from taking place on any of the grass verges in front of the application site and in front of neighbouring properties in this road. Should any of the verges be damaged during the construction period, they shall be repaired and reinstated by the applicant prior to first occupation of the development hereby approved.

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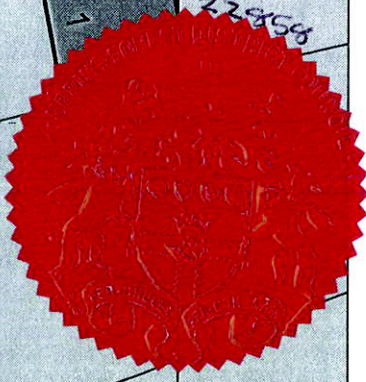
KEY  
T1 - SILVER BIRCH



CONNAUGHT HILL

CONNAUGHT AVENUE

OAK PROTECTED BY  
TPO/EPF/22/13

*A.M. Mitchell*  
ATTESTING OFFICER



 <p>Epping Forest District Council Planning Services Civic Offices High Street Epping CM16 4BZ</p>	4 Connaught Hill, Loughton		Centre X: 541966.053
	TREE PRESERVATION ORDER TPO/EPF/22/13		Centre Y: 196181.630
	Scale : 1:500	Date : 28 Aug 2013	Width : 90.000
	Page 28		Angle : .000
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## **Report to Area Plans Sub-Committee South**

**Date of meeting: 30 October 2013**

**Subject: CONFIRMATION OF TREE PRESERVATION ORDER  
TPO/EPF/22/13 – 4 Connaught Hill, Loughton**



**Epping Forest  
District Council**

**Officer contact for further information: Melinda Barham (Ext 4120)  
Democratic Services: Gary Woodhall (Ext 4470)**

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### **Recommendation(s):**

That tree preservation order TPO/EPF/22/13 is confirmed without modification

### **Background**

1. A planning application has been submitted for rear and side extensions to the property. This would necessitate the removal of a silver birch which is a prominent feature within the street scene, and provide insufficient space for replacement planting that would soften the impact of the side elevation of the property.
2. The silver birch is a replacement for an ash tree which was protected by TPO/EPF/28/89. Permission was granted for the removal and replacement of the ash tree in 1998.
3. Legislation does not automatically protect the replacement tree in this situation, and to date the tree has not been under a threat of being removed. This application changes the status of the tree in that it is now under a threat of imminent loss if the application were to be approved.
4. The planning application (EPF/1698/13) has subsequently been withdrawn.

### **Objections / Representations**

5. Two objections have been received, from the owner of the property and the architect who submitted the recent planning application.
6. There are five reasons for objecting, they are –
  - a) that the tree is not mature and has limited value in terms of its presence within the street scene.
  - b) that its removal would not cause any significant loss of enjoyment to local residents as there are other shrubs and laurels which provide adequate visual presence within this section of Connaught Hill.
  - c) The tree is in the wrong location and if left will cause damage to the house. It is already causing damage to the retaining brick wall.
  - d) The owner has expressed a willingness to plant a new tree further along the boundary away from the house and the retaining wall.

- e) That the property currently provides insufficient space for the owner and his family's needs. The presence of this tree is preventing the extensions that they require.

**The Director of Planning and Economic Development comments as follows:**

7. Taking each of the objections in turn –

- a) It is acknowledged that the tree is not yet mature, but there is nothing within the guidance when making tree preservation orders which prevents young trees being protected, indeed trees can be protected before they have been planted.
- b) Officers are unable to legal protected shrubs with a TPO, only trees. The shrubs planted along this border have limited ability to grow to sufficient height to assist in screening the expansive side elevation of the property. As a result officers consider that the presence of this tree in this location breaks up the view of the side of the property and in doing so does provide amenity value to those passing the property.
- c) Silver birch trees are low water demanding trees, and are specifically chosen where planting is required at close proximity to buildings. The foundations for the house should have taken into account the presence of the ash which is a 'moderate' water demanding tree, therefore they should be sufficiently robust to accommodate the presence of the silver birch. It is noted that there are cracks in the boundary wall but no information has been put forward to demonstrate that this is as a result of the presence of this tree. It is open to the objectors to submit an application to fell on this ground, providing the necessary evidence
- d) A willingness to plant elsewhere in the garden is not an acceptable solution in this instance. The purpose of planting adjacent to the side elevation of the property was to help to reduce the visual impact of the height of the property within the street scene, which is exacerbated by its location above street level.
- e) Whether or not the house is large enough to accommodate the people living within it is not a consideration in determining whether this tree should be protected or not. The TPO allows for the tree to be retained, pending consideration of any future application.

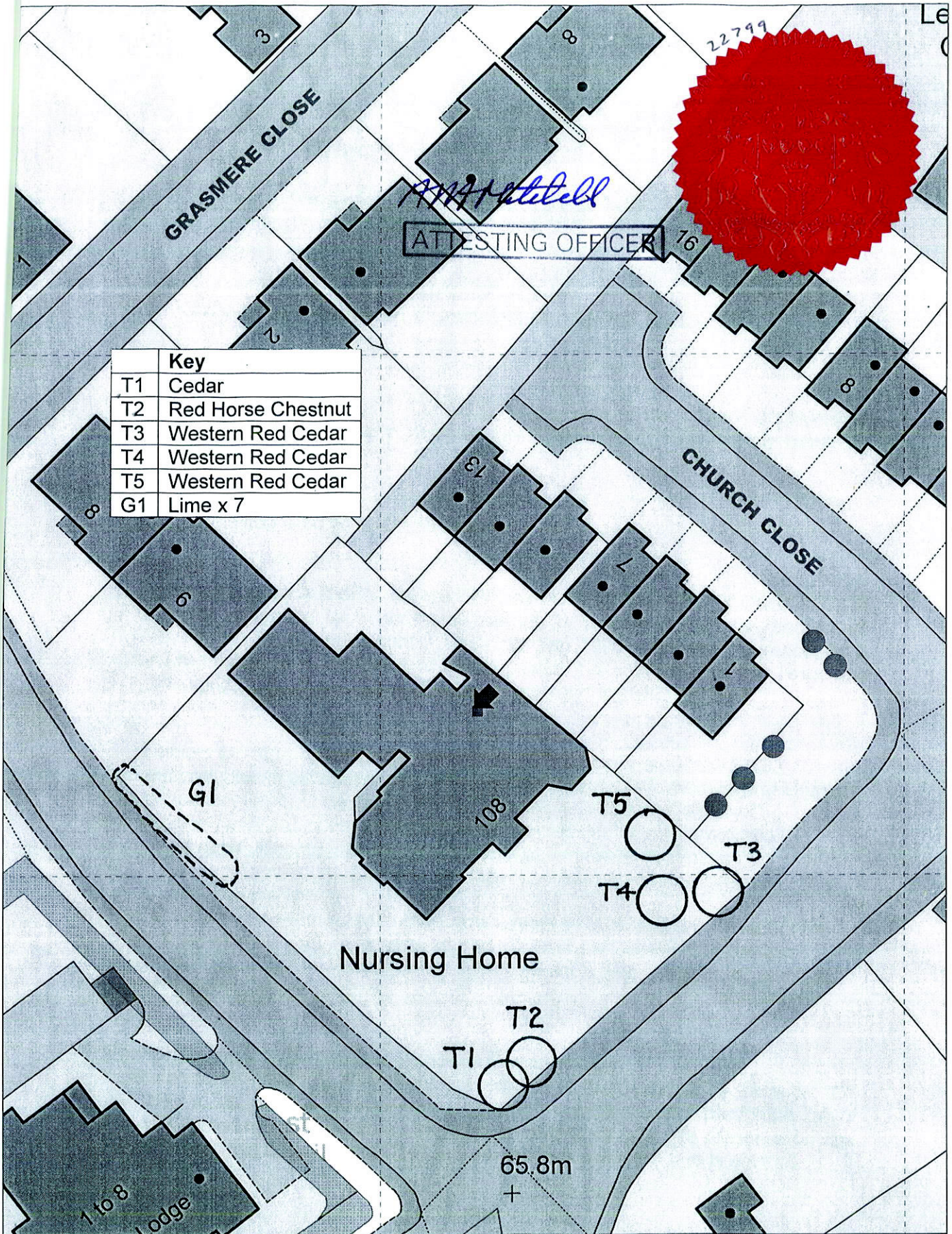
**Conclusion**

8. Although the planning application has been withdrawn, this tree still requires legal protection by this order. Not to confirm the order would be likely to result in the tree being felled, and with no certainty of sufficient space being allocated for suitable replacement planting should any development of the site be approved.

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

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	Key
T1	Cedar
T2	Red Horse Chestnut
T3	Western Red Cedar
T4	Western Red Cedar
T5	Western Red Cedar
G1	Lime x 7



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

TPO/EPF/13/13  
 Gable Lodge Residential Home  
 108 Church Hill  
 Loughton

Centre X: 542859.000  
 Centre Y: 197066.000  
 Width : 90.000  
 Angle : .000

Scale : 1:500      Date : 6 Jun 2013      Time : 10:33:30 AM

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## **Report to Area Plans Sub-Committee South**



**Epping Forest  
District Council**

**Date of meeting: 30 October 2013**

**Subject: CONFIRMATION OF TREE PRESERVATION ORDER  
EPF/13/13 Gable Lodge, 108 Church Hill, Loughton, Essex.**

**Officer contact for further information: Robin Hellier (01992 564546)  
Democratic services: Gary Woodhall (01992 564470)**

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### **Recommendation(s):**

**That Tree Preservation Order 13/13 is confirmed without modification.**

### **Background**

1. TPO/EPF/13/13 was made on 7<sup>th</sup> of June 2013 to protect 3 Western Red Cedar, a group of 7 lime pollards, one Red Horse chestnut and a cedar. All trees are of high visual amenity on the road side boundary of this site.
2. A pre application proposal plan for a new apartment complex with associated car parking was presented to officers showing the removal of some trees on the site in order to accommodate the development. This potential redevelopment placed all trees at risk of damage from development activities and selected trees under threat of removal.
3. This substantial private dwelling, set amongst a mature planting design, has increased in size due to change of use, with additional areas for refuse storage and car parking. The setting of the main building has not altered but some areas have already been subjected to increased pressures from hard surfacing and vehicle movements in close proximity
4. The trees were judged to be of significant landscape importance, prominently positioned near the main road and intersection leading from it.

