

**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/0099/08
<b>SITE ADDRESS:</b>	90 Church Hill Loughton Essex IG10
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Johns
<b>APPLICANT:</b>	Miss Kay Dodds- Marishal Thompson & Co
<b>DESCRIPTION OF PROPOSAL:</b>	TPO 32/98 Oak: Fell.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 A replacement tree or trees, of a number, species, size and in a position as agreed in writing by the Local Planning Authority, shall be planted within one month of the implementation of the felling hereby agreed, unless varied with the written agreement of the Local Planning Authority. If within a period of five years from the date of planting any 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.

*This application is before this Committee since it is Council policy to present all applications to fell trees before the elected members.*

**Description of Proposal:**

T1.Oak. Fell and replace

**Description of Site:**

The oak tree is located on the north eastern boundary of the property, bounded by a raised terrace area and retaining wall construction designed to address the effect of the steeply sloping land on which the house stands. At approximately 15 metres in height, with a crown spread in excess of 8 metres, this generally well formed tree is partially visible from Church Hill, but its position behind the garage attached to the flank wall obstructs clear views of it from the main road running up Church Hill.

The house is Victorian in period and of traditional brick construction, with later single storey rear and side additions. It is attached to its southerly neighbour. Together they present a handsome building, set back some 10 metres from the road.

Church Hill is a busy route through Loughton and exclusively residential in use in this locality. The oak contributes to the leafy character of this part of Church Hill. The property benefits from a number of other native broadleaf trees growing in the front garden of 2A Pump Hill.

### **Relevant History:**

A tree application was submitted to the council on 8<sup>th</sup> November 2007, which proposed felling the oak tree marked T1 on the plan of TPO/32/98. This application was found to be unsuitable for determination due to a lack of necessary information, as required by the Epping Forest District Council approved Checklist for Subsidence Related TPO Applications.

The current application was submitted in January 2008 and the additional information provided was assessed by an appointed structural engineer. The engineer suggested that the application be returned to the applicant on the basis of lack of evidence on several critical points. A letter was sent to the applicant on 18<sup>th</sup> March 2008, suggesting that a meeting between the council appointed engineer and expert representatives for the applicant might be arranged in order that the case progress may be accelerated to a resolution.

Following further correspondence from the council to the applicant's agent, a site meeting was arranged for the 2<sup>nd</sup> September, which resulted in further site investigations at the seat of the damage within the house and the commissioning of a distortion survey of the house. This latest trial pit investigation was attended by the council appointed engineer, who was able to examine both the pit and the condition and contents of the extracted sample. From these observations a brief report was submitted giving recommendations in respect of the best course of action, which are summarised below.

### **Policies Applied:**

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

LL9 Felling of preserved trees

### **Issues and Considerations:**

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

- Evidence of tree related damage to house
- Value of the tree
- Other considerations

#### **Evidence to support application to remove tree**

When this application was first submitted, the supporting evidence was found to be poor and lacked many essential pieces of information required for a full assessment of the case. Several requests for the necessary information were made, which caused a considerable delay in progressing the case.

The latest investigations and distortion survey show clear engineering evidence of dry clay and roots described, as follows;

'The distortion survey indicates that there has been significant subsidence event centred on the lounge/kitchen partition wall affecting a substantial area of the centre of the house. '

'...the foundation to the internal wall was founded on virgin ground being friable, dry clay with large quantities of gypsum crystals..'

'Roots were encountered in the upper clay formation and a good number of these were fresh in appearance and contained moisture.'

'On the basis of my examination of the trial pit and soils arising and on my interpretation of the Distortion Survey..., I conclude that there has been a significant degree of subsidence caused by the subject tree(s) and I recommend the felling as requested by the applicant.'

### Value of the tree

- Visual amenity of the tree

The tree has some visual amenity. This is limited by its position; set back 12 metres from the front elevation, along the side boundary of this substantial house and behind the single storey garage. The top of the crown can be seen above the house roofline and most of the tree is visible when viewed directly from the drive to the front of the house. The tree is also partially screened by trees in front of it, which grow close to the boundary of the neighbouring garden.

- Life expectancy of the tree and growth potential

The tree is healthy and well formed, with a long life expectancy and significant potential for future growth, possibly to double its current size in terms of overall volume.

- Suitability of tree in current position

In the light of the above evaluations of the tree in terms of its immediate visual significance and its future development, it must be concluded that the tree is not suitable in its current position in that it will become increasingly disruptive due to its size but only marginally more visually important in the street scene landscape due to the obstruction of both the house at 90 Church Hill and the recently enlarged dwelling at 2A Pump Hill.

### Other considerations

The alternative to felling the tree might be to heavily prune the tree. This option would diminish the tree's stature and appearance to such a degree and does not guarantee a lasting remedy to the subsidence problem. Therefore, in this case, it has been discounted as a realistic course of action.

### **Conclusion:**

Although the tree has some public value it is considered that, in this case, there is justification in allowing its removal due to the evidence based link between its water demanding roots and the extensive structural damage occurring to the internal walls of the house. Replacing it with a healthy young tree, at a more suitable and publicly visible location will provide long term amenity value to the area

It is recommended to grant permission to this application on the grounds that the evidence, which shows the tree's involvement in the subsidence related damage to the house, justifies the need to remove it. The proposal therefore accords with Local Plan Landscape Policy LL9.

A condition requiring the replacement of this tree and a condition requiring prior notice of the works to remove it must be attached to the decision notice in the event of members agreeing to allow the felling.

