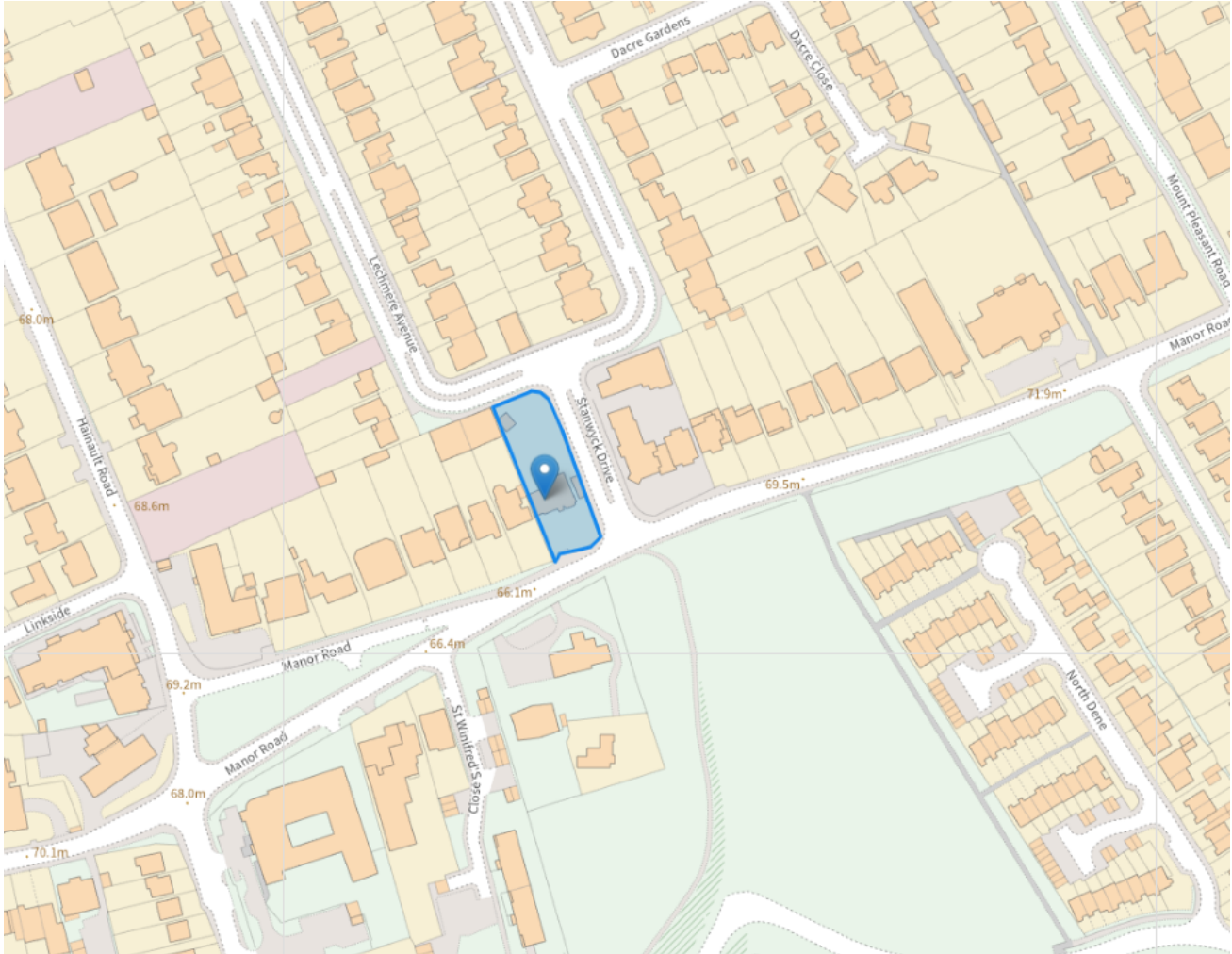




Epping Forest District Council

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Application Number:	EPF/1905/22
Site Name:	142 Manor Road Chigwell Ig7 5PR