### **Objection and representations to the Tree Preservation Order:**

5. An objection to the Order has been received from Bupa Care Homes. The objection is made on the grounds that:
  - a) The TPO does not take into account the poor quality of some of the preserved trees. Specifically, T2 Red Horse chestnut and T4 Western Red cedar are in decline and unlikely to survive as landscape features over the longer term.
  - b) The value of trees within the group G1; seven pollarded lime trees, is limited. They have been managed as pollards, are small and located on a side road boundary. They make a limited landscape contribution and could be replaced by new planting.
  - c) The guidance book; 'The Blue Book' should be given considerable weight when assessing the value of a TPO.

### **Director of Planning and Economic Development Comments**

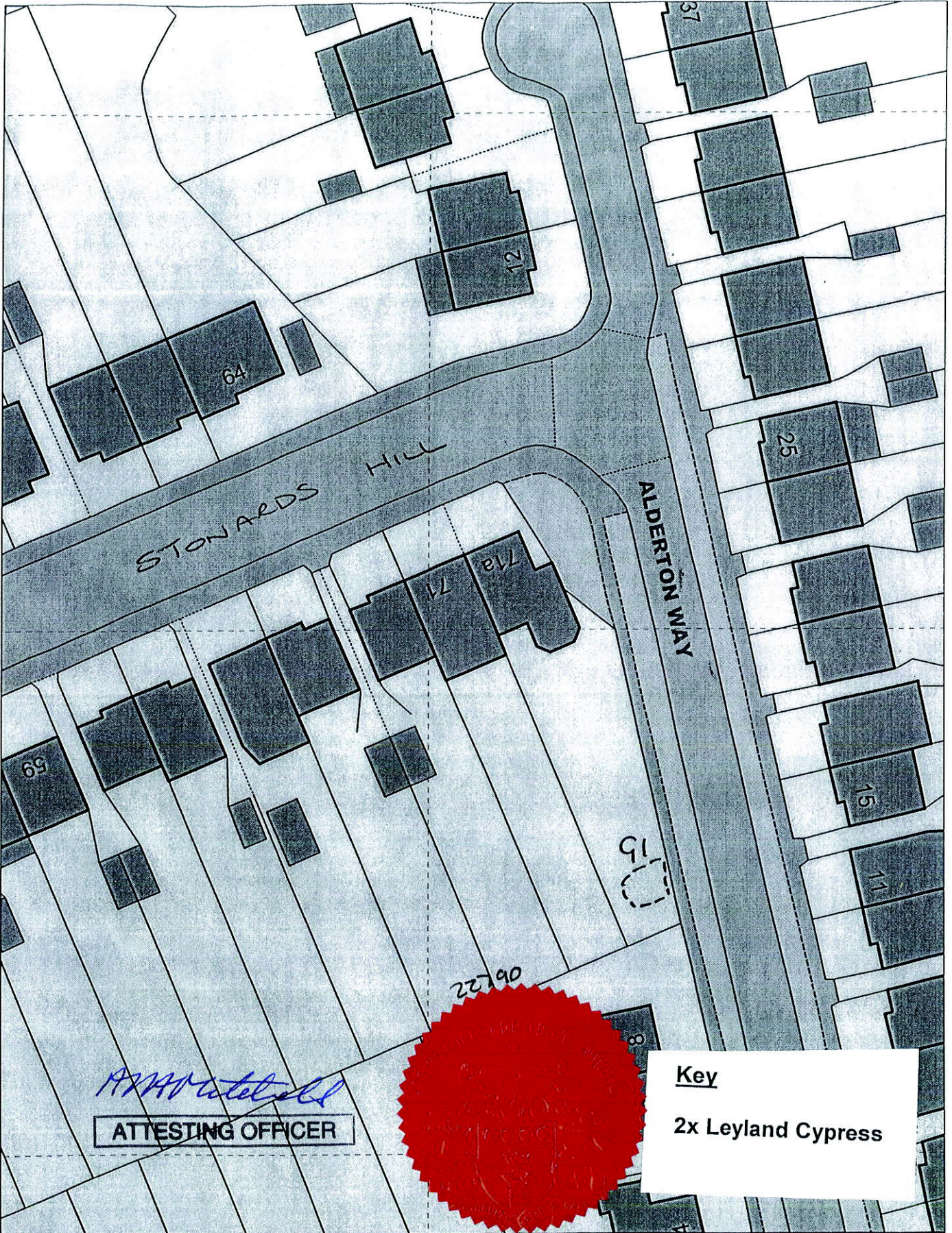
6. The objections are addressed in turn, as follows:
- a) The poor quality and state of decline of T2 Red Horse chestnut and T4 Western Red cedar is not supported by an arboricultural report. However, the officer's ground level inspection found good crown vigour and no major problems. Their future life expectancy could be reasonably expected to exceed twenty years.
  - b) T2 grows close to and under the canopy of T1 cedar, which has affected its crown development, reducing its spread. It has only one small bark deformity on its trunk, commonly found on this variant of the species. It has a good form, is free from leaf miner damage and is of sufficient size and quality to perform a good landscape function. Its protection ensures future replanting at this location should it fail
  - c) T4 forms part of a group of three Western Red cedars. It is vigorous, has a good conical form and plays an important landscape role in strengthening the group, ensuring future replanting in the event of its removal.
  - d) Growing next to other large trees both T2 and T4 contribute to a wider landscape impact in the locality.
7. G1: row of 7 pollarded limes is well established and vigorous. Their value is as a group – hence the group designation. They add character to the locality.
8. These pollarded trees have taken time to develop as a dense screen and could not be easily replaced by new tree planting even if it were accepted that replacement was necessary.
9. Considerable weight should be given to the blue book; 'Tree Preservation Orders: A Guide to the Law and Good Practice.'
10. Before making this TPO a structured assessment procedure was followed, modelled on the key criteria set out in the blue book guide, to ensure that its justification was objectively based.
11. The justification for this order is to protect selected, publicly visible and dominant features at this busy road junction. These mature trees, planted as an original landscape scheme, soften and screen the road frontage of this site, contributing considerable landscape character to the local treescape.
12. The development proposal would either remove or place the trees under threat. It is a duty under Section 197 of the Act for the LPA to ensure that such trees are retained. .If some trees had to be removed then the TPO would serve to ensure that adequate replacement would be made.

### **Conclusion**

It is recommended that, in the interests of public amenity, the order be confirmed without modification. The new order will allow the council to ensure that any future planning permission to develop the site will be designed, taking account of the trees and safeguarding their amenity value; in accordance with Council local landscape planning policy LL7.

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*A. H. Mitchell*  
**ATTESTING OFFICER**

**Key**  
 2x Leyland Cypress



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

71a Stonards Hill, Loughton		Centre X: 542954.218
		Centre Y: 195542.794
<b>TREE PRESERVATION ORDER</b>		Width : 90.000
TPO/EPF/11/13		Angle : .000
Scale : 1:500	Date : 21 May 2013	Time : 02:18:29 PM





## **Report to Area Plans Sub-Committee South**

**Date of meeting: 30 October 2013**

**Subject: CONFIRMATION OF TREE PRESERVATION ORDER  
TPO/EPF/11/13 – 71a Stonards Hill, Loughton**



**Epping Forest  
District Council**

**Officer contact for further information: Melinda Barham (Ext 4120)  
Democratic Services: Gary Woodhall (Ext 4470)**

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### **Recommendation(s):**

That tree preservation order TPO/EPF/11/13 is confirmed without modification.

### **Background**

1. A planning application has been submitted for a new dwelling in the rear gardens of 71 and 71a Stonards Hill, fronting on to Alderton Way.
2. There is a particularly prominent group of 2 leyland cypress trees in the garden of 71a Stonards Hill. These trees are approximately 10m in height, and are the largest trees within the immediate vicinity; as such they are an important feature of the area and are fair specimens. The planning application necessitated the removal of these trees, with no opportunity to plant suitable replacements.
3. That application has been refused for a number of reasons, including the loss of these trees. An appeal has recently been lodged.

### **Objections / Representations**

4. Five objections have been received. These are from the owner of the land, and the residents of numbers 4,6,7,8,9 Alderton Way, Loughton
5. There are six reasons for objecting, they are –
  - a) That the trees are at a dangerous height and would cause damage if they were to fall. (4,7 and 9 Alderton Way and the site owner)
  - b) Home insurance has been refused by some insurance companies because of the presence of the trees. (4 Alderton Way)
  - c) Could cause subsidence to my property (8 Alderton Way). If it causes subsidence to my neighbours property it will also affect me as our houses are attached (6 Alderton Way)
  - d) The land is unsightly and derelict, and has foxes and rats on it (4,7 and 9 Alderton Way)
  - e) Don't agree that these trees are an important feature, they do not add character to the neighbourhood, or provide a visual amenity (7, 9 Alderton Way and the site owner)

- f) The intention is not to remove the trees to allow development but to retain and prune them. If they have to be removed to facilitate development they would be replaced with eucalyptus. (site owner).

**The Director of Planning and Economic Development comments as follows:**

- 6. Taking each of the objections in turn –
  - a) It is rarely possible to state that any tree is 100% safe, and any tree that fails could cause damage to anything within its path. However, these trees were inspected at the time the order was made and nothing was noted that indicated that they were in such decline that they are likely to fail at the present time.
  - b) The distance between the trees and the property owner's house objecting for this reason is approximately 30m. This distance exceeds any likely influencing distance for this species of tree at the current height. The cost of house insurance is not a planning related matter.
  - c) No information has been put forward to demonstrate that the trees are currently causing damage to the adjacent property. If damage were to be found which could be attributed to these trees, then an application to fell the tree could be submitted, and a decision made on the bases of the technical reports submitted with such an application.
  - d) Untidy land with foxes and rats is not relevant to the protection of trees on this site, and is not a consideration as to whether this order should be confirmed or not.
  - e) These trees are prominent within the street scene, in that they are adjacent to the road, the tallest trees within the immediate area. As a result they are considered to have some public amenity value.
  - f) Given the size of the these trees, their root protection area is expected to extend over most of the site, as such the retention of these trees would not be possible if the site were developed. Once the site is developed it would not be possible to plant trees which would attain the prominence within the street scene that the current trees do. Eucalyptus is an unsuitable replacement as they are a fast growing, high water demanding tree which is more likely to cause damage to adjacent properties. However other, more suitable choices do exist.
- 7. Although these trees are imposing within the street scene, from the number of objections from the neighbouring properties they are not viewed as a green asset to the street.
  - a. The planning applications received to date on this site make no allowances for the safe retention of these trees, and provide insufficient space for even a small tree to be planted in their place.
  - b. By confirming this order without modification it will ensure that any proposals to removal and replacement of these trees are fully considered. Should Members agree any future application for the

felling of these trees it would be possible to impose a condition to require replacement with a more suitable species in the same location.