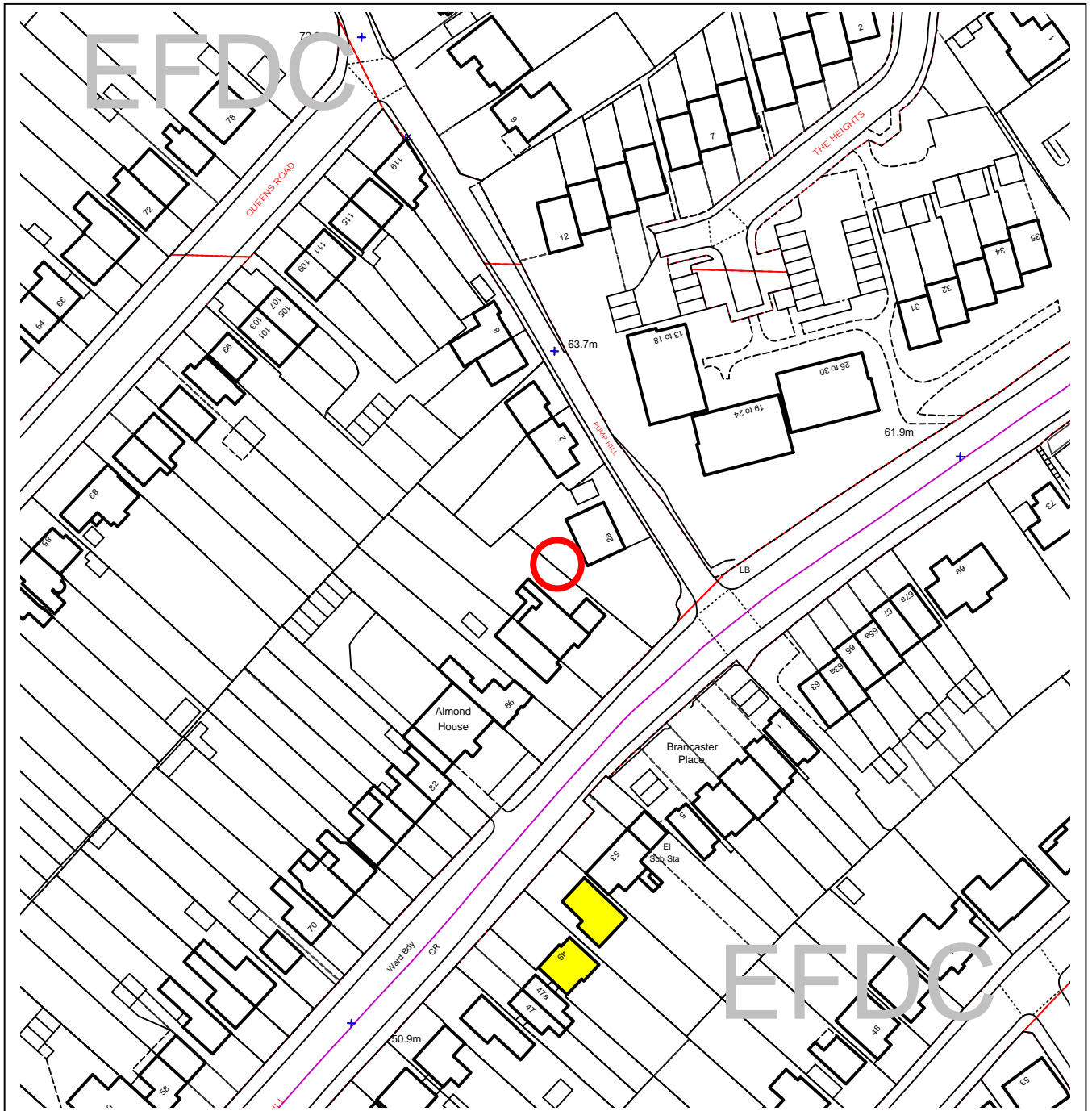
**SUMMARY OF REPRESENTATIONS:**

TOWN COUNCIL: Objects to this application. The Committee preferred for remedial work to be carried out to the property rather than see the removal of the oak tree.



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	<b>1 &amp; 2</b>
Application Number:	EPF/0099/08 & EPF/1347/08
Site Name:	90 Church Hill, Loughton, IG10 1LB
Scale of Plot:	1/1250

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/1347/08
<b>SITE ADDRESS:</b>	90 Church Hill Loughton Essex IG10 1LB
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Johns
<b>APPLICANT:</b>	Miss Kay Dodds
<b>DESCRIPTION OF PROPOSAL:</b>	TPO/EPF/32/98 T2 Ash - Fell and Replace
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 A replacement tree or trees, of a number, species, size and in a position as agreed in writing by the Local Planning Authority, shall be planted within one month of the implementation of the felling hereby agreed, unless varied with the written agreement of the Local Planning Authority. If within a period of five years from the date of planting any 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.

*This application is before this Committee since it is Council policy to present all applications to fell trees before the elected members.*

**Description of Proposal:**

T2. Ash. Fell and replace

**Description of Site:**

The ash tree is located on the north eastern boundary of the property. At approximately 11 metres in height, with a crown spread in excess of 6 metres, this generally poorly structured tree is clearly visible from Church Hill.

The house is Victorian in period and of traditional brick construction, with later single storey rear and side additions. It is attached to its southerly neighbour. Together they present a handsome building, set back some 10 metres from the road.

Church Hill is a busy route through Loughton and exclusively residential in use in this locality. The ash contributes to the leafy character of this part of Church Hill. The property benefits from a number of other native broadleaf trees growing in the front garden of 2A Pump Hill.

### **Relevant History:**

A tree application was submitted to the council on 1<sup>st</sup> July 2008, which proposed felling the ash tree marked T2 on the plan of TPO/32/98. This application was found to be unsuitable for determination due to a lack of necessary information, as required by the Epping Forest District Council approved Checklist for Subsidence Related TPO Applications.

Following further correspondence from the council to the applicant's agent in respect of another live application, a site meeting was arranged for the 2<sup>nd</sup> September, which resulted in further site investigations at the seat of the damage within the house and the commissioning of a distortion survey of the house. This latest trial pit investigation was attended by the council appointed engineer, who was able to examine both the pit and the condition and contents of the extracted sample. From these observations a brief report was submitted giving recommendations in respect of the best course of action, which are summarised below.

### **Policies Applied:**

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

LL9 Felling of preserved trees

### **Issues and Considerations:**

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

- Evidence of tree related damage to house
- Value of the tree
- Other considerations

#### **Evidence to support application to remove tree**

The latest investigations and distortion survey show clear engineering evidence of dry clay and roots described, as follows;

'...The distortion survey indicates that there has been significant subsidence event centred on the lounge/kitchen partition wall affecting a substantial area of the centre of the house.'

'...The foundation to the internal wall was founded on virgin ground being friable, dry clay with large quantities of gypsum crystals..'

' Roots were encountered in the upper clay formation and a good number of these were fresh in appearance and contained moisture.'

'...On the basis of my examination of the trial pit and soils arising and on my interpretation of the Distortion Survey..., I conclude that there has been a significant degree of subsidence caused by the subject tree(s) and I recommend the felling as requested by the applicant.'

#### Value of the tree

- Visual amenity of the tree

The tree has visual amenity but this is limited by its splayed and multi-stemmed structure. Its position along the side boundary of this substantial house, at the corner of the front drive area, provides clear views of it from Church Hill. The tree is part of a screen of trees, which grow close to the boundary of the neighbouring garden and up to the road frontage. It contributes to the leafy character of this part of Church Hill.

- Life expectancy of the tree and growth potential

The tree is healthy, with a long life expectancy and significant potential for future growth, possibly to double its current size in terms of overall volume.

- Suitability of tree in current position

The tree, in terms of its bank side location and at very close proximity to the fence, is not very suitable in its current position. It will become increasingly disruptive due to its size and extended stems, which will compete for light and increase the splayed form of the tree.

#### Other considerations

The alternative to felling the tree might be to heavily prune the tree. This option would diminish the tree's stature and appearance to such a degree and does not guarantee a lasting remedy to the subsidence problem. Therefore, in this case, it has been discounted as a realistic course of action.

#### **Conclusion:**

Although the tree has some public value it is considered that, in this case, there is justification in allowing its removal due to the evidence based link between its water demanding roots and the extensive structural damage occurring to the internal walls of the house. Replacing it with a healthy young tree, at a more suitable and publicly visible location will provide long term amenity value to the area.