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OFFICER REPORT

Application Ref: EPF/1905/22
Application Type: Full planning permission
Applicant: Mr Dalian Gill
Case Officer: Marie-Claire Tovey
Site Address: 142, Manor Road, Chigwell, IG7 5PR
Proposal: Demolition of 1 x detached dwelling and an erection of two buildings to accommodate 9 x 2 bed flats, along with parking amenity and landscaping at 142 Manor Road, Chigwell, Essex, IG7 5PR.
Ward: Grange Hill
Parish: Chigwell
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000000OdGp>
Recommendation: Approve with Conditions (Subject to s106 Legal Agreement)

Subject to the satisfactory completion of a Section 106 planning obligation for Air Pollution Mitigation/Monitoring contributions, Recreational Pressure/Monitoring contributions, and the relevant monitoring fee. Delegated authority is also sought to refuse the scheme should a legal agreement not be completed within 6 months from the date of the Members decision.

This application is before this Committee since it has been 'called in' by Councillor Lion (Pursuant to The Constitution Part 3: Part Three: Scheme of Delegation to Officers from Full Council)).

Description of Site:

The application site contains a two storey double fronted detached dwelling situated on the north side of Manor Road within a corner plot at the junction with Stanwyck Drive. The site is not within the Metropolitan Green Belt or a Conservation Area.

Description of Proposal:

The proposal seeks consent for the demolition of the detached dwelling and the erection of two buildings to accommodate 9 x 2 bed flats, along with parking and amenity areas. The parking will be contained within a proposed basement with vehicular access from Stanwyck Drive.

Relevant History:

The application below refers to this application site and the adjacent dwelling:

EPF/2598/16 - Demolition of 2 x no. existing dwelling houses and associated outbuildings at Nos. 140 & 142 Manor Road to be replaced with 14 x no. residential units with associated parking, cycle storage, refuse and amenity space – Refused but allowed at appeal, not implemented

Policies Applied:

Adopted Local Plan:

CP1 – Achieving Sustainable Development Objectives
CP2 – Protecting the Quality of the Rural and Built Environment
DBE1 – Design of New Buildings
DBE2 – Amenity Issues
DBE3 – Development Layout
DBE8 – Private Amenity Space

DBE9 – Loss of Amenity
ST6 – Car parking

Submission Version Local Plan (2017)

SP3-Place Shaping

H1 – Housing Mix and Accommodation Types

T1 – Sustainable Transport Choices

DM2 – Epping Forest SAC and the Lee Valley SPA

DM9 – High quality design

DM10 – Housing design and quality

DM11 – Waste recycling facilities on new development

DM18 – On site management of waste water and water supply

DM22 – Air Quality

NPPF

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 25

Responses received:

2 FONTAYNE AVENUE – Objection more residents in small spaces, greater stress on infrastructure, increase noise and disturbance, land movement from the basement, insufficient parking,

CHIGWELL PARISH COUNCIL – Concerns

– over development

-loss of green space/garden space

- increase in traffic

- demand for parking spaces (only 11 basement parking spaces for 9 flats provided, when inhabitants of a flat might own two cars)

Main Issues and Considerations:

Principle of Development

This application follows a previous appeal decision that permitted the redevelopment of both the application site and the neighbouring property into 14 flats. However this development now only proposes the redevelopment of 142 Manor Road for 9 flats. Whilst this appeal decision dates from July 2017 and therefore pre-dates the adopted Local Plan policies, and the permission was not implemented and has now expired, it is nonetheless a material planning consideration and many of the conclusions reached may still be relevant to this proposal.

The site is within the urban area of Chigwell, within a fairly sustainable location and within 600m of Grange Hill Underground Station. There are frequent bus services passing in close proximity to the application site. Within the previous appeal decision the Inspector recognised that:

13. There is a bus stop near to the appeal site on Manor Road that provides frequent services. Grange Hill Underground Station and a parade of local shops are a relatively short walk to the north-east. As such, the location is not heavily reliant on the private car for travel.