## **Conclusion**

8. Although the planning application has been refused, these trees still require legal protection by this order. To not confirm the order would be likely to result in the trees being felled, and insufficient space being allocated for suitable replanting should any development of the site be approved.

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

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## **Report to Area Plans Subcommittee South**



**Epping Forest  
District Council**

**Date of meeting: 30 October 2013**

**Subject:** Threat of Special Measures and Refunding Of Planning Fees

**Officer contact for further information:** Nigel Richardson - Assistant Director (Development) x 4110

**Committee Secretary:** S Hill Ext 4249

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### **Recommendation(s):**

- (1) That the Subcommittee notes the new threat from the Governments "Planning Guarantee" of returning planning fees where planning applications are not decided within 26 weeks from being made valid,**
- (2) That Subcommittee notes the threat of "special measures" in respect of not achieving a timely decision on Major category planning applications and the extent to which such decisions are overturned on appeal,**
- (3) That the three Area Plans sub-committees note (1) and (2) above in determining planning applications in a timely manner; and**
- (4) That the Assistant Director (Development) encourages applicants, when necessary, to sign up to pre and post application agreements to extend the time period for determination so as to avert the return of planning fees or the Authority falling into "special measures".**

### **Report**

#### **1. Reasons for Proposed Decision:**

- 1.1. (Director of Planning and Economic Development) From 1 October 2013, the Government introduced a controversial policy with a requirement for local authorities to refund any planning fees if a council fails to decide an application within 26 weeks from an application being made valid. It does not apply to planning applications already validated before 1 October. This forms part of the government's "planning guarantee" initiative to speed up the delivery of development.
- 1.2. The policy goes further, in that those local planning authorities with 20 per cent or lower major development appeal decisions dismissed or fewer than 30 per cent of major applications decided within 13 weeks over a rolling 2-year period are to be placed in special measures, which would allow an applicant to submit any future major planning applications and its fee direct to the Planning Inspectorate.
- 1.3. The Assistant Director (Development) will need to monitor the turnaround time of planning applications to safeguard against any refund of planning fees or loss of income through designation of special measures. Decision making at planning committees with a deadline for any signing of section 106 legal agreements will need to

be strictly adhered to and therefore it is recommended that this report also be brought to the attention of the planning committees, where there is potential for delays on decision making. Where appropriate and agreed by applicants, agreements into extension of time for planning applications will be used, thereby allowing a longer acceptable time for planning application determination.

## **2. Other Options for Action:**

2.1 This is new planning legislation and there are no other options for action, other than to not take advantage of the extension of time where applicable, which leaves the Council vulnerable to being put into special measures and paying back the planning fee.

## **3. Report:**

3.1 The Growth and Infrastructure Act 2013 enables the Secretary of State to designate local authorities that are considered to be performing “poorly” in their determination of major planning applications. Designation will mean that applications for major development (e.g. development of 10 or more dwellinghouses, 1,000 or more square metres of floor space or 1 or more hectares) can be made directly to the Planning Inspectorate, on behalf of the Secretary of State, instead of to the designated local authority.

3.2 The performance of local authorities is to be assessed, on a rolling 2-year basis, against both the speed with which applications for major development are dealt and the extent to which such decisions are overturned on appeal. Authorities will be assessed against each aspect independently and so could be designated as “special measures” on the basis of either aspect or both. If 30% or fewer of a planning authority's decisions are made within the statutory determination period (or any agreed extension) or 20% or more of an authority's decisions are overturned on appeal then that authority will be designated because of its poor performance. These thresholds will be kept under review, with the intention of raising them over time to help drive improvements in performance. The planning fee in these cases would also go direct to the Planning Inspectorate.

3.3 The Council's performance in terms of determining major applications in 13 weeks over a 2 year period between July 2011 and June 2013 is 55% and therefore well outside the special measures threshold. It is anticipated at the time this report was being finalized and rolling this on for the 2 year period from October 2011 to September 2013, the Council's performance is likely to be about 58%. At this current rate therefore, there would not be a threat of the Council going into special measures, but it needs to be monitored and delays avoided.

3.4 Even if a local planning authority is put into special measures, the applicants can continue to apply to a designated local planning authority, instead of the Planning Inspectorate, if they wish to. It is important to note that applications made directly to the Planning Inspectorate forfeit any subsequent right of appeal. Designation can be revoked if the Secretary of State is satisfied that the designated authority has provided adequate evidence of sufficient improvement against its identified weaknesses. It is proposed that designation (and de-designation) should be undertaken once a year.

- 3.5 The “Planning Guarantee” means that all planning application types (not just Majors) should spend no more than 26 weeks with either the local planning authority or, in the case of appeals, the Planning Inspectorate. While the risk of designation through poor performance should help to deliver the Guarantee, the Government now proposes also to require, as an additional measure, a refund of the planning application fee where any planning application remains undecided after 26 weeks. Applications awaiting a final decision because of the need to sign a Section 106 legal agreements are therefore going to be particularly vulnerable to meet this target, and potentially delays caused because of the late signature of the applicant.
- 3.6 It does mean that planning and legal officers will be faced with tougher timescales which could have direct financial consequences on Development Control income, particularly if developers are unwilling to sign up to an extension of time for determination on planning applications or hang on to, say the 27<sup>th</sup> week before signing a section 106 agreement, for example. The area planning subcommittee’s meet on a 4-weekly cycle but any planning application requiring a decision at District Development Control Committee takes longer because of the 8-week cycle and in many cases have already been to an area committee meeting beforehand. Members of those committees therefore need to be made aware that deferring a decision from one committee meeting to another (the usual reason being for a Members site visit) should only be done in very exceptional cases and indeed, planning officers will look to encourage any formal Members site visits to be taken before the committee meeting. Planning application officers will also need to be aware of the deadline should any delegated applications approach this deadline, although this is very rare.
- 3.7 Agreements to extend the time for determination can be made for both major development applications and other applications that would normally be determined within 8 weeks. However, for the overall credibility of the planning system, extensions of time should really be the exception and efforts made to meet the statutory timescale wherever possible. In most cases this additional time will provide an opportunity for matters to be resolved positively so that a proposal can be recommended for consent. If an application is unacceptable in principle or cannot be modified to become acceptable it is likely that it will be determined within the statutory period. Clearly, the advantage of the extension of time, which requires the agreement of the applicant/developer, is that this becomes the new target date and if met, will not count against our performance.

#### **4. Summary:**

- 4.1 This report therefore serves the purpose of bringing to attention the possible financial consequences if there is no extension of time agreement in place if the 26 week target date is not met and secondly, if the time taken to decide Major planning applications in 13 weeks falls below 30% (20% for appeals). The concern though is not just financial, but also a democratic one if committee and delegated planning applications decision making is taken out of consideration by this authority.
- 4.2 There is a possibility that the terms of reference for District Development Control Committee and Area Plans Sub-Committees may need to be reviewed so that the time taken for reporting planning applications to a meeting, particularly major type applications, can be reduced.

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## AREA PLANS SUB-COMMITTEE SOUTH

30 October 2013

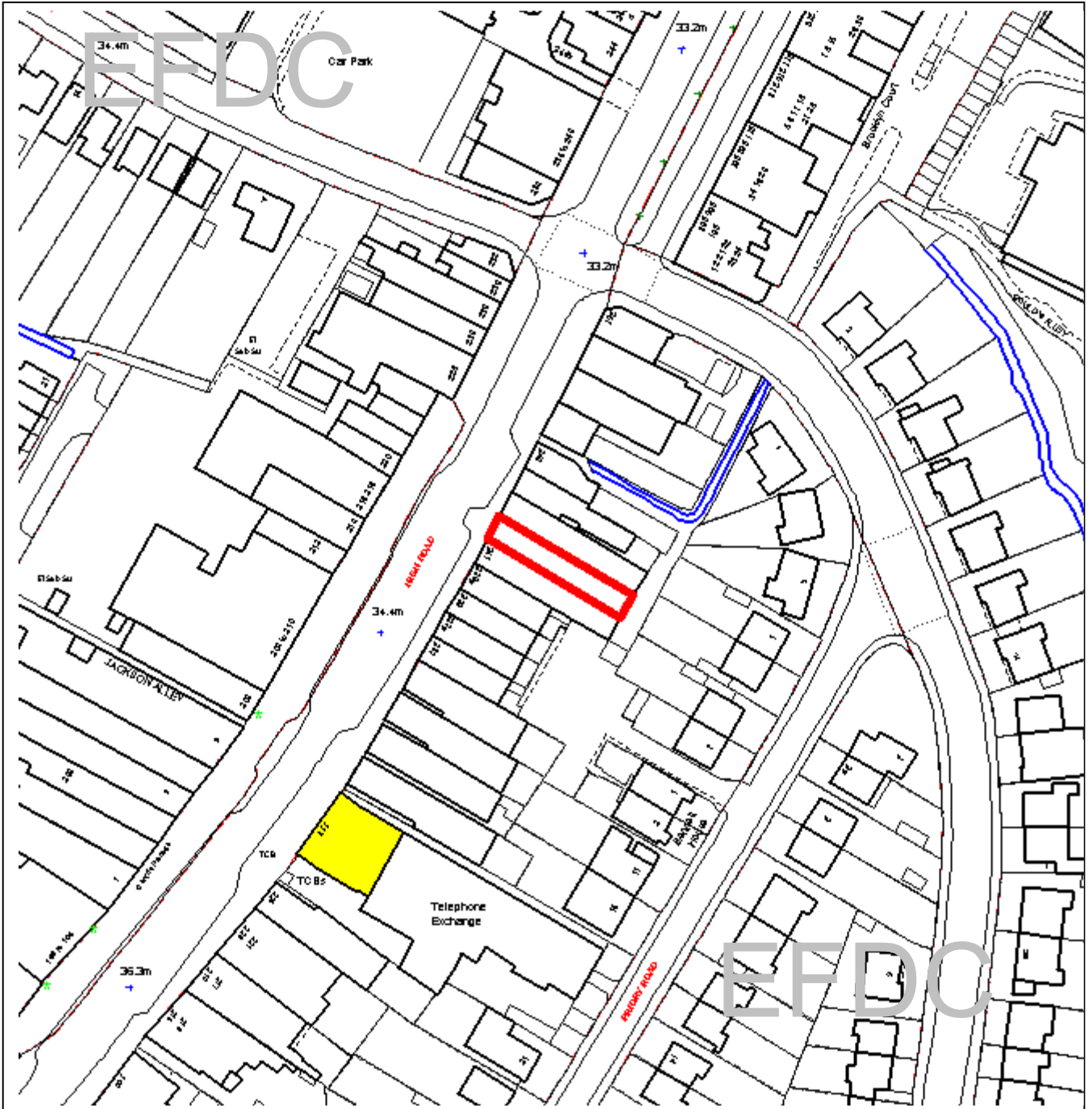
### INDEX OF PLANNING APPLICATIONS/ENFORCEMENT CASES

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1.	EPF/0168/13	243 High Road Loughton Essex IG10 1AD	Grant Permission (With Conditons)	46
2.	EPF/1608/13	59 Chigwell Park Drive Chigwell Essex IG7 5AZ	Grant Permission (With Conditions)	50
3.	EPF/1645/13	Marden Close Lambourne Road Chigwell Essex IG7 6ER	Grant Permission (With Conditions)	56
4.	EPF1716/13	Former Bank of England Sports Ground Langston Road Loughton Essex	Grant Permission (With Conditions)	60
5.	EPF/1752/13	1 Palace Gardens Buckhurst Hill Essex IG9 5PQ	Grant Permission (With Conditions)	68



# Epping Forest District Council

## AGENDA ITEM NUMBER 1



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Application Number:	EPF/0168/13
Site Name:	243 High Road, Loughton IG10 1AD
Scale of Plot:	1/1250



**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/0168/13
<b>SITE ADDRESS:</b>	243 High Road Loughton Essex IG10 1AD
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Marys
<b>APPLICANT:</b>	Ms Francesca Manuel
<b>DESCRIPTION OF PROPOSAL:</b>	Change of use from Use Class A1 (vacant travel agents) to class A3 (coffee shop)
<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=545297](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=545297)

**CONDITIONS**

- 1 The coffee shop use hereby approved shall only be open to customers in the hours of 8am to 5.30 pm Mondays to Fridays, 8.30am to 5.30 pm on Saturdays, and 10am to 4pm on Sundays.
- 2 The glass shopfront to this shop shall be permanently retained and any window display shall be an appropriate one for a shopping parade.

*This application is before this Committee since it is an application contrary to the provisions of the adopted Local Plan and Alterations, but it is recommended for approval. (pursuant to the 'constitution, part three: planning directorate – delegation of council function, schedule 1, appendix A.(a)).*

**Description of Site**

A ground floor shop premises in a terrace of shops with 2 floors of residential/offices over. The shop lies within the 'key' retail shopping frontage along Loughton High Road. The property is not listed nor does it lie within a conservation area.

**Description of Proposal:**

Retrospective application for continued use as an A3 coffee shop.

**Relevant History:**

None.

### **Policies Applied:**

TC3 - Town centre function.

DBE9 – Loss of amenity.

TC3 is generally compliant with the NPPF, with the latter being less proscriptive e.g. it does not quote percentages of non retail uses that are acceptable in primary frontages. DBE9 is compliant with the NPPF.

### **Summary of Representations:**

LOUGHTON TOWN COUNCIL – The Committee deplored this retrospective application but in the special circumstances of this case, namely that the retail unit had been unlet for some 4 years, the Committee had no objection to the change of use. They did request conditions be imposed to a) limit the opening hours to those stated in the application, b) to prohibit use of the forecourt/pavement for the stationing of chairs and tables, and c) to restrict the type of food served to cakes, light snacks, but no cooked meals.

NEIGHBOURS – 10 properties consulted and one reply received:-

15, PRIORY ROAD - object - Loughton is losing diversity of shops and I cannot see the need for another cafe which will take trade away from current café businesses that are well run. Also concerned that this use will end up as another late night take away causing litter problems etc. Please respect the local plan.

### **Issues and Considerations:**

The shop unit was previously a travel agents but had been vacant for some time before the current use, 'Caffe Latte' commenced in Jan 2013. This application for continued use stems from enforcement investigations, with the shop proprietor indicating that advice given to them was that their coffee shop use did not require planning permission.

The Local Plan states that a total of 30% non retail frontage is acceptable in a key frontage, but the figure currently stands above this at 33%. Consequently this application is contrary to this policy and could be refused permission on this basis.

However, there are a number of factors which mitigate against a refusal in this case.

Firstly, the shop was previously in use as a travel agents and hence was not a 'typical' retail use. Also it remained vacant for a long period prior to the current Café Latte use commencing in January 2013.

Secondly, it has long been accepted that a daytime coffee shop does not detract from the vitality of a shopping high street – indeed it can make shopping areas more attractive and encourage more footfall in a parade.

Thirdly, the local plan policy dates back to 1998 when the economic dynamic operating in shopping centres was very different from today where large numbers of shops in shopping centres and parades lie vacant or under used. Indeed, in an effort to stimulate new business in shopping high streets the Government introduced on 30<sup>th</sup> May this year a new permitted development provision that allows a range of 'flexible' uses to set up in shop premises for 2 years without the grant of planning permission. This "notification" provision allows for the change of use of a shop to an A3 café or restaurant use for up to 2 years – and therefore had this change of use to a coffee shop occurred on 30<sup>th</sup> May 2013 or after, then planning permission would not have been required. Although this 'temporary' planning permission lasts for just 2 years clearly there would have to be exceptional grounds to refuse planning permission for an A3 use after its 2 year use period has lapsed.

In the light of the above factors the Local Plan policy on key frontage can be seen to be somewhat dated, and given that the proposed use operates in the daytime it would not be prudent or expedient to refuse planning permission on grounds that it would introduce a dead frontage into a daytime shopping parade.

In addition, the current Café Latte use gives employment to 2 full time employees and 6 part time employees, and it is likely that most of these jobs are filled by people living in the Loughton area.

#### Comments on representations received:-

The Town Council do not object to the coffee shop use but request conditions to be applied. The proposed hours of use specified on the application forms are 8am to 5.30pm Mondays to Fridays, 8.30am to 5.30pm on Saturdays, and 10am to 4pm on Sundays. It is reasonable to impose a condition specifying these hours - and in particular restricting use to daytime hours only means that an A3 restaurant use, relying heavily on evening and night time trade, and which could be closed during part of the day thus creating a dead frontage, could not be established in this premises without a fresh planning approval being obtained. The pavement outside the coffee shop is public highway, and hence any proposal to use part of the pavement for tables and chairs would require planning permission – and given this control, to impose a condition on this issue would not be expedient. Finally, the Town Council's request for a condition to be added controlling what food is served is unreasonable, and would be impractical to enforce.

In respect of the objection from a resident in Priory Road there is some sympathy with the point that another coffee shop/café is not required in a High Road well served by such businesses. However, planning controls cannot be used to restrict competition, and hence a refusal on the basis that similar uses already occur elsewhere in the High Road could not be justified.

#### Conclusions:

For the reasons outlined above it is appropriate to set aside the provisions of local plan policy TC3 in this instance, and conditional planning permission is therefore 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:***

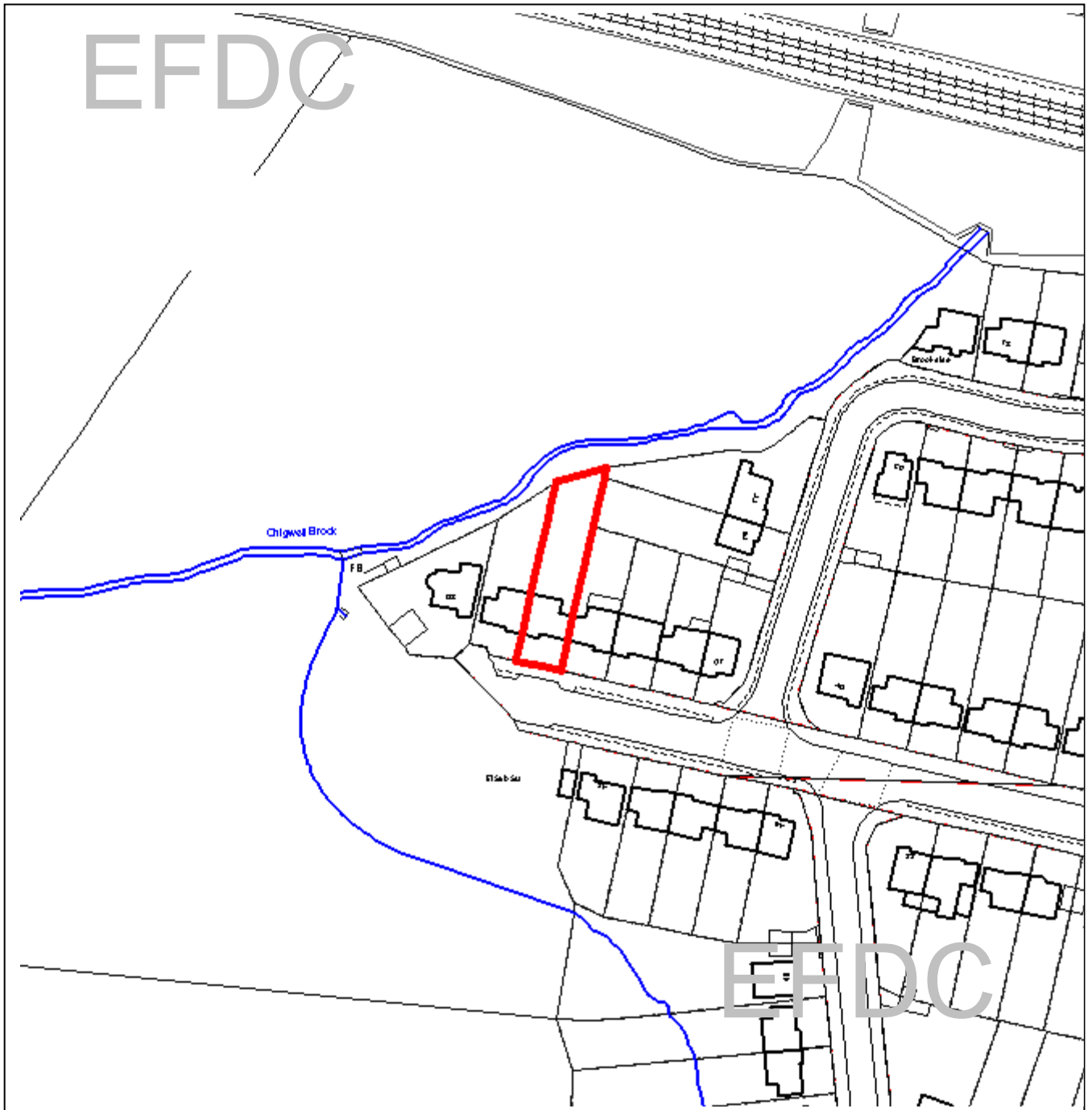
***Planning Application Case Officer: David Baker  
Direct Line Telephone Number: 01992 564514***

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



# Epping Forest District Council

## AGENDA ITEM NUMBER 2



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Application Number:	EPF/1608/13
Site Name:	59 Chigwell Park Drive, Chigwell IG7 5AZ
Scale of Plot:	1/1250

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/1608/13
<b>SITE ADDRESS:</b>	59 Chigwell Park Drive Chigwell Essex IG7 5AZ
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Chigwell Village
<b>APPLICANT:</b>	Mr S Bithal
<b>DESCRIPTION OF PROPOSAL:</b>	Part double, part single storey rear extension, two storey side extension, roof extension, rear dormer window in a loft conversion and two roof lights in front elevation. (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=552312](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=552312)

**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**

Chigwell Park Drive forms part of the built up area of Chigwell. The existing dwelling is a mid terraced property situated within a long plot. The surrounding area is characterised by terraced housing, some of which benefit from single storey extensions and rear dormer windows. The adjacent neighbour at 61 Chigwell Park Drive benefits from a 5m deep single storey conservatory.

**Description of proposal**

The single storey rear element will adjoin the neighbouring property of 61 Chigwell Park Drive and will be 3.9m in width, 5m in depth, have an eaves height of 2.5m and a maximum height of 3.5m. The two storey element will adjoin the neighbours of 57 Chigwell Park Drive and will be 4.5m wide, 5m deep, have an eaves height of 5m and a maximum height of 7m.

The property is also being extended to the side 1.5m in width at two storeys over an existing single storey element. The eaves of this element will be the same as the existing roof. The roof then pitches in to form a gable roof structure reaching a ridge height equal to the existing building. Two skylights are also proposed in the roof of the front elevation.

The application also includes a roof extension resulting in a gable end. A rear dormer window in a loft conversion is also proposed. It will be 5.9m wide, 2.5m high and 3m in depth.

### **Relevant History**

EPF/0028/13 – Certificate of lawful development for a proposed hip to gable roof with rear dormers and front roof lights in a loft conversion – Lawful

EPF/1020/13 - Part double, part single storey rear extension, two storey side extension, roof extension, rear dormer window in a loft conversion and two roof lights in front elevation - Refused for the following reason – *'The introduction of the unusual gabled roof of which no similar examples exist within the street scene would appear as a discordant feature along Chigwell Park Drive that fails to complement the existing building, contrary to policy DBE10 of the Adopted Local Plan and Alterations which are consistent with policies contained within the National Planning Policy Framework'*.

### **Policies Applied**

CP2 – Protecting the Quality of the Rural and Built Environment  
DBE10 – Design of Residential Extensions  
DBE9 – Impact on amenity

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 214 states that due weight should be given to the relevant policies in existing plans according to the degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight

### **Consultation carried out and summary of representations received**

5 Neighbours consulted – No comments received

Chigwell Parish Council – OBJECTION – The loft is of a poor design, overtly bulky and of overbearing impact. Also the Council has noted that the plans are exactly the same as those provided on the original application, despite this application being described as revised.

Epping Forest District Council planning officers have noted that the change to the application is the gabled roof structure which replaces the gabled design on EPF/1020/13

### **Issues and considerations**

This is a revised application from EPF/1020/13 which was refused due to the design of the roof. This has been amended but everything else from the original scheme remains unchanged. The main issues to consider when assessing this application are the effects of the proposed development on the amenities of neighbours and the design in regards to the existing building and its setting.

#### **Neighbour Amenity**

The neighbouring property of number 55 Chigwell Park Rise has a rear dormer window in a loft conversion. Although the added windows of this proposal will give more opportunity for potential



overlooking, it will not excessively worsen the current situation and is therefore compliant with policy DBE9 of the adopted local plan and alterations.

The proposed front facing sky lights are not dissimilar to other houses on Chigwell Park Drive. Moreover they will not cause any loss of privacy so are therefore acceptable from an amenity perspective.

The 5m deep two storey element of the proposal constitutes a large addition to this property. There is very little screening between the houses, which are located relatively close together. However the level of the land slopes rather significantly from west to east, reducing the dominant feel of the development on the neighbours of 57 Chigwell Park Drive. Furthermore the nearest window on this property serves a bathroom and is therefore obscured. The neighbours at 61 Chigwell Park Drive do not have a window that falls within 45 degrees of the proposed extension as the two storey element is recessed 4m from the shared boundary. As such there will not be a significant loss of light appreciation or outlook to the neighbours

The single storey element to the rear extension will not lead to a significant impact on the living conditions of the neighbours as it will adjoin an extant single storey extension next door.

The neighbour at 61 Chigwell Park Drive benefits from a single storey conservatory structure which is 5m in depth. The proposed development will be flush with this and will not increase the footprint down the rear garden. Therefore the impact on outlook will be sufficiently low.

This proposal as a whole is a balanced issue in terms of neighbour amenity. On balance the proposal complies with policy DBE9 of the adopted local plan and alterations.

### Design

Sky lights are not an uncommon feature on Chigwell Park Drive and therefore will not appear incongruous in the street scene. On their own, they do not require planning permission. Similarly, the rear dormer window is of a conventional design that would not appear bulky within the locality.

The development at two storeys to the side increases the overall frontage of the property by 1.5m which constitutes a modest addition to this property which respects the existing building and its setting.

The application introduces a new gable roof which has the benefit of a certificate of lawful development. The rear extension combined with the rear dormer window seems to be a clumsy and cramped design. However the bulk and massing of this development is somewhat offset as it will not be a visible feature along Chigwell Park Drive.

Therefore overall the proposal complies with the policies DBE10 and CP2 of the Adopted Local Plan and Alterations.

### Conclusion

The proposed dormer window is of a conventional design that will not cause any significant adverse impacts on the living conditions of neighbours.

The side extension constitutes a proportionate addition to this property. The combination of the rear dormer and rear extension is on balance acceptable. The roof extension is conventional and respects the existing building and its setting.

**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: James Rogers  
Direct Line Telephone Number: 01992 564103**

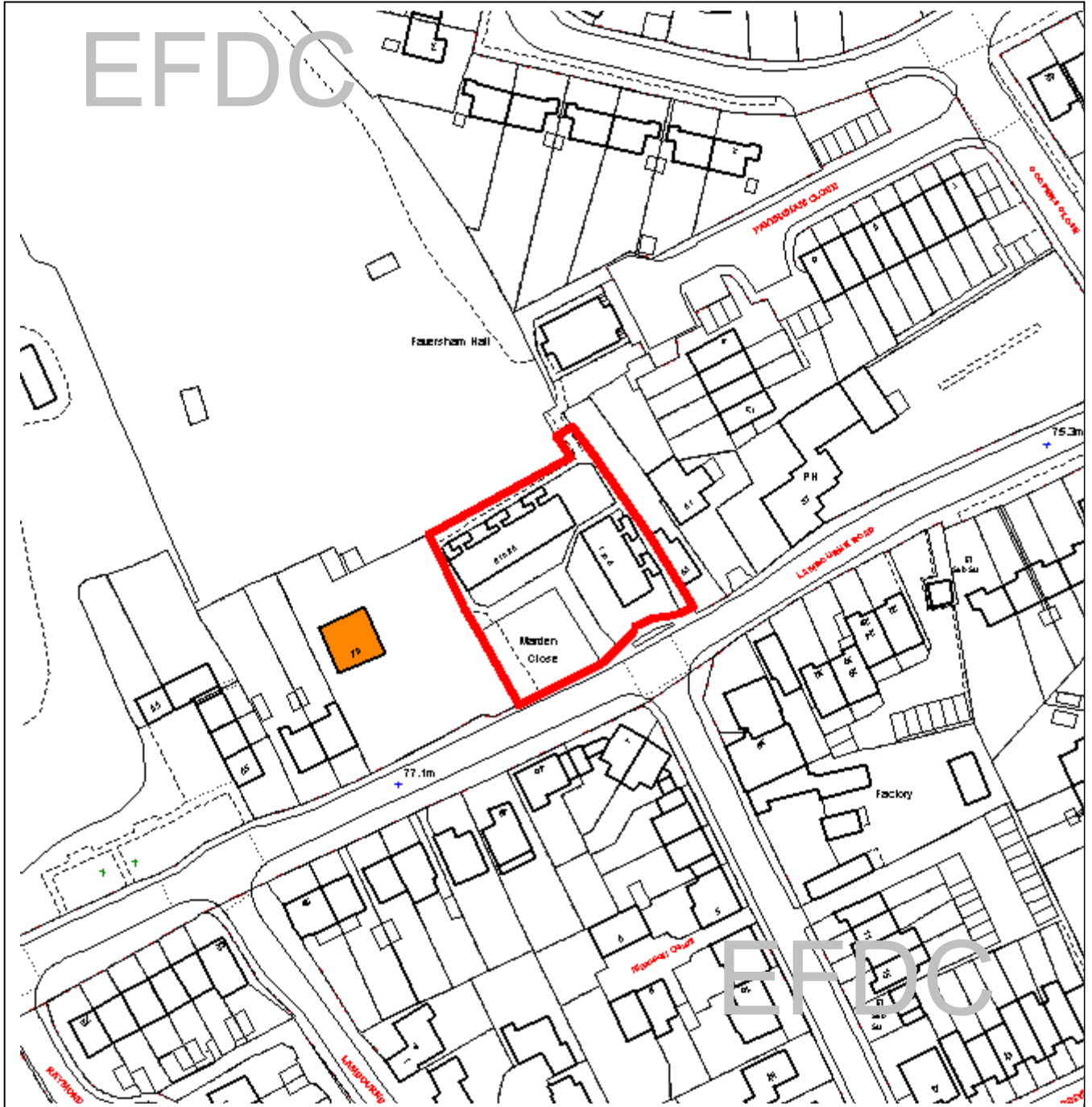
**or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)**

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# Epping Forest District Council

## AGENDA ITEM NUMBER 3



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Application Number:	EPF/1645/13
Site Name:	Marden Close, Lambourne Road Chigwell, IG7 6ER
Scale of Plot:	1/1250

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/1645/13
<b>SITE ADDRESS:</b>	Marden Close Lambourne Road Chigwell Essex IG7 6ER
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Chigwell Row
<b>APPLICANT:</b>	Housing Services
<b>DESCRIPTION OF PROPOSAL:</b>	Change of use of 2 two storey blocks from twenty bedsits to ten one bedroom flats, external alterations to elevations and improved car park for 12 cars and new landscaping.
<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=552491](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=552491)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 No development shall commence until a survey by a competent person has been carried out to establish the presence or otherwise of Japanese Knotweed and submitted to the Local Planning Authority. The survey should also note any knotweed adjoining the site. If Japanese Knotweed is confirmed, full details of a scheme for its eradication and/or control programme suitable for the site shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the substantial completion of the development hereby approved.
- 3 The car parking layout hereby approved shall be retained on a permanent basis, and shall not be altered without the prior written consent of the Local Planning Authority.
- 4 The development hereby permitted will be completed strictly in accordance with 11 approved drawings numbered 612/030/PL01; /PL02; /PL03/A; /PL04; /PL05; /PL06; /PL07/A as revised; /PL08A; /PL09; /PL10; /PL11.

*This application is before this Committee since it is an application for residential development consisting of 5 dwellings or more, and which is recommended for approval. (pursuant to the 'constitution, part three: planning directorate – delegation of council function, schedule 1, appendix A.(d)).*

### **Description of Site**

Two two-storey Council owned blocks containing 20 vacant bedsit units located in the urban settlement of Chigwell Row on the north side of Lambourne Road opposite its junction with Sunnymede. This rectangular site contains a car park at the front. The property is not listed nor does it lie within a conservation area.

### **Description of Proposal:**

Change of use of two two-storey blocks from 20 bedsits to ten one-bedroom flats, external alterations to elevations, and improved car park for 12 cars and new landscaping.

### **Relevant History:**

None.

### **Policies Applied:**

CP6 – Achieving sustainable urban development patterns.

CP7 – Urban form and quality

DBE9 – Loss of amenity.

ST6 – Vehicle parking.

The first 3 policies above are compliant with the NPPF, and the fourth one is generally compliant.

### **Summary of Representations:**

CHIGWELL PARISH COUNCIL – Support the application.

NEIGHBOURS – 12 properties consulted and one reply received:-.

79, LAMBOURNE ROAD – I am pleased that Marden Close will be put back to proper use again. However, the site and some neighbouring properties, including mine, is infected with Japanese knotweed. Marden Close used to be cleared of this on a regular basis but not in recent years – I still treat it on my land but it is a bit of a losing battle. I would request a condition be added to any planning permission requiring a programme be implemented to treat this weed during construction and thereafter.

ESSEX CC HIGHWAYS – No objections.

### **Issues and Considerations:**

The site is Council owned and the application has been made on behalf of the Housing Services Directorate and its partner the East Thames Housing Group.

The application is in general terms a straightforward one that does not give rise to contentious planning issues. Each pair of vacant bedsits in the two blocks will be converted to a generously sized one bedroom flat, and refuse facilities and cycle stores will be provided in the existing rear 'outhouses'. The original car parking layout has been amended slightly so as to provide up to date car parking bay sizes, and the provision of 12 spaces for 10 one bed flats is an appropriate provision. Alterations to the elevations will improve the appearance of these low rise blocks, and with new planting proposed the appearance of this site as a whole will be enhanced.



Comments on representations received:-

Standard condition No.69 is proposed to be added to any consent - this will require details to be submitted of how any invasive weed on the site will be eradicated and or controlled, and these details will require to be implemented before the development is substantially completed.

**Conclusions:**

This is a welcome scheme that provides for the reinstatement of vacant accommodation to provide 10 much needed one bedroom flats. Conditional planning approval is therefore 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:***

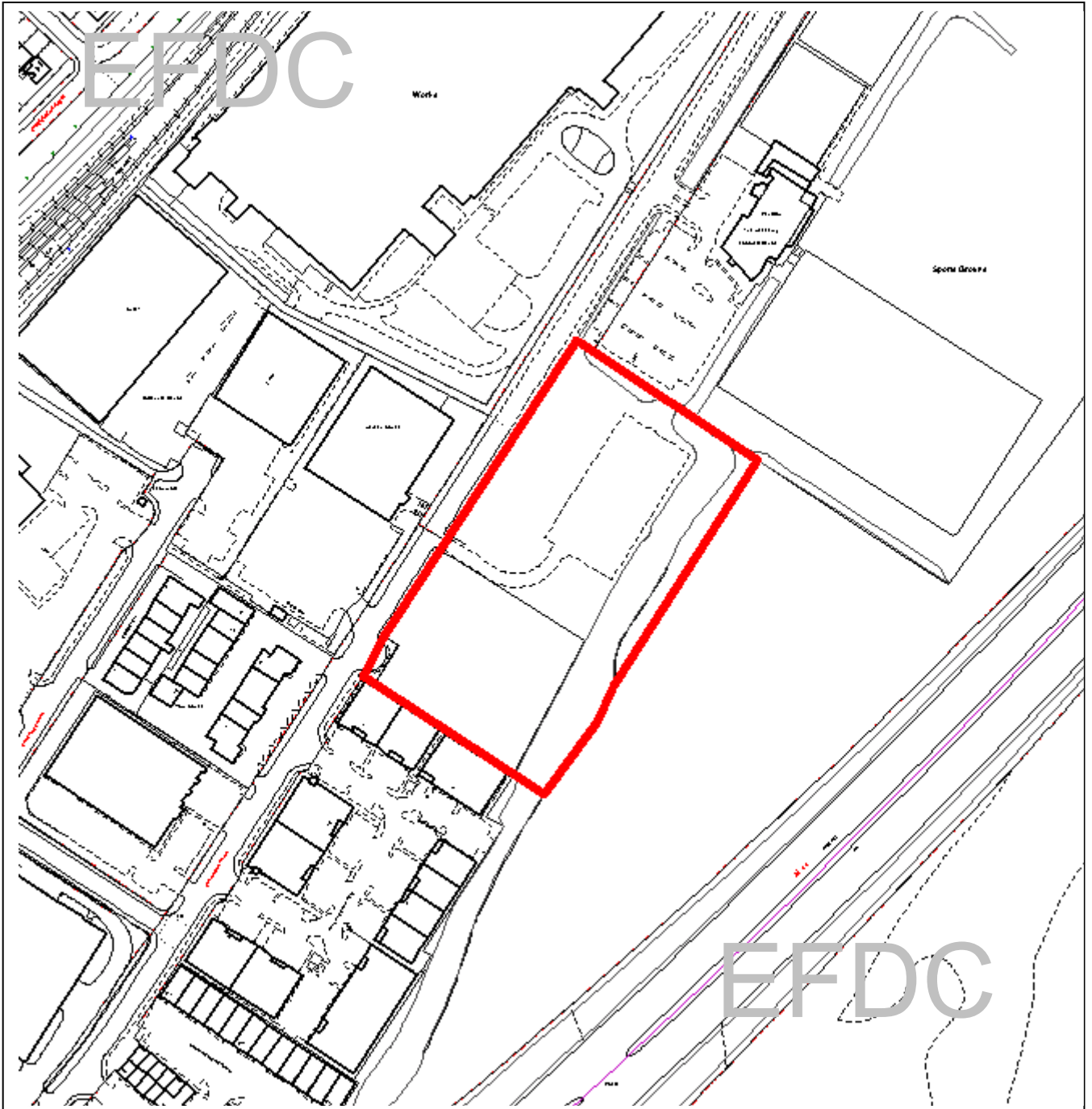
***Planning Application Case Officer: David Baker  
Direct Line Telephone Number: 01992 564514***

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



# Epping Forest District Council

## AGENDA ITEM NUMBER 4



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Application Number:	EPF/1716/13
Site Name:	Former Bank of England Sports Ground, Langston Road, Loughton
Scale of Plot:	1/2500

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/1716/13
<b>SITE ADDRESS:</b>	Former Bank of England Sports Ground Langston Road Loughton Essex
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Broadway
<b>APPLICANT:</b>	Linor Ltd
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of Data Centre Building, associated parking, landscaping and substation.
<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=552830](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=552830)

**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: AO.200, A.202, A.203, AO.204, AO.206, AO.208, SK.01
- 3 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.
- 4 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.
- 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 an 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 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan, Arboricultural Method Statement and site monitoring schedule in accordance with BS 5837:2012 (Trees in relation to design, demolition and construction - Recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 7 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]
- 8 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]
- 9 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]

- 10 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.
- 11 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.
- 12 Development shall not begin until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment (FRA) "Proposed Data Centre, Langston Road, Loughton, Project Ref: 29010/001" dated August 2013 has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include a restriction in run-off and surface water storage on site as outlined in the FRA.
- 13 Notwithstanding the Flood Risk Assessment (FRA) "Proposed Data Centre, Langston Road, Loughton, Project Ref: 29010/001" dated August 2013 submitted with the planning application, a further FRA is required to be submitted and approved in writing by the Local Planning Authority containing further details of the proposed discharge rate and the retaining wall proposed along the embankment, within the site.
- 14 Prior to the first occupation of the development the new vehicular access shall be implemented as shown in principle on approved drawing no.AO.202, unless otherwise agreed in writing by the Local Planning Authority.
- 15 Prior to the first occupation of the development details of the re-instatement of the redundant vehicular access shall be submitted to and approved in writing by the Local Planning Authority, to include full reconstruction of the footway with full height kerbing. The approved details shall then be implemented.

- 16 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.

*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 an area of approximately 1.54 hectares. The site, which has an existing access onto Langston Road, is presently used for the purposes of open storage of construction materials and scaffolding on its current hardsurfaced site. Prior to 2008, it was previously part of the former Bank of England sports ground.

To the north side of the site is a car park serving the former Britannia Club building, on the site now occupied by The Academy as a sport and recreational facility. On the opposite side of Langston Road is the Bank of England building, west of the site. Immediately south of the site are business units serving Prospect Business Park. To the east, the area of land between here and the M11 motorway is open grassed land at a lower level, down slope of an embankment. There is some vegetation along here on the neighbouring site.

The site is located outside of, but adjacent to, the Metropolitan Green Belt, at the northern end of a business park serviced by Langston Road off the A1168 Chigwell Lane.

### **Description of Proposal:**

This application seeks planning permission for the erection of a predominantly two storey, rectangular shaped building required for the purposes of housing a data centre.

With regard to the physical development of the site, the building proposes just over 13,000 square metres of gross internal floorspace on two floors, measuring 130 metres across the wider length of the site fronting Langston Road and 51 metres in depth. It would have a part sloping and part flat roof finish with a parapet running around the edge to a height of approximately 10.5 metres high, screening the roof of the two storey data hall and the rear single storey, which has an external plant deck of generators and chillers above, enclosed with an acoustic screen. It would be set back from the rear boundary of the site by approximately 11 metres and 15 metres from the front site boundary to Langston Road. The proposal will appear as a modern warehouse/office building clad in a mix of dark and light grey panels, trimmed with orange cladding panels and have a glazed panel finish at the southern side front entrance.

An electric sub-station is proposed to be housed within a separate building on the southern boundary in the rear part of the site. This is required by the utility board to serve the proposal.

40 car parking spaces and 10 motorcycle spaces would be provided behind a retained front boundary of existing shrubs and additional planting, served by a re-positioned vehicular access on the western front corner of the site. Part of the rear embankment at its northern extremity will be levelled to allow access to the rear building frontage and loading areas, behind a proposed retaining wall.



### **Relevant History:**

EPF/0021/07. Temporary car park. Approved 13/03/07.

EPF/2290/07 Erection of 2 Data Centres and external plant compound – Approved 2008

### **Policies Applied:**

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

DBE1 – Design of new buildings

DBE3 – Design in Urban Areas

GB7A – Conspicuous Development

ST01 – Location of development

ST02 – Accessibility of Development

ST03 – Transport Assessments

ST04 – Road safety

ST06 – Vehicle parking

CP01 – 09 (Inclusive) – Core Policies for sustainable new development

The above policies form part of the Council's 1998 Local Plan. Following the publication of the National Planning Policy Framework, policies from this plan (which was adopted pre-2004) are to be afforded due weight where they are consistent with the Framework. The above policies are broadly consistent with the NPPF and therefore are afforded full weight.

### **Summary of Representations:**

TOWN COUNCIL – Object, considered inappropriate development for the Green Belt. Members regretted the loss of the sports facility and disliked the monolithic and unattractive building proposed. It would provide little employment benefit

### **Issues and Considerations:**

The main issues in this case are:

1. The acceptability of the use of the site;
2. The impact of the development on the character and appearance of the area;
3. The impact of the development on the adjacent green belt;
4. Flood risk;
5. The acceptability of existing and proposed site landscaping; and
6. Highways and parking arrangements.

#### **1. *The acceptability of the use***

The site is in an area designated on the local plan map for employment purposes. The NPPF states that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose (paragraph 22). Little weight can be afforded to former policies E1, E2 and E3 because they state specific uses other than business, general industry or warehousing will not be permitted.

However, the proposal comprises elements of Class B1 (business) and B8 (warehouse and storage) use, which given the nature of other business uses and employment environment on this Business Park would be suitable in this location. The proposed building's operations involves some long term storage and archiving of electronic data with computer mainframe cabinets for both public and private sector industries but primarily for the high powered simultaneous processing of financial transactions, 24 hours a day, 7 days a week.

Data centres house large numbers of IT equipment, which contains electronic data that enables business transactions to take place. The applicant advises that in order to perform the function of simultaneous transactions, the site needs to be located within 40 miles of the City of London, which enables electronic transactions to take place almost simultaneously, which is critical given that valuations of transactions fluctuate by the second.

The proposal would involve the creation of a new business with additional employment. A maximum of 50 people will be employed on a shift basis, due to the 24 hour operation, and therefore there will be job opportunities for local skilled and unskilled employment. Paragraph 19 of the NPPF states that the planning system should do everything it can to support sustainable economic growth. It therefore is an economically appropriate use, in a sustainable transport location served by public transport and the M11 that conforms in principle to the NPPF. Furthermore, the principle of a data centre development on the site was accepted in the 2008 planning permission and in at least two other locations on the estate. There is no sport facility on the site, but there is on the site to the north, so its loss is not a planning consideration in this case.

The principle of the development therefore conforms to the NPPF.

## 2. Impact on character and appearance

It is considered that the design of the buildings would enhance this part of Langston Road, which appears somewhat tired and dated in relation to the southern end close to Chigwell Lane. The appearance of the existing site is poor and requires a suitable built form of development to complement this part of this Business Park. There is a variety of buildings along this road ranging from the predominantly brick built Bank of England building on the opposite side of Langston Road to the predominantly clad business units next door at The Prospect Business Park. Whilst the building is large in terms of its massing, so are other buildings along this part of the estate. In footprint and height terms it extends along the same area of the previous planning permission which was considered acceptable.

The concerns of Loughton Town Council have been taken into consideration and both National and Local planning policies see good design as a key aspect of sustainable development. The building would be of similar scale and height to neighbouring buildings and its contemporary design and elevational treatment will enhance this part of the estate. It therefore complies with local plan policies DBE1 and DBE3 and the NPPF.

## 3. Impact on the Green Belt

Policy GB7A of the local plan states that the Council will refuse planning permission for development conspicuous from within or beyond the green belt which would have an excessive adverse impact of the openness, rural character or visual amenities of the green belt. In this instance, it is considered that the development would read in relation to neighbouring solid appearance buildings as seen from the green belt in close and distant views and to traffic moving along the M11. There is some vegetation screening along the rear boundary and in conclusion, as with the previous data centre planning permission, it would not appear overly conspicuous to the extent that it would have an excessively adverse impact on the green belt.

## 4. Flood Risk

The proposed building is in a low probability at risk of flooding (Flood Zone 1), with the rear eastern embankment boundary close to a Flood Zone 2 "medium probability". The Environment Agency have advised that they are satisfied with the Flood Risk Assessment that

has been provided by the applicant and subject to the imposition of a surface water drainage condition they raise no objection to the development. The ground floor level will be raised by 800mm above the ground floor slab, so in the unlikely event of a flood, the occupants would not be affected. On this basis, it is concluded that the development would not give rise to any flooding issues.

5. Site landscaping

There is a substantial hedge around the front and southern boundaries of the site that are shown to be retained. Just outside the northern boundary, there is a hedge screen located in The Academy site. All the retained trees and hedges will need protection during the course of development and this may be dealt with by the imposition of a planning condition. There is some additional indicative landscaping shown at the front of the site, the details of which can be conditioned. Some shrub planting will be removed from the eastern rear boundary, but this is of no real quality or visual importance.

6. Highway and parking matters

The existing access would be re-sited and the parking provided would satisfy the demand for this development. Given this was a site for the parking of 220 vehicles and the previous car parking (which was ancillary to the sports ground) had 94 parking spaces, it is not therefore considered that there would be any intensification in the use of this access and its continued use is considered to be acceptable. Essex County Highway Officers have raised no objection subject to relevant conditions regarding reconstruction of the footway where the current access is and control measures to prevent the discharge of surface water from the site onto the highway.

The applicant has indicated within the Design and Access Statement that they intend to prepare a Green Travel Plan for the occupiers of the site. It is considered that this would be beneficial and could be secured by a planning condition.

**Conclusion**

In light of the above appraisal, it is considered that the proposed development would be an acceptable use of the land on this business park, as concluded by this committee previously in 2008. The contemporary design of the buildings is such that it is considered that it would enhance the appearance of this part of Langston Road and it would not appear overly conspicuous when viewed from the adjacent green belt. There are no adverse flooding, highways, parking or landscaping issues arising from the proposed development.

It would utilise an area of brownfield land which behind the front vegetation screen is under utilised and of poor appearance. The NPPF contains a presumption in favour of sustainable development and promotes economic growth. The proposal would provide new jobs, but crucially it will not be a major employer in terms of numbers that would put undue traffic pressure on the Langston Road/ Chigwell Lane traffic light junction to the south. The use of the site therefore succeeds in balancing economic need and prevention of further traffic congestion at this junction. 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:***

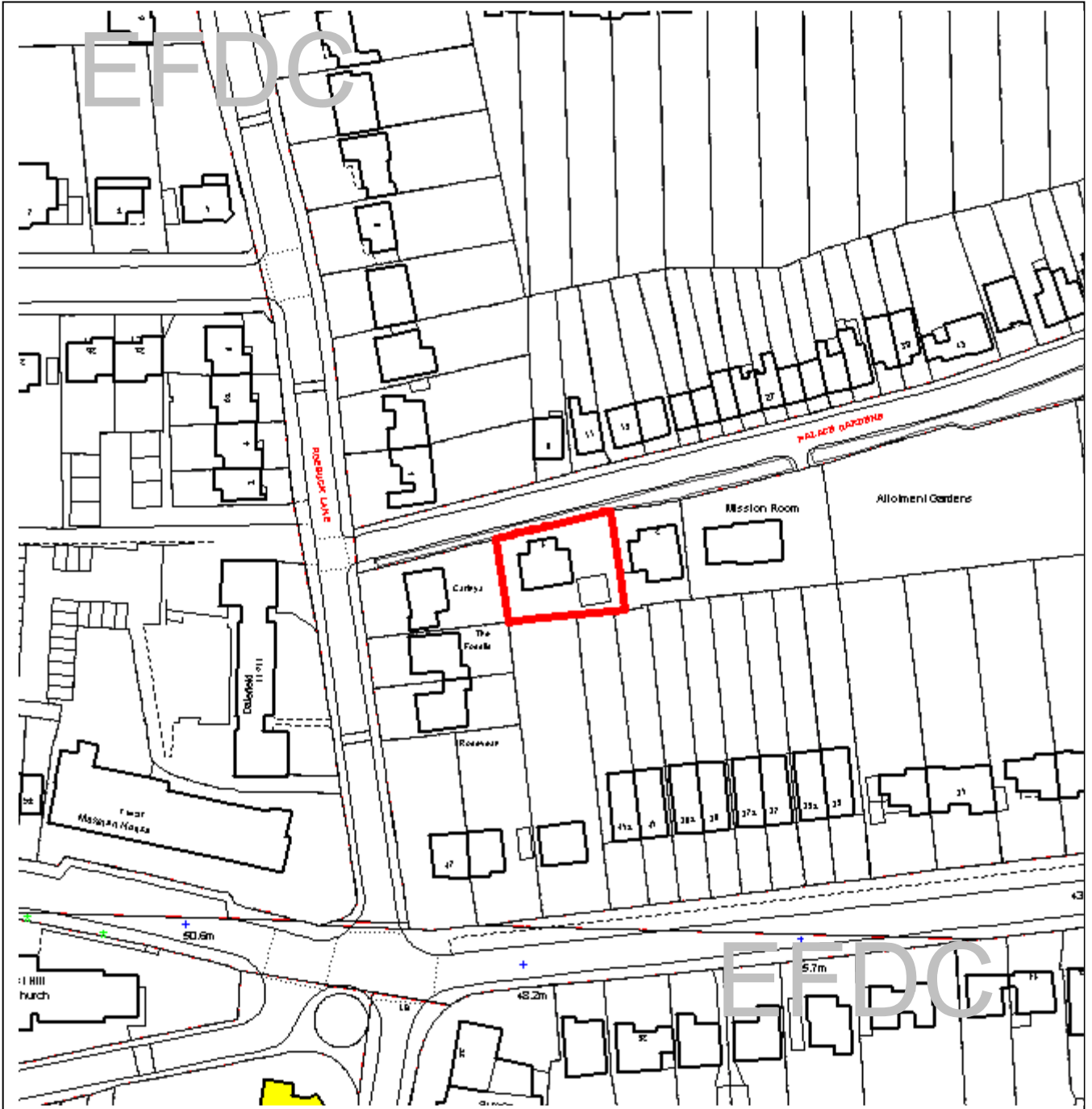
***Planning Application Case Officer: Nigel Richardson  
Direct Line Telephone Number: 01992 564110***

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



# Epping Forest District Council

## AGENDA ITEM NUMBER 5



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Application Number:	EPF/1752/13
Site Name:	1 Palace Gardens, Buckhurst Hill IG9 5PQ
Scale of Plot:	1/1250

**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/1752/13
<b>SITE ADDRESS:</b>	1 Palace Gardens Buckhurst Hill Essex IG9 5PQ
<b>PARISH:</b>	Buckhurst Hill
<b>WARD:</b>	Buckhurst Hill West
<b>APPLICANT:</b>	Mr Sunil Kumar Mohareer
<b>DESCRIPTION OF PROPOSAL:</b>	Raising of roof and loft conversion with rear dormer and front roof lights.
<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=552974](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=552974)

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

*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 detached bungalow built in the late 1980's located on the south side of Palace Gardens close to its junction with Roebuck Lane within the built up area of Buckhurst Hill.

The bungalow is in an elevated position with steps up to it from the road. Vehicular access is via a drive off Palace Gardens that is shared with No 2, a similar bungalow that faces the application site from the east. No 2 is also at an elevated position in relation to the road but it is at a slightly lower level than the application site. West of the application site at higher level fronting Roebuck

Lane is Carinya, a wide fronted bungalow with a 12m deep back garden. A distance of 13m separates the rear wall of Carinya from the flank wall of 1 Palace Gardens. Carinya has a rear facing dormer window that looks onto the site. Immediately south of Carinya is a further bungalow, The Fossils, with a back garden 10m in depth. Opposite the site is a pair of two-storey detached houses, nos 9 and 11 Palace Gardens.

There are protected trees to the front and rear of the site, although smaller bushes have been cleared from the front of the site since the previous applications, although the protected trees remain in situ. The site is relatively small and the property has a very small rear garden. The site is not within the Metropolitan Green Belt or a Conservation Area.

### **Description of Proposal:**

It is proposed to raise the roof of the bungalow and construct a flat roof dormer to the rear. The ridge height will be raised from 5m to 5.8m. The dormer measures 6.4m in width, 2m in height and 2.6m in depth and is centrally located within the roof slope. The raising of the ridge and rear dormer are to facilitate 2 bedrooms and a bathroom within the roof slope. The proposal also includes 4 roof lights to the front roof slope.

### **Relevant History:**

EPF/0538/84 - Outline application for the erection of 2 detached bungalows – App/Con  
EPF/0958/88 - Two detached bungalows and garages – App/Con  
EPF/0399/90 - Retention of two detached bungalows and garages as erected but including elevational alterations – App/Con  
EPF/0638/97 - Single storey side extension – App/Con  
EPF/0866/13 – Certificate of lawful development for a proposed rear dormer window – Not lawful (Property does not benefit from permitted development rights for extensions or alterations)  
EPF/0798/13 – Raising of roof (ridge) height – App/Con (Approved by Committee South 7<sup>th</sup> August 2013)

### **Policies Applied:**

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

CP2 – Protecting the Quality of the Rural and Built Environment  
DBE9 - Impact on amenity  
DBE10 - Extensions to dwellings

The above policies are compliant with the National Planning Policy Framework (NPPF).

### **Summary of Representations:**

BUCKHURST HILL PARISH COUNCIL: OBJECTION – Loss of amenity to the neighbouring properties, which would be overlooked; overdevelopment of the site

Neighbours: 13 neighbours consulted: the following responses received:

CARINYA, ROEBUCK LANE – OBJECTION as per previous scale of development, loss of light, privacy

2 PALACE GARDENS – STRONG OBJECTION – overshadowing, vegetation has been lost to the front area, loss of privacy from rooflights, dominant roof area, loss of light, loss of outlook, out of scale with No. 2, overdevelopment



THE FOSSILS, ROEBUCK LANE – OBJECTION loss of privacy, visual impact of increase in height, traffic congestion, drainage

11 PALACE GARDENS – OBJECTION impact on light, privacy and outlook, domineering position in the road, traffic congestion

43 PALMERSTON ROAD – OBJECTION - Scale of development, loss of light and sunlight, loss of privacy, road safety, drainage

9 PALACE GARDENS – STRONG OBJECTION to raised height, loss of light and privacy, overbearing

6 THE MEADWAY – OBJECTION – loss of privacy and overdevelopment

41A PALMERSTON ROAD – OBJECTION – Loss of privacy, not in keeping with surroundings

### **Issues and Considerations:**

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

- Impact of the proposal on the neighbouring properties
- Acceptability of the design

Although this proposal is for both the raising of the roof and the rear dormer, the roof can be raised as this was granted planning permission by EPF/0798/13. As the roof has not yet been raised, and the construction of the dormer is reliant on the raising of the roof this application is for both elements.

### **Amenity**

The closest properties to the application site are 2 Palace Gardens and Carinya, however these are both located to the side of No.1. Therefore although there may be some additional shadow cast at the beginning and end of the day due to the raising of the roof and rear dormer it is not considered to such a degree that would amount to an excessive loss of light. In terms of loss of privacy to both of these neighbouring properties, as they are situated to the flanks of No. 2, loss of privacy is also not considered a significant issue given that views to the side from either the rear dormer windows or front facing rooflights will be difficult.

With regards to neighbours to the rear of the site including The Fossils and Rosemount on Roebuck Lane and the properties on Palmerston Road the nearest of these properties is some 20m away which is considered an acceptable distance to avoid any undue loss of privacy to these properties. It is clear that No. 1 Palace Gardens has a very small rear garden, however the back to back distances between properties is more than adequate.

It is appreciated that with the addition of the first floor accommodation and installation of new windows, there may be a perception of overlooking, this is again not considered so significant to justify a refusal. Additionally, given the distances it is not considered loss of light or outlook is a significant issue given this minimum distance.

Objections have also been received relating to overlooking of properties to the front of No. 1 Palace Gardens. Although new rooflights are proposed these are at a high level, will be angled up and if any overlooking is possible this will only be to the front, more public areas of Palace Gardens and again is not considered a significant issue.

## Design

The principle of the increase in the ridge height has been accepted with the previous approval EPF/0798/13. It was considered that as a consequence of the increase in height and pitch of the roof the proposal will add additional bulk to the house at roof level thereby altering the proportions of the house such that the roof would become a more dominant feature. However it was considered that due to the vegetation and the elevated position, the change in proportions of the house would not be so significant that the proposal would fail to complement it or that the relationship with no 2 Palace Gardens would be discordant.

Since this approval, the area to the front of the site has been cleared of the lower, more shrub/bush plants, however the protected trees remain and are still considered to afford an acceptable level of screening to allow for the relatively modest increase in height. In any event the previous raising of the ridge permission is still extant and can therefore still be implemented regardless of the changes to the site.

With regards to the rear dormer it is of a relatively standard design, but is well proportioned within the proposed rear roof slope and is centrally located within the roof.

The Parish Council and some of the neighbours have commented that this application is overdevelopment of the site. While the site is compact, it would not result in the house having any additional ground area, although it is appreciated there is some additional bulk at roof height. In the circumstances, and having regard to its acceptability in design terms for the reasons set out above the proposal is not found to amount to overdevelopment of the site.

## Other Matters:

Although permitted development rights were removed from this property and therefore planning permission is required, the purpose of removal of permitted development rights is to ensure that the Council have control over any future development. This is to ensure that any development that would otherwise be permitted can be thoroughly assessed against planning policies given the specific circumstances of a site. The removal of permitted development rights was not for the purpose of preventing development regardless of its merits so it does not mean that any application will be automatically refused.

## **Conclusion:**

Although the site is compact, the proposed raising of the roof and rear dormer is considered an acceptable design and one that will not have undue impact on the amenity of neighbouring properties and on balance, given the discussion above, the proposal is recommended for approval.

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

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

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