It is recommended to grant permission to this application on the grounds that the evidence, which shows the tree's involvement in the subsidence related damage to the house, justifies the need to remove it. The proposal therefore accords with Local Plan Landscape Policy LL9.

A condition requiring the replacement of this tree and a condition requiring prior notice of the works to remove it must be attached to the decision notice in the event of members agreeing to allow the felling.

#### **SUMMARY OF REPRESENTATIONS:**

TOWN COUNCIL: Objects to this application. If, however, the District Council's arboriculturist deems this application acceptable... then the Committee was willing to waive its objection.



**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/1480/08
<b>SITE ADDRESS:</b>	Farmhouse Gravel Lane Chigwell Essex IG7 6DQ
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Chigwell Village
<b>APPLICANT:</b>	Mr Richard Silver
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of existing house and erection of replacement two storey four bedroom residential dwelling.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**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 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 3 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting the Order) no windows other than any shown on the approved plan shall be formed at any time in the first floor flank walls of the development hereby permitted without the prior written approval of the Local Planning Authority.
- 4 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority and these facilities installed prior to the commencement of any building works on site, and shall be used to clean vehicles leaving the site.
- 5 Prior to the commencement of development details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected before the occupation of any of the dwellings hereby approved and maintained in the agreed positions.
- 6 Prior to first occupation of the building hereby approved the proposed window openings in the first floor flank walls shall be fitted with obscured glass and have fixed frames to a height of 1.7m above the internal floor level, and shall be permanently retained in that condition.

- 7 No tree, shrub, or hedge which are shown as being retained on the approved plans shall be cut down, uprooted, wilfully damaged or destroyed, cut back in any way or removed other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. All tree works approved shall be carried out in accordance with British Standard Recommendations for Tree Work (B.S.3998: 1989).

If any tree shown to be retained in accordance with the approved plans and particulars is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 3 years of the completion of the development, another tree, shrub, or hedge shall be planted at the same place, and that tree, shrub, or hedge shall be of such size, specification, and species, and should be planted at such time as may be specified in writing by the Local Planning Authority.

If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, or dies or becomes seriously damaged 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.

- 8 Prior to the commencement of the development details of the proposed surface materials for the driveway shall be submitted to and approved in writing by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.

- 9 Prior to commencement of development, including demolition or site clearance works, a phased contaminated land investigation shall be undertaken to assess the presence of contaminants at the site in accordance with an agreed protocol as below. Should any contaminants be found in unacceptable concentrations, appropriate remediation works shall be carried out and a scheme for any necessary maintenance works adopted.

Prior to carrying out a phase 1 preliminary investigation, a protocol for the investigation shall be agreed in writing with the Local Planning Authority and the completed phase 1 investigation shall be submitted to the Local Planning Authority upon completion for approval.

Should a phase 2 main site investigation and risk assessment be necessary, a protocol for this investigation shall be submitted to and approved by the Local Planning Authority before commencing the study and the completed phase 2 investigation with remediation proposals shall be submitted to and approved by the Local Planning Authority prior to any remediation works being carried out.

Following remediation, a completion report and any necessary maintenance programme shall be submitted to the Local Planning Authority for approval prior to first occupation of the completed development.

- 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 Prior to commencement of development, details of levels shall be submitted to and approved by the Local Planning Authority showing 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 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting the Order) no development generally permitted by virtue of Part 1, Classes A and B shall be undertaken without the prior written permission of the Local Planning Authority.

*This application is before this Committee since it is an application for a non householder development and the recommendation differs from more than one expression of objection (Pursuant to Section P4, Schedule A (f) of the Council's Delegated Functions).*

**Description of proposal:**

Demolition of existing detached two storey house and erection of a replacement dwelling.

**Description of Site:**

Existing two storey house in the Green Belt. The house is set back to the west of Gravel Lane by about 30m. The land falls away gently to the north (Roseland Cottage). The site is currently well screened from Gravel Lane by a mature tree line. The site forms part of a small settlement at this location.

**Relevant History:**

Various extensions in the 1970s

**Policies Applied:**

GB2A Green belt  
GB15A Replacement Dwellings  
DBE 1 Design of new buildings  
DBE 4 Design in the Green Belt  
LL1 Landscaping

**Issues and Considerations:**

The main issues in this application are:

1. Whether a replacement house is acceptable in principle and if this particular proposal complies with Council policy on replacement houses within the Green Belt.
2. Design
3. Impact on Neighbours
4. Landscaping
5. Other Matters

### Green Belt

- This proposal would see the existing house demolished and the erection of a two storey dwelling and detached double garage, set behind the site of the present building by around 18m.
- The current house has a staggered L shaped plan, and is 9.2m with a hipped roof and an integral single storey double garage.
- The existing building has no particular merit in architectural terms.
- The replacement house will have a rectangular plan with front and rear projections and will be 10.2m high (excluding the small roof light feature) with a hipped roof.
- The scheme will have a rear single storey 'Orangery' projection and a detached double garage some 5.5m high with a hipped roof will be erected on the north east flank.
- There is a basement area which would not be visible at ground level.
  - Council Policy allows the replacement of existing dwellings in the Green Belt if the building is not materially greater in volume than the existing building and it has no further impact on openness of the Green Belt than the original dwelling.
  - The current dwelling has a floor area of 460m<sup>2</sup>. This proposal would see a dwelling with a floor area of 413m<sup>2</sup>.
  - There will be an increase in volume of 16% over the existing house but a reduction of 10% in the floor area.
  - The gaps to each boundary will change from 1.8m to 6.8m at Roseland Cottage and 1.4m to 3m to the buildings to the south.
  - Therefore the issue is whether this property is in line with Council Policy.
  - It is the case that the scheme is higher and has a larger volume than the existing house, but its floor area is reduced and the building is set further back resulting in a better relationship with its neighbours.
  - The agent argues that the increase in volume is largely due to the existing building having a series of unsightly flat roofs on the rear elevation.
  - There is no doubt that this will be a more attractive building and it is considered that on balance the reduction in the footprint and the better siting, together with the height increase only being minor, with hipped roofs which further reduce the impact of the scheme, result in a scheme which has no adverse impact on the character, appearance and openness of the Green Belt in this location.
  - The garage is sizeable, but is not excessive and adopts a scale and significance in line with the main building. The building will be over 5m from the house and will be well screened by the boundary treatment.
  - Therefore this scheme is acceptable in Green Belt terms.

### Design

- This is a significant dwelling in terms of size, and it is of reasonable appearance, with two flank chimneys and a roof light feature which is modest.
- It is considered that the design of the property is acceptable and well designed.
- Materials can be conditioned to be appropriate to this area.