Development is encouraged on sites such as these to make best use of available land outside of the Green Belt within the District. There is no planning policy that seeks to retain family homes and flatted developments can be acceptable provided any scheme complies with adopted policy. Therefore the principle of additional flats on this site is considered acceptable.

Character and appearance

The design is a change to the existing detached dwelling on the site. However, the scheme has been designed to a domestic scale and will appear as a large wide detached property.

It is a more contemporary design than the neighbouring single dwellings, but does mirror the scale of the neighbouring dwellings. It is a diminutive proposal compared to that of Manor Hall on the opposite side of Stanwyck Drive, and that previously approved across both sites, but the bulk and scale has been well considered in comparison to the domestic streetscene. In addition, the chamfered bay feature to both the front and rear block reduces both the overall width and bulk of these blocks allowing them to better infiltrate into the streetscene.

The proposal is set off the side boundary with No. 140 Manor Road. Whilst slightly less than our standard 1m requirement, it would be separated by 0.75m and this would avoid any possible terracing effect.

To the rear, the block appears very similar to the front block. The rear block is viewed slightly more in isolation as this is to the rear of other residential gardens fronting Manor Road. However, given this is a corner plot to the rear also, it is not considered out of character since Manor Hall is two storey to the rear in a similar position.

The side elevation on to Stanwyck Drive, is considered again acceptable creating an attractive streetscene and roofscape, with an active frontage.

The Inspector concluded previously on the far larger scheme that:

4. The proposed development would result in a greater amount of built development than the existing two detached dwellings and their outbuildings, but it would reflect the footprint and layout of Manor Hall opposite. When seen in the context of existing flatted development on Manor Road, the scale and form of the proposal would not be harmful. Much of the external space within the site would be devoted to car parking, but at the front this would be little different to most properties on Manor Road, while at the rear it would reflect the hard surfacing between the two blocks at Manor Hall. Moreover, boundary walls, railings and planting would help to obscure the hard surfacing from the adjoining roads and pavements. As a consequence, the development would not be visually dominant or represent an overdevelopment of the site.

The whole site will be enclosed by a dwarf wall with railings above and planting behind, which is similar to the existing site and several other sites within the locality.

Amenity

The proposal is directly adjacent to No. 140 Manor Road and will be located within 1m of the shared boundary for both the front and rear blocks. The front block does not extend past the rear of No. 140 and therefore it is not considered that the proposal will result in any loss of light or outlook to this property.

The front block (Block A) does have rear facing windows but due to the set back from the rear of No. 140, it is not considered that this element will cause any excessive loss of privacy to No. 140. The part of front block furthest away from the shared boundary does have windows facing the shared boundary but these are only at ground floor and the first floor windows are positioned to overlook Stanwyck Drive so the design of Block A is considered sufficient to avoid any excessive overlooking.

The rear block (Block B) has been designed so that the nearest windows to the shared boundary, that face into the site are angled away from the boundary to again avoid any excessive overlooking.

Block B will be very visible from within the rear garden and from within No. 140 (and adjacent properties), however it is positioned adjacent to a large single storey outbuilding within the rear garden of No. 140 (and No. 138) and this provides some screening to the proposal.

Additionally, given the distance from the back of the properties (some 15.5m) and the fairly modest two storey height, it is not considered that the proposal is excessively overbearing to these occupiers.

To the rear, the nearest properties are located at 1 Lechmere Avenue and 2 Fontayne Avenue (Stanwyck Drive splits into these two roads to the rear of the site). There will be rear facing windows on Block B which will serve habitable rooms (bedrooms) and these will face the side of these properties and the rear gardens of these properties (and beyond). However, the proposal will be separated from these properties by the road/pavement and a minimum distance of some 16m and although some views may be possible these will be far reaching and not considered to give rise to such an excessive loss of privacy or light to these properties given this separation. This was previously considered to be the case by the Planning Inspector, who concluded that:

7. The first floor windows on the rear elevation of the rear block would look towards the flank elevation of 1 Lechmere Avenue and its rear garden as well as rear gardens further along Lechmere Avenue and Fontayne Avenue. The windows would be much nearer than the first floor rear windows of the existing houses at 140 and 142 Manor Road. However, the road in-between the proposed rear block and the properties and gardens is almost double the width of Manor Road with an island of planting in the middle. As such, the separation distance would be sufficient to avoid a negative effect on the living conditions of occupiers of Lechmere Avenue and Fontayne Avenue in terms of overlooking and privacy.

Across Stanwyck Drive, Manor Hall also has windows facing into Stanwyck Drive, however there is a separation distance of some 19m and this window to window distance is also considered acceptable.

Amenity of Future and current Occupiers

The scheme meets the nationally described space standards and therefore provides an acceptable amount of internal amenity for each flat.

Externally some 290m² of communal amenity space has been provided, and a large amount of this is between the two blocks (so more private and useable). In addition, 6 of the proposed 9 flats have direct access to a private terrace or balcony.

The proposal is also opposite the large open space adjacent to St. Winifred's so amenity space is easily obtainable.

Parking

The proposal includes 11 spaces, within a basement parking area, accessed via slope. This results in a parking space for each flat with 2 additional spaces. Although located on the Central Line 'loop', the site is within a sustainable location where a view can be taken with regards to parking provision. Within the recent appeal decision for 177 High Road, Chigwell the Inspector stated:

33. The proposal is situated within 50m of Chigwell Underground Station which is situated on the Hainault Loop of the Central Line. The line provides a service of three trains per hour in each direction to a variety of destinations, including access to Central London. There is also a bus stop in proximity with high frequency bus services. Whilst there is no supermarket, there is a good variety of local shops in Brook Parade and supermarkets in nearby settlements can be reached by bus or by cycle. Overall, I consider that the appeal site is situated within an accessible location and a reduction in parking standards is, therefore, justified in principle.

In this case, the site is further from Grange Hill station and has less accessibility to local shops, however it is considered that one parking space per flat is acceptable.

Previously the Inspector for EPF/2598/16, stated that visitors have good alternative public transport options, so the demand for visitor parking is unlikely to be high.

Ample cycle parking has been provided within the basement area.

Drainage

The Land Drainage Officer has no objection to the scheme, however has requested conditions relating to foul and surface water drainage provision.

Trees and Landscape

The Tree and Landscape Officer has no objection to the proposal subject to conditions to ensure the removal of excavated material and soft landscaping implemented in accordance with the submitted documents.

EFSAC and air quality

RESIDENTIAL APPLICATIONS: Lies in the 3km - 6.2 km 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 Impact Pathways 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 3km - 6.2 km 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 the application proposal lies more than 3km from the boundary of the EFSAC there is no requirement to make a financial contribution. Within this strategic context the Council is satisfied that the application proposal would not, as a result, have an adverse impact on the integrity of the EFSAC.

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.

Air Pollution Mitigation/Monitoring – £335 per net dwelling

Recreational Pressure/Monitoring - £343.02 per net dwelling

Notes on Comments Received

A Basement Impact Assessment has been submitted that concludes 'Overall, it is our opinion that the proposed basement will not have a significant adverse impact on the site or environment'. An informative can be attached to ensure that the Applicant is aware of potential issues surrounding subterranean development.

Conclusion:

The proposal results in new dwellings in an urban part of the District, it proposes an acceptable design, with limited harm to amenity. Therefore given the above assessment and subject to a legal agreement the application 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 564414**

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

Conditions: (15)

- 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:

002A
003A
004A
005A
006A
008A

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

- 3 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 Adopted Local Plan 2011-2033 (2023), 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 08:00 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 Adopted Local Plan 2011-2033 (2023), 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 Adopted Local Plan 2011-2033 (2023), and the NPPF.

6 Prior to any above ground works, details of levels shall have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.

Reason: To ensure the impact of the intended development upon adjacent properties and the street scene is acceptable, in accordance with policies CP2, DBE1 and DBE9 of the adopted Local Plan and Alterations 1998 & 2006, policy DM12 of the Adopted Local Plan 2011-2033 (2023), and the NPPF.

7 All material excavated from the below ground works hereby approved shall be removed from the site.

Reason: In order to ensure that levels are not altered across the site as a result of deposited materials, in the interests of amenity, in accordance with Policies CP2, DBE1 and DBE9 of the adopted Local Plan 1998 & 2006, Policies DM9 & DM21 of the Adopted Local Plan 2011-2033 (2023), and the NPPF.

8 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 Adopted Local Plan 2011-2033 (2023), and the NPPF.

- 9 Prior to preliminary ground works taking place, details of surface water and foul water disposal shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and shall be provided on site prior to the first occupation and shall be retained for the lifetime of the development.

Reason: To ensure satisfactory provision and disposal of surface and foul water in the interests of Land Drainage, in accordance with policy RP3 of the adopted Local Plan and Alterations 1998 & 2006, policies DM16 and DM18 of the Adopted Local Plan 2011-2033 (2023), and the NPPF.

- 10 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 Adopted Local Plan 2011-2033 (2023), and the NPPF.

- 11 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed and utilised to clean vehicles immediately before leaving the site. Any mud or other material deposited on nearby roads as a result of the development shall be removed.

Reason: To avoid the deposit of material on the public highway in the interests of highway safety, in accordance with policy ST4 of the adopted Local Plan and Alterations 1998 & 2006, policy T1 of the Adopted Local Plan 2011-2033 (2023), and the NPPF.

- 12 The proposed dwelling hereby permitted shall be built in accordance with Part M4 (2) of the Building Regulations.

Reason To ensure satisfactory provision of homes for people with disabilities and to meet the changing needs of households in accordance with Policy H1 of the Adopted Local Plan 2011-2033 (2023), and the NPPF.

- 13 Prior to any above groundworks, details of
- Location of active charging infrastructure; and
 - Specification of charging equipment to be used
- shall have been submitted to and approved in writing with the Local Planning Authority (LPA). The installation of Electric Vehicle Charging Points shall be completed in accordance with the approved details and made operational prior to first occupation. For the avoidance of any doubt all spaces shall have access to active Electric Vehicle Charging Points.

Reason: To ensure the development contributes to supporting the Council towards a low carbon future and the wider aims and objectives for reducing car-led air pollution in regard to the EFSAC, in accordance with policy CP1 of the adopted Local Plan 1998 & 2006, Policies T1 & DM22 of the Adopted Local Plan 2011-2033 (2023), and the NPPF.

- 14 Soft landscaping shall be implemented as shown on Oakmore Green 'soft/tree landscape plan' drawing number '14201 (dated 15th August 2022); and the accompanying planting schedule. The works shall be carried out prior to the occupation of the building or completion of the development. 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.

Reason: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, and to enable full and proper consideration be given to the impact of the proposed development on existing trees / hedges, so as to safeguard and enhance the visual amenities of the area and to ensure a satisfactory appearance to the development in accordance with policy LL10 of the adopted Local Plan 1998 & 2006, policies DM3 and DM5 of the Adopted Local Plan 2011-2033 (2023), and the NPPF 2021.

- 15 Prior to the first occupation of the development the access arrangements and other associated works, vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The access, parking and turning areas shall be retained in perpetuity for their intended purpose.

Reason: To ensure that appropriate access, vehicle parking and turning is provided. 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, Policy T1 of the Epping Forest District Local Plan 2011-2033 (2023) and the NPPF, and Policies ST4 & ST6 of the adopted Local Plan and Alterations 1998 & 2006.

Informatives: (2)

- 16 The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

- 17 The applicant is advised to note that in certain soil conditions, particularly in areas with known springs, subterranean development can impact on groundwater flows and levels. This form of development has been known to block or redirect natural groundwater flows, causing subsidence, instability, saturation and/or flooding where this was not previously occurring. If your proposed development leads to these effects on neighbouring properties and structures, you could be liable for civil litigation. You are advised to thoroughly investigate the hydrological and flooding implications of your proposed development.