



Epping Forest District Council

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| Application Number: | EPF/3294/21 |
| Site Name: | 295-309 High Road Loughton IG10 1AL |
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OFFICER REPORT

Application Ref: EPF/3294/21
Application Type: Full planning permission
Applicant: Metropolitan & City Properties (Ltd)
Case Officer: Marie-Claire Tovey
Site Address: 295-309 High Road
Loughton
IG10 1AL

Proposal: Roof extension to provide an additional floor of residential accommodation comprising 4 flats, and associated amenity space and including a new extension of existing staircase and additional escape staircase.

Ward: Loughton St. Mary's
Parish: Loughton
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d00000Nxx>
Recommendation: Approve with Conditions

This application is before this Committee since the recommendation is for approval contrary to an objection from a Local Council and at least one non-councillor resident, on planning grounds material to the application (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council)).

Description of Site:

The application site forms part of a block of commercial units with residential above located on the east side of the High Road. Although still part of the High Road, the site is set behind an access road which runs parallel to the High Road and a grassed and tree area separates this access from the main High Road. The application site is currently three stories, whereas the rest of this block is 4 stories in height. The application site appears as three blocks with the central block slightly forward and the most southern block is slightly lower. There is access to the rear of the site with a parking and refuse area. The site is not within the Green Belt or a Conservation Area. It is within the built up area of Loughton, opposite a supermarket and close to all the shops, services and transport links within Loughton.

Description of Proposal:

The application seeks consent for a roof extension to provide an additional floor of residential accommodation comprising 4 flats, and associated amenity space and including a new extension of existing staircase and additional escape staircase.

Relevant History:

None relevant

Policies Applied:

Local Plan (1998) and Alterations (2006)

Section 38(6) Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan currently comprises the Epping Forest District Council Adopted Local Plan (1998) and Alterations (2006).

The following policies within the current Development Plan are considered to be of relevance to this application:

CP2 – Protecting the quality of the Rural and Built Environment
DBE1 – Design of new buildings
DBE2 - Effect on neighbouring properties
DBE5 – Design and Layout of new development
DBE8 – Private amenity space
DBE9 – Loss of amenity
ST01 – Location of Development
ST06 – Vehicle Parking
LL10 – Adequacy of provision for landscape retention
TC6 – Local Centres

Epping Forest District Local Plan (Submission Version) 2017

| Policy | | Weight |
|---------------|---|---------------|
| SP2 | Spatial Development Strategy | Significant |
| DM2 | Epping Forest SAC and the Lee Valley SPA | Significant |
| DM9 | High Quality Design | Significant |
| DM10 | Housing Design and quality | Significant |
| DM11 | Waste recycling facilities on new development | Significant |
| DM10 | Housing Design and Quality | Significant |
| DM22 | Air Quality | Significant |
| T1 | Sustainable Transport Choices | Significant |
| P2 | Loughton | Significant |
| D1 | Delivery of Infrastructure | Significant |

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 57

4 Objections received from the following addresses:

297B, 309A, HIDDEN HEARING (299) HIGH ROAD and LOUGHTON RESIDENTS ASSOCIATION PLANS GROUP – Noise issues from construction, Existing parking issues, loss of flat sale, noise from stairwell, refuse size, sewer issues, impact on the SAC, top heavy,

LOUGHTON TOWN COUNCIL: The Committee OBJECTED to this application stating that by reason of its height and bulk the building would become overbearing and dominate the streetscene, destroying the overall outlook of the High Street. The increase amount of glass in the building would result in heating up of the building, and no forethought had been given to the possible future need for increase air conditioning units, which if approved, would be detrimental.

The creation of four new dwelling would mean increase car pollution and a subsequent impact on the air quality to the SAC, which would be unacceptable.

Natural England and Loughton Town Council have both advised in their main modifications responses to the Inspector (autumn 2021) that the LPSV cannot yet be considered justified, effective or consistent with national policy in relation to detriment to the SAC. Therefore, we object to this application because of the urbanisation effect, burden on recreational pressure, and damage to air quality in the SAC that the application, alone or with other projects will engender.

Main Issues and Considerations:

The main issues are considered to be the principle of the development, design and amenity, highways and parking and impact on the EFSAC.

Principle of Development

The application site is located on previously developed land within the urban area of Loughton, this location is in compliance with the ethos of SVLP policy SP2 which encourages this form of development outside of the Green Belt. The site is located above a parade of shops and on top of the shops, services and transport connections within Loughton. Due to its location it is considered a very sustainable site.

Design

The proposal results in a flat roof addition to the existing building. The proposal will follow the roofline of the existing with the southern part of the extension lower than the northern part. The proposal will be quite contemporary in appearance with clean, sharp lines and full length windows.

The proposal will sit directly above the main front wall of the below floors, but will not extend to the rear to allow for a private amenity space for each flat.

This proposal will level up with the rest of this parade which is already 4 stories. The increase in height is considered acceptable given it will be no higher than the existing situation at the other side of the block. In addition the increase height is considered suitable for this 'gateway' building into the commercial area of Loughton High Road. The proposal is therefore considered to be an acceptable addition within the streetscene and the wider area.

Impact on Amenity

Existing Neighbours

The proposal will cause some disturbance to existing occupiers during construction, this will be unavoidable but any disturbance can be controlled to a degree by condition for example by limiting working hours and ensuring a construction management plan is submitted.

Although the additional floor will allow for further views, this is not considered to be excessive above that of the existing situation from the floor below to justify a refusal. Although the nearest property is just across the accessway to the rear, it is not considered overlooking to this property as given the height of the proposal any views will be far reaching rather than directly down to this property.

A daylight and sunlight report was also submitted with particular reference to No. 3 Traps Hill (the property directly to the rear) and this has concluded that the proposal is unlikely to adversely affect the daylight and sunlight amenity of this property.

Amenity of Future Occupiers

All the flats meet the Nationally Described Space Standards and are dual aspect. In addition, each flat has access and amenity area providing some 84m² across the four additional flats. A privacy screen will have to be provided between the terraces that adjoin but this can be reasonably conditioned as such.

Highways and Parking

The proposal does not provide any additional parking spaces for the proposed dwelling but given the application site within the Town Centre of Loughton, the proposal is in line with the ethos of SVLP policy T1 which encourages reduced/car free development in sustainable locations.

A Transport Survey with parking survey was submitted with the application and Essex County Council have been consulted on the survey and this proposal. The Highways Officer found that the: *site is well located in terms of accessibility, with good access to other modes of sustainable travel. Further to this, the surrounding roads are well secured with parking restrictions to prevent ad-hoc on-street parking becoming a safety issue. Consequently, there are no highway safety or efficiency issues associated with the proposal.*

The Highways Officer therefore has no objection subject to condition ensuring the proposed cycle facilities are provided prior to first occupation and that a travel information pack is provided.

SAC and Air Quality

RESIDENTIAL APPLICATIONS: Lies in 3km of the EFSAC as defined by the Zone of Influence and would result in a net increase in Average Annual Daily Traffic on roads through the Epping Forest Special Area of Conservation Assessment under the Conservation of Habitats and Species Regulations 2017 (as amended)

A significant proportion of the Epping Forest Special Area of Conservation (the EFSAC) lies within the Epping Forest District Council administrative area. The Council has a duty under the Conservation of Habitats and Species Regulations 2017 (as amended) (the Habitats Regulations) to assess whether the development would have an adverse effect on the integrity of the EFSAC. In doing so the assessment is required to be undertaken having considered the development proposal both alone and in combination with other Plans and Projects, including with development proposed within the Epping Forest Local Plan Submission Version (LPSV).

The Council published a Habitats Regulations Assessment in January 2019 (the HRA 2019) to support the examination of the LPSV. The screening stage of the HRA 2019 concluded that there are two Pathways of Impact whereby development within Epping Forest District is likely to result in significant effects on the EFSAC. The Pathways of Impact are effects of urbanisation with a particular focus on disturbance from recreational activities arising from new residents (residential development only) and atmospheric pollution as a result of increased traffic using roads through the EFSAC (all development). Whilst it is noted that the independent Inspector appointed to examine the LPSV, in her letter dated 2 August 2019, raised some concerns regarding the robustness of elements of the methodology underpinning the appropriate assessment of the LPSV, no issues were identified in relating to the screening of the LPSV or the Pathways of Impact identified. Consequently, the Council, as Competent Authority under the Habitats Regulations, is satisfied that the Pathways of Impact to be assessed in relation to this application pertinent to the likely significant effects of development on the EFSAC alone and in-combination with other plans and projects are:

1. Recreation activities arising from new residents (recreational pressures); and
2. Atmospheric pollution as a result of increased traffic using roads through the EFSAC.

Stage 1: Screening Assessment

This application has been screened in relation to both the recreational pressures and atmospheric pollution Pathways of Impact and concludes as follows:

1. The site lies within the Zone of Influence as identified in the Interim Approach to Managing Recreational Pressure on the Epping Forest Special Area of Conservation' (the Interim Approach) adopted by the Council on 18 October 2018 as a material consideration in the determination of planning applications. Consequently, the development would result in a likely significant effect on the integrity of the EFSAC as a result of recreational pressures.
2. The development has the potential to result in a net increase in traffic using roads through the EFSAC.

Consequently, the application proposal would result in a likely significant effect on the integrity of the EFSAC in relation to both the recreational pressures and atmospheric pollution Pathways of Impact.

Having undertaken this first stage screening assessment and reached this conclusion there is a requirement to undertake an 'Appropriate Assessment' of the application proposal in relation to both the recreational pressures and atmospheric pollution Pathways of Impact.

Stage 2: 'Appropriate Assessment'

Recreational Pressures

The application proposal has the potential to increase recreational pressures on the EFSAC. However, the Council, through the development of the Interim Approach, has provided a strategic, district wide approach to mitigating recreational pressures on the EFSAC through the securing of financial contributions for access management schemes and monitoring proposals. Consequently, this application can be assessed within the context of the Interim Approach. In doing so the Council has sought to take a proportionate approach to the securing of such financial contributions, and currently only seeks these from proposals for new homes within 3km of the EFSAC, as is the case with this planning application. The applicant has agreed to make a financial contribution in accordance with the Interim Approach. Consequently, the Council is satisfied that the application proposal would not have an adverse impact on the integrity of the EFSAC subject to the satisfactory completion of a Section 106 planning obligation.

Atmospheric Pollution

The application proposal has the potential to result in a net increase in traffic using roads through the EFSAC. However, the Council, through the development of an Interim Air Pollution Mitigation Strategy (IAPMS), has provided a strategic, district wide approach to mitigating air quality impacts on the EFSAC through the imposition of planning conditions and securing of financial contributions for the implementation of strategic mitigation measures and monitoring activities. Consequently, this application can be assessed within the context of the IAPMS. The applicant has agreed to make a financial contribution in accordance with the IAPMS. In addition the application will be subject to planning conditions to secure measures as identified in the IAPMS. Consequently, the Council is satisfied that the application proposal would not have an adverse impact on the integrity of the EFSAC subject to the satisfactory completion of a Section 106 planning obligation and the imposition of relevant planning conditions.

Conclusions:

The Council is satisfied that, subject to the satisfactory completion of a Section 106 planning obligation and the imposition of relevant planning conditions as set out above, the application proposal would not have an adverse effect on the integrity of the EFSAC.

Other Matters

The Drainage Team have no objection or conditions to request relating to this application.

Air conditioning units would require planning permission if required in the future and ventilation is controlled by Building Regulations.

Conclusion:

Given the above discussion, approval subject to a legal agreement is recommended.

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

***Planning Application Case Officer: Marie-Claire Tovey
Direct Line Telephone Number: 01992 564414***

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

Conditions: (11)

- 1 The development hereby permitted shall begin not later than three years from the date of this decision.

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

- 2 The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans: 170_PL_00_99, 170_PL_00_100, 170_PL_00_101, 170_PL_00_102, 170_PL_00_103, 170_PL_01_100, 170_PL_01_101, 170_PL_01_102, 170_PL_01_103, 170_PL_01_104, 170_PL_01_110, 170_PL_01_111, 170_PL_01_112,

Reason: For the avoidance of doubt and to ensure the proposal is built in accordance with the approved plans.

- 3 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 and an assessment of the risks posed by any contamination, carried out in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced) shall be undertaken. If any contamination is found then the site shall be remediated. The remediation scheme shall be sufficiently detailed and thorough to ensure that upon completion the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to its intended use.

Reason: It is the responsibility of the developer to ensure the safe development of the site and to carry out any appropriate land contamination investigation and remediation works. The condition is to ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy RP4 of the adopted Local Plan and Alterations, and policy DM21 of the Local Plan Submission Version 2017, and the NPPF.

- 4 No deliveries, external running of plant and equipment or demolition and construction works, other than internal works not audible outside the site boundary, shall take place on the site other than between the hours of 07:30 to 18:00 on Monday to Friday and 08:00 to 13:00 on Saturday and not at all on Sundays, Public or Bank Holidays.

Reason: To ensure that the proposed construction work does not cause undue nuisance and disturbance to neighbouring properties at unreasonable hours and in accordance with policies

RP5A and DBE9 of the adopted Local Plan 1998 & 2006, and policies DM9 and DM 21 of the Local Plan Submission Version 2017, and the NPPF.

5 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. With regards to dust control measures and wheel washing, reference shall be made to the Institute of Air Quality Management (IAQM) best practice Guidance on air quality monitoring in the vicinity of demolition and construction sites and Guidance on the assessment of dust from demolition and construction.
6. A scheme for recycling/disposing of waste resulting from demolition and construction works.
7. Tree protection measures.

Reason: To limit the impact of the construction work on the living conditions of residents living in close proximity to the site, in accordance with policies RP5A and DBE9 of the adopted Local Plan and Alterations 1998 & 2006, policies DM21 & DM22 of the Local Plan Submission Version 2017, and the NPPF.

6 Prior to first occupation, the applicant/developer shall ensure that each dwelling has been provided with the necessary infrastructure to enable its connection to a superfast broadband network or alternative equivalent service.

Reason: To ensure the development contributes to supporting improved digital connectivity throughout the District and supports the wider aims and objectives for reducing car-led air pollution, improving the health and wellbeing of residents and visitors including the EFSAC, in accordance with policy CP1 of the adopted Local Plan 1998 & 2006, Policies D5, DM2, DM9, DM10 & DM22 of the Local Plan Submission Version 2017, and the NPPF.

7 Prior to any above ground works, documentary and photographic details of the type and colours of the external finishes of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance in the interests of visual amenity, in accordance with policy DBE1 of the adopted Local Plan and Alterations 1998 & 2006, policy DM9 of the Local Plan Submission Version 2017, and the NPPF.

8 Prior to first occupation of the development, measures shall be incorporated within the development to ensure a water efficiency standard of 110 litres (or less) per person per day.

Reason: The District is classed as being in an area of severe water stress and the reduction of water use is therefore required in the interests of sustainability and in accordance with policy CP2 of the adopted Local Plan and Alterations 1998 & 2006, policy DM19 of the Local Plan Submission Version 2017, and the NPPF.

- 9 Prior to any above groundworks of the development hereby permitted, details of provision for adequate storage for waste and recycling for the residential units hereby permitted shall be submitted to and approved by the Local Planning Authority. The measures as agreed shall be complete and available for use prior to first occupation of the residential units and thereafter maintained in accordance with the agreed details.

Reason: To ensure adequate provision is made in a suitable location in accordance with Policy DBE3 of the adopted Local Plan 1998 & 2006, Policy DM11 of the Local Plan Submission Version 2017, and the NPPF.

- 10 The cycle parking facilities, as shown on the approved plan, are to be provided prior to the first occupation of the development and are to be retained as such at all times. Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and accessibility. The above measures are to ensure that this proposal is not contrary to the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, policies ST2, ST4 & ST6 of the Local Plan and policy T1 of the Local Plan Submission Version 2017, and the NPPF.

- 11 Prior to first occupation of the development, the Developer shall be responsible for the provision, implementation and distribution of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator. These packs (including tickets) are to be provided by the Developer to each dwelling free of charge.

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport. The above measures are to ensure that this proposal is not contrary to the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, policies ST2, ST4 & ST6 of the Local Plan and policy T1 of the Local Plan Submission Version 2017, and the NPPF.