### Impact on Neighbours

- The nearest neighbours are Roseland Cottage to the northwest and The Coach House to the south. Both are close to the existing property and this scheme will see the gaps to these boundaries increased.
- There will no adverse overlooking of either neighbour.
- There will be no significant loss of light to either neighbour.
- In terms of the visual impact on either neighbour, the impact on the Coach House will be minimal as the property has a similar mass on this flank, which is set back which will create a more open area.
- With regard to Roseland Cottage the new house will be moved back in line with the existing residential annex at this property. Although Rose Cottage is about 0.5m lower, the boundary is

screened by conifers and the gap to the building has been widened by the repositioning of the house.

- Therefore due to the positioning of the new building, the existing screening on the neighbours land and the design of the new house there will be no adverse impact on the amenities of Rose Cottage.
- The occupant of Turnours Hall have objected to the height and loss of light, but there will be no loss of light to their property which is 38m to the north of the site, and there will be very limited visual impact to this property which will cause no harm

#### Landscaping

- There are a number of mature trees and hedgerows on the site. These can be safeguarded by way of a landscaping condition.

#### **Conclusion**

This scheme causes no harm to the overall openness and character of the Green Belt. It is of an acceptable design which integrates well into the site. The recommendation is therefore for approval.

#### **SUMMARY OF REPRESENTATIONS**

TOWN COUNCIL – No Objection

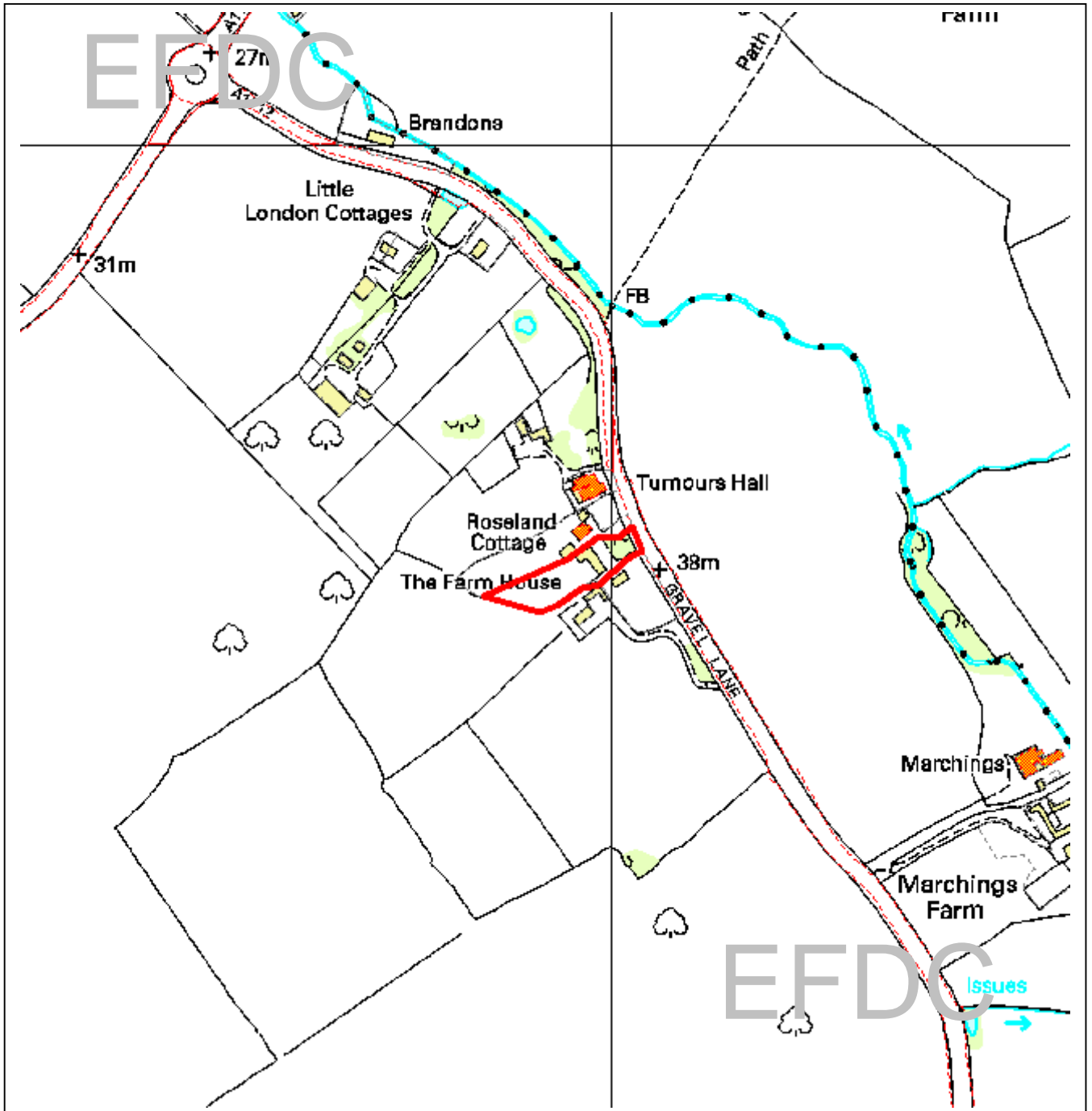
ROSELAND COTTAGE – Object, increase of height of building by 1m combined with the proposed chimneystack will have an unacceptable visual impact on us.

TURNOURS HALL – Object, The increase above the existing building is around 3m and will throw an exaggerated shadow in the morning. Moving the building to the east will exacerbate this, and so will cause both sunlight and visual overbearance issues.



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	<b>3</b>
Application Number:	EPF/1480/08
Site Name:	Farmhouse, Gravel Lane, Chigwell IG7 6DQ
Scale of Plot:	1/5000

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/1647/08
<b>SITE ADDRESS:</b>	The Stables 60A Hainault Road Chigwell Essex IG7 6QX
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Chigwell Village
<b>APPLICANT:</b>	Miss Lucy-Jane Cooper
<b>DESCRIPTION OF PROPOSAL:</b>	Single storey side extension and one window to kitchen.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**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 extension, shall match those of the existing building.

*This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions).*

**Description of Proposal:**

The proposal is for the addition of a second bedroom (4m x 2m) on the northern side of the property with a window facing westwards. The roof would be pitched to match the existing structure. The proposed materials shall also match the existing building. The proposal also includes the addition of a kitchen window to the eastern side of the property.

**Description of Site:**

The proposal site is a detached property which is located down a track off Hainault Road. The property is bordered by the track on its southern side and this borders onto the rail track serving Chigwell Station. The front of the property faces westward and is bordered by the gardens of a row of houses. The eastern boundary is an existing field and the northern boundary is where the property's garden meets the garden of 40b. This boundary has a number of mature trees.

### **Relevant History:**

EPF/1305/85 - Outline application for four bedroom house. Refuse Permission – 06/01/86  
EPF/0638/88 - Outline application for 4 Bed- room house(revised proposal). Dismissed – 15/03/89  
EPF/1111/02 - Erection of stable block. Grant Permission (with conditions) – 30/10/02  
EPF/0027/05 - Change of use of stable to single storey detached dwelling. Grant Permission (with conditions) – 30/03/05

### **Policies Applied:**

Policy DBE3 – Design in Urban Areas  
Policy DBE9 – Loss of Amenity  
Policy DBE10 – Design of Residential Extension

### **Issues and Considerations:**

The main issues to consider are any potential loss of amenity, and the design of the extension in relation to the existing building and its setting.

#### **Impact on Appearance of Area**

Policy DBE3 states that new development will ensure individual identity and character is promoted. This is supported by policy DBE10 which states that a residential extension should “complement, and where appropriate enhance” the streetscene and existing building.

This application proposes the use of a hipped roof and materials to match the existing structure. The windows are also in keeping with what currently exists. It is therefore felt that the proposal would not be out of keeping with the existing structure and would have minimal impact on the appearance of the area.

#### **Impact on Neighbours**

Policy DBE9 requires that residential extensions do not lead to loss of neighbour amenity. The property has no immediate neighbours on its eastern boundary and is bordered by an access track and then the rail line on the southern side. In relation to the northern boundary the proposal site is bordered by a large detached property. Due to the positioning of garden areas the southern elevation of the neighbouring property and the proposed extension would be approx 31m apart. There is also some tree and hedgerow cover. As there are also no proposed windows on the elevation facing this property there is not felt to be any significant loss of amenity. The property is bordered to the western side by a number of gardens/rear elevations of properties facing on to Hainault Road. It is proposed that a window on the extension would face these properties. This window would be positioned 33m approx from the nearest rear elevation. The boundaries are also separated by a solid wooden fence. As the proposed window is on the ground floor it is not felt that it would lead to any significant loss of amenity to neighbouring properties than the existing front windows.

### **Conclusion:**

As there is minimal loss to neighbouring amenity or impact on the appearance of the area it is recommended that this proposal should be APPROVED (with conditions);



**SUMMARY OF REPRESENTATIONS:**

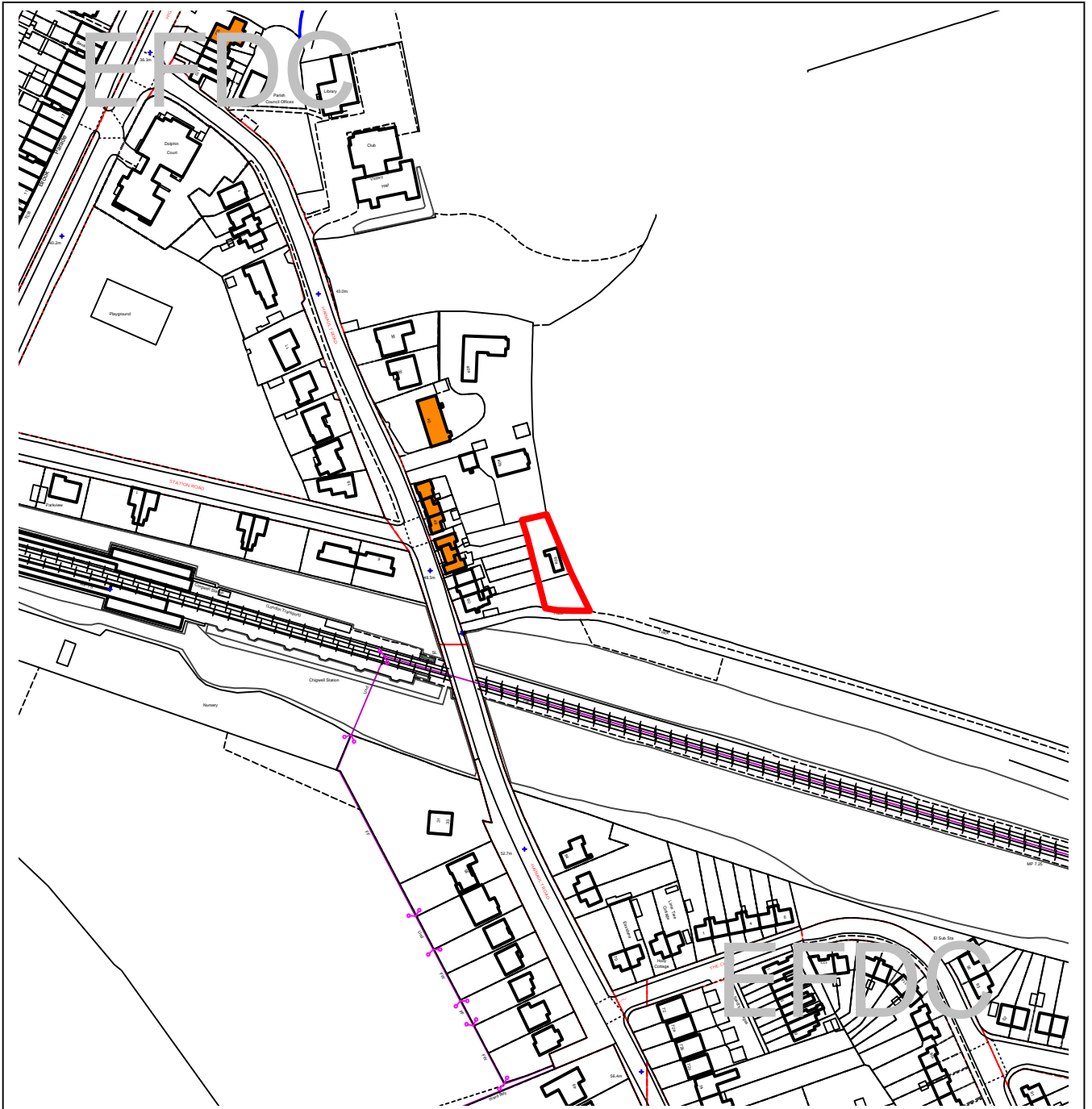
CHIGWELL TOWN COUNCIL: Objection. Cause loss of amenity to No54 and original application recognised the need for strict control on this site.

40B HAINAULT ROAD: Objection. The proposed extension will bring the building closer to 40B's fence.



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	<b>4</b>
Application Number:	%EPF/1647/08
Site Name:	The Stables, 60A Hainault Road Chigwell, IG7 6QX
Scale of Plot:	1/2500

**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/1231/08
<b>SITE ADDRESS:</b>	20 Connaught Avenue Loughton Essex IG10 4DS
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Forest
<b>APPLICANT:</b>	Mr Sajjad Sain
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of existing and erection of new five bedroom house with accommodation at basement level.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**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 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 3 Prior to first occupation of the building hereby approved the proposed window openings in first floor side elevations shall be fitted with obscured glass and have fixed frames up to a height of 1.7 metres above the finished floor level, and shall be permanently retained in that condition.
- 4 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting the Order) no windows other than any shown on the approved plan shall be formed at any time in the flank elevations of the development hereby permitted without the prior written approval of the Local Planning Authority.
- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 1, Classes A and B shall be undertaken without the prior written permission of the Local Planning Authority.
- 6 All construction/demolition works and ancillary operations which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by

the Local Planning Authority.

- 7 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.
- 8 The development, including site clearance, must not commence until a scheme of landscaping and a statement of the methods of its implementation have been submitted to the Local Planning Authority and approved in writing. The approved scheme shall be implemented within the first planting season following the completion of the development hereby approved.

The scheme must include details of the proposed planting including a plan, details of species, stock sizes and numbers/densities where appropriate, and include a timetable for its implementation. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand, and in writing.

The statement must include details of all the means by which successful establishment of the scheme will be ensured, including preparation of the planting area, planting methods, watering, weeding, mulching, use of stakes and ties, plant protection and aftercare. It must also include details of the supervision of the planting and liaison with the Local Planning Authority.

The landscaping must be carried out in accordance with the agreed scheme and statement, unless the Local Planning Authority has given its prior written consent to any variation.

- 9 Prior to the first occupation of the dwelling hereby approved, a screen shall be erected to the side of the rear balcony, as shown on the approved plans. A screen of the same height shall be retained in this position thereafter.
- 10 Prior to commencement of development, details of levels shall be submitted to and approved by the Local Planning Authority showing 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.

*This application is before this Committee since it is an application for commercial development and the recommendation differs from more than one expression of objection (Pursuant to Section P4, Schedule A (f) of the Council's Delegated Functions).*

**Description of Proposal:**

This application seeks planning permission for the demolition of the existing dwelling and its replacement with a two storey dwelling with additional accommodation (swimming pool, gym etc) in the basement.

The replacement dwelling would have a slightly larger footprint than the existing dwelling and would be located further away from the side boundary of the site with 22 Connaught Avenue.

### **Description of Site:**

*The application property is a detached chalet bungalow located in Connaught Avenue. The street is characterised by large detached houses which are predominantly two storeys in height. In this respect, the existing property is an anomaly within the street.*

### **Relevant History:**

EPF/1518/07. Demolition of existing, and erection of new six bedroom house with accommodation at basement level. Refused 15/01/08.

The application was refused for the following reasons:

- 1. The proposed dwelling would have a cramped appearance within the street scene by virtue of its proximity to the side boundary of the site, contrary to policy DBE1 of the adopted Local Plan and Alterations.*
- 2. The varying roof pitches and complex roof form of the proposed dwelling result in it having an incongruous appearance which would be harmful to the character and appearance of the area, contrary to policy DBE1 of the adopted Local Plan and Alterations.*

### **Policies Applied:**

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

DBE1 – Design of New Buildings  
DBE2/9 – Impact of New Development  
DBE6 – Residential Car Parking  
DBE8 – Private Amenity Space  
ST6 – Vehicle Parking

### **Issues and Considerations:**

The main issues to be taken into consideration when determining this application are:

1. The impact of the new dwelling on the amenities enjoyed by the occupiers of neighbouring dwellings;
2. The impact of the new dwelling on the character and appearance of the area;
3. The level of amenity that would be enjoyed by the occupiers for the proposed dwelling; and
4. The acceptability of the proposed off-street parking provision.

#### **Impact on the amenities enjoyed by the occupiers of neighbouring dwellings**

The new dwelling would extend slightly to the rear of no. 18, although not to the extent that it is considered that there would be any material loss of light or outlook. The dwelling would not extend to the rear of no.22, although this property does have several windows in the side which would receive less light due to the extension. The side of this neighbouring dwelling would be approximately 10 metres from the side of the proposed dwelling. There are two windows in the side at ground floor level, both of which provide light to the living room. However, as this also receives light from a set of patio doors and a conservatory to the rear, it is not considered that any

loss of light to the side windows would be material. At first floor level, the window serves a bedroom. It is also a secondary window and any loss of light would not, therefore, be material. This window presently has a view over no. 20 across Loughton and this view would be considerably restricted by the proposed development. However, the loss of a view is not justification for the refusal of planning permission. There is also a window in the side gable of the dwelling, providing light to the roof space. As the roof space is only used for storage purposes, this loss of light would not be material.

Balconies are proposed to the front and rear elevations of the dwelling. It is not considered that the balcony to the front of the dwelling would result in any material overlooking, as it would face onto the street, which is a public vantage point. The rear balcony would be screened on both sides by a projection of the building on the side nearest to no. 18 and by an obscure glazed screen standing 1.7 metres tall on the side closest to no. 22. It is considered that this would be sufficient to avoid any material overlooking of neighbouring gardens. Concern has been expressed by the occupiers of the neighbouring property to the rear (15 Ollards Grove) that there would be overlooking of this property. However, the new dwelling would retain a garden in excess of 25 metres in depth and it is not, therefore, considered that overlooking of properties to the rear would be material.

#### Impact on the character and appearance of the area

The principle of a two storey detached dwelling on this site is considered to be in keeping with the character and appearance of this area. Furthermore, it is considered the height of the proposed dwelling, which would be between the heights of 18 and 22 Connaught Avenue, would be in keeping with the street scene. There have been significant amendments to the design of the building following the refusal of the previous scheme. Most notably, these relate to a reduction in the width of the building which will ensure the retention of a gap of at least 1.5 metres to both side boundaries and the redesigning of the roof of the proposed dwelling, which result in it having a more integral overall appearance. It is considered that the alterations to the design of the dwelling have addressed the concerns which were previously raised, to the extent that the revised design would be in keeping with the street scene.

#### Level of amenity of the proposed dwelling

All habitable rooms within the dwelling would receive an acceptable level of natural light, outlook and privacy.

#### Parking

Sufficient space is retained at the front of the dwelling for off street parking for at least two vehicles.

#### Other Matters

Two local residents have raised concerns regarding the potential for subsidence arising from the construction of the proposed basement. However, there is no evidence of previous instances of this occurring to suggest that this would be an issue in this locality. Furthermore, it is considered that this matter is one which falls outside of the remit of the Local Planning Authority as it is dealt with under separate legislation.

Concern has also been raised by a local resident regarding the potential for damage to the surrounding highway caused by construction traffic. However, there are no special circumstances relating to the highway surrounding this site that would suggest that this is something which would be a particular problem in this location. Furthermore, as above it is considered that any damage caused would be dealt with under separate legislation, enforceable by the Highway Authority.

## **Conclusion**

In light of the above appraisal, it is considered that the proposed development would not give rise to any material harm to the amenities of the occupiers of neighbouring dwellings and would have an acceptable appearance within the street scene. The proposed dwelling itself would have an acceptable level of amenity for future occupiers and adequate provision is made for off-street parking. Accordingly, it is recommended that planning permission be granted.

## **SUMMARY OF REPRESENTATIONS:**

LOUGHTON TOWN COUNCIL. No objection.

22 CONNAUGHT AVENUE. Objection. Up to 12 people could occupy the house. This has severe implications for parking and access with only 2 parking spaces provided on site. The road is already heavily congested. Concerned that the digging out of the large basement could destabilise the hill and cause subsidence to no. 22. Concerned that heavy lorries and plant during construction would damage the pavement and road. The two storey pediment at the front is out of keeping with other properties in the area, the higher section being particularly objectionable.

24 CONNAUGHT AVENUE. Objection. Concerned regarding impacts arising from the construction of the basement. If subsidence is caused to number 22, this could then affect our property. Also concerned regarding lack of parking.

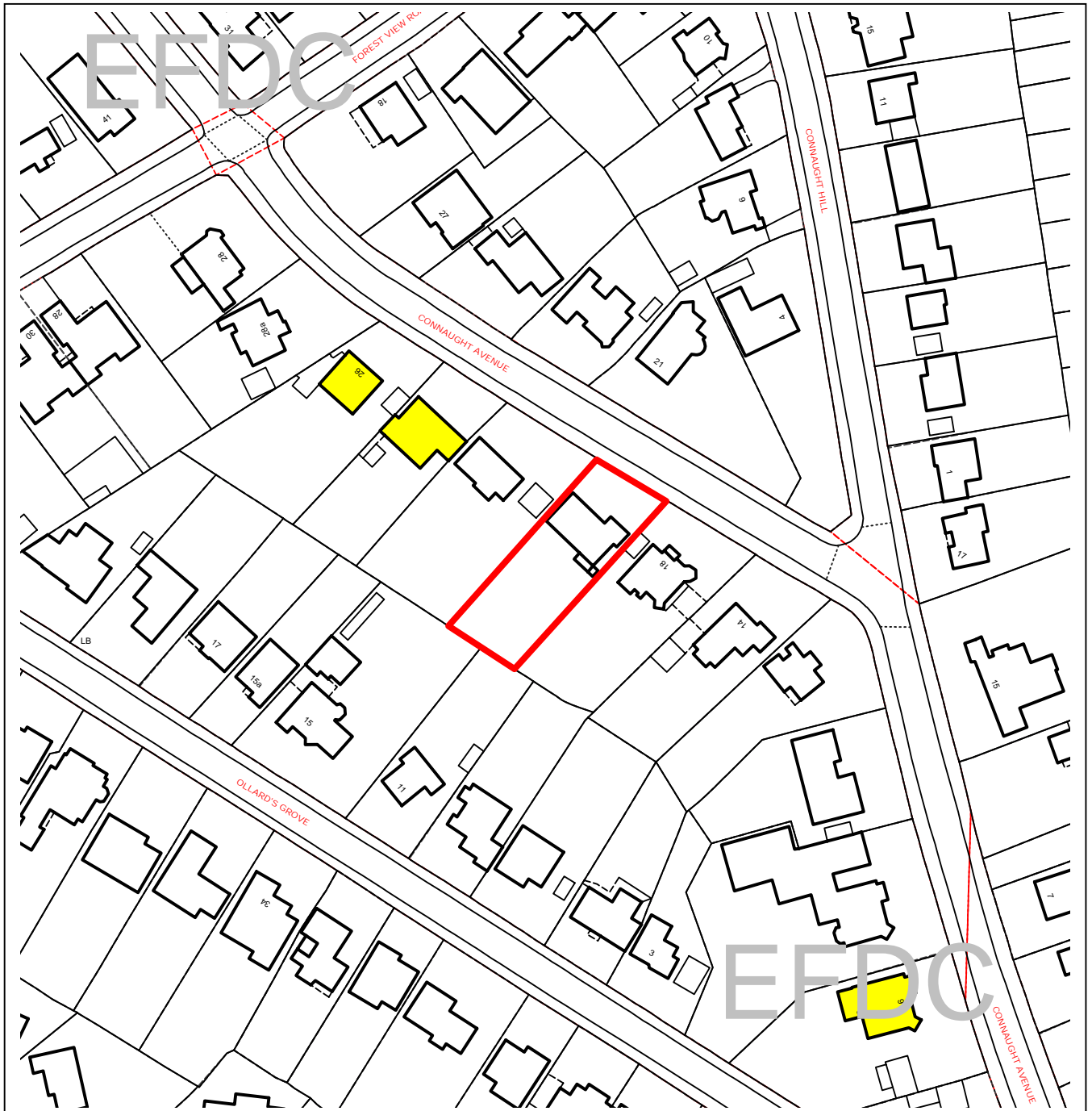
15 OLLARDS GROVE. Objection. Concerned regarding the first floor balcony to bedroom no. 4. The proposed screen would provide little or no loss of privacy to the adjoining properties. We were advised that a balcony would not be permitted at our property when we made a planning application to extend in 2005/6 – the approval of a balcony at no. 20 would be a contradiction of that standard. Also concerned regarding the roof window, which suggests that additional accommodation could be provided at a later date, causing further privacy and overlooking issues. The buildings ground level remains elevated above the average ground level of the site.

15A OLLARDS GROVE. Objection. The new building for a five bedroom house is not appropriate to the area. Parking is already heavily congested in Connaught Avenue and Ollards Grove. We are still concerned about the height of the building, the balcony overlooks our garden and conservatory. The obscure glass at the end of the balcony will provide no privacy to us or our adjoining neighbours. Also concerned regarding the roof window, possible additional bedroom at a later date.



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	<b>5</b>
Application Number:	EPF/1231/08
Site Name:	20 Connaught Avenue, Loughton IG10 4DS
Scale of Plot:	1/1250



**Report Item No: 6**

<b>APPLICATION No:</b>	EPF/1411/08
<b>SITE ADDRESS:</b>	2C Goldings Road Loughton Essex IG10 2QN
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Johns
<b>APPLICANT:</b>	Mr Arafat
<b>DESCRIPTION OF PROPOSAL:</b>	Replace existing garage and rear extension with two storey side extension and loft conversion with rear dormer to provide 1 no. one bedroom flat and 1 no. two bedroom flat.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**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 extension, shall match those of the existing building.
- 3 Prior to first occupation of the building hereby approved the proposed window openings in first floor flank shall be fitted with obscured glass and have fixed frames, and shall be permanently retained in that condition.
- 4 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting the Order) no windows other than any shown on the approved plan shall be formed at any time in the first floor flank walls of the development hereby permitted without the prior written approval of the Local Planning Authority.
- 5 Prior to the commencement of the development details of the proposed surface materials for the driveway shall be submitted to and approved in writing by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.
- 6 Gates shall not be erected on the vehicular access to the site without the prior written approval of the Local Planning Authority.

*This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions).*

**Description of proposal:**

Replace existing single storey garage and rear extension with two storey side extension and loft conversion with rear dormer to provide one x 1 bed flat and one x 2 bed flat.

**Description of Site:**

A detached two storey house on a rectangular plot on the west side of Goldings Road just north of the junction with Englands Lane. The area has a mix of terraced and semi detached single dwelling houses, and slopes up to the north across the site.

**Relevant History:**

CHI/0146/51	Garage and storeroom	approved
EPF/0216/88	Single storey rear extension	approved
EPF/0414/00	Loft conversion	approved

**Policies Applied:**

CP1, 3, 6 & 7 Core Policies re sustainable development  
H1A, H2A, H3A, H4A Housing Provision  
DBE 1, 2 Design of new buildings  
ST4 & 6 Highways & Parking  
DBE 6 Parking  
DBE 8 Amenity Space  
DBE 9 Amenity for neighbours  
DBE 10 Design  
DBE 11 Subdivision

**Issues and Considerations:**

The main issues in this application are:

1. Context of scheme and Subdivision
2. Design
3. Neighbours Amenity
4. Amenity Space
5. Sustainability
6. Highways Matters

**Building in Context**

- The plot is a maximum of 12.5m wide and about 24m deep.
- The existing property is a two storey detached house which spreads across most of the width of the plot due to the previously approved garage and rear extension, which is, however, only single storey.
- The new building will be attached to the existing two-storey dwelling at 2C Goldings Road, and would measure 5m wide by 19m deep and 8m high with a gable end pitched roof.
- The scheme will see the continuation of the first floor of No 2C over the garage in a mirror image when viewed from the front, and gives the appearance of a pair of semi detached houses.
- A gap of 2.7m will remain to the neighbour to the north (2D), which is slightly higher due to the change in levels across the sites.

- On the rear elevation the scheme will be no deeper than the existing structure, with a modest first floor projection from the roof slope with a hipped roof, and a flat roofed dormer on the rear roof slope.
- The existing large dormer on 2C will be reduced to a more appropriate and less intrusive size.
- 2 parking spaces will be provided on the front of the new building and 1 provided for the existing house, with space for another if required.
- There is no proposal before the Council to convert No 2C to flats, which will remain as a single dwelling house.
- The scheme can be comfortably accommodated on this plot and would not be either out of keeping or too large a development. The plot is wider than neighbouring properties and suitable for sub-division.
- Therefore it is the case that the physical works will have no adverse impact on the character and appearance of the street scene.
- With regard to the impact of providing flats in this residential area it is the case that this is an area of single occupied dwellings. However, the provision of these two flats will not cause any unacceptable harm to the character of the street or the immediate area by their use as flats.
- Nor does it set an unwelcome precedent, as each case must be assessed on its own merits, and there are no other similar sites in the street which would lend themselves to a similar scheme.
- The scheme would also be in line with national housing policies to provide a mix of housing types in urban areas.
- It is also the case that this site is classed as previously developed land in an urban area. The efficient reuse of such urban land is a national and local priority and this scheme complies with this priority.

#### Design

- The scheme has the appearance of a pair of semi detached houses and is not a 'standard' flat development, and would not be out of place in this diverse street scene.
- Both of the flat roofed dormers are reduced in size and height from the current large and bulky dormer and would not justify a refusal on design grounds.
- The materials can be conditioned to be appropriate to the area.

#### Amenity & Impact on Neighbours

- The main neighbours that would be affected are No 2B and 2 Goldings Road.
- Due to the careful design of the scheme there would be no adverse loss of light or sunlight to either neighbour.
- No 5A is 25m away from the scheme across the road and it causes no adverse loss of amenity to them.
- There will be no adverse overlooking of any neighbour.
- The scheme will cause no adverse loss of visual outlook to any neighbour.
- The scheme has also been designed so that the main living spaces are on the opposite side of the building to the party wall with the existing dwelling, reducing the potential for an adverse impact on the amenities of the occupants of this property.

#### Sustainability & Urban Development

- This is previously developed land. In both Policy CP6, 7 and PPS3, priority is given to the reuse of previously developed land in urban areas, but this should not be at the expense of the quality of the local environment and unsympathetic change.
- It is considered that this is a good quality and sympathetic scheme.

#### Amenity Space

- The two flats will have amenity space in the rear garden of 42m<sup>2</sup>, slightly below the Local Plan recommendation of 50m<sup>2</sup>. However this is a minor shortfall and would not justify a refusal on these grounds.

- The existing house will still have an amenity space of 127m<sup>2</sup> which is in line with the requirements of the Local Plan.

### Highways

- The scheme will provide a total of 3 parking spaces, 1 for the existing house, and 2 for the new flats, which is in line with current parking standards.
- There are no adverse highway safety implications as a result of this scheme and the site is in walking distance of bus routes.

### Conclusion

In principle, Local Plan policy DBE11 supports sub-division to flats provided it does not set an undesirable precedent nor detract from the character of the surrounding area, nor result in excessive noise and disturbance to residents. This will not set a precedent because of its size comparative to its neighbours, and the external changes and use would not harm the character of the area. The extension will be in keeping with the host building without harm caused to the amenity of neighbours. As it is only one conversion in the whole of the street, it will not be detrimental and will in fact provide efficient use of urban land in a sustainable location. The application is therefore recommended for approval.

### **SUMMARY OF REPRESENTATIONS**

TOWN COUNCIL – Object, contrary to policies DBE8, 9, 10(i) and 11(i) of the Local Plan. There were concerns that this proposal for 2 flats would set an unacceptable precedent in this residential road of family houses. The Committee considered the extension to be overbearing and having an adverse visual effect on neighbouring properties. There were also concerns about the lack of amenity space and parking provision and the potential loss of light to neighbouring properties.

LOUGHTON RESIDENTS ASSOCIATION – Object, out of character with its surrounds and constitutes inappropriate development. Design will cause disturbance to the attached property on the upper floor.

2 GOLDINGS ROAD – Object, use is not appropriate to the area and an intensification, local character will be adversely affected, will affect light to our property, overlook our garden

2A GOLDINGS ROAD – Object, large building which will be totally out of place, car parking will be affected.

2B GOLDINGS ROAD – Object, spoil the existing house, don't want to live next door to flats, conversion will lower the standard of the road, occupants of flats will cause disruption to our family.

3 GOLDINGS ROAD – Object, out of keeping with the area and an overdevelopment, will look like a block of flats, multiple occupation will change the character of the area, road safety will be compromised.

4 GOLDINGS ROAD – Object, flats will affect road safety and carbon footprint; we will be overlooked in the rear garden, inappropriate development as no other flats in Goldings Road.

5A GOLDINGS ROAD – Object, will lose sunlight to our lounge and bedroom.

7 GOLDINGS ROAD – Object, turn a home into a block, will overpower the neighbouring homes and is out of character, parking problems will be exacerbated with lack of spaces (two objections)



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	<b>6</b>
Application Number:	EPF/1411/08
Site Name:	2C Goldings Road, Loughton IG10 2QN
Scale of Plot:	1/1250

**Report Item No: 7**

<b>APPLICATION No:</b>	EPF/1703/08
<b>SITE ADDRESS:</b>	Woodberrie House Woodbury Hill Loughton Essex IG10 1JB
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Johns
<b>APPLICANT:</b>	Mr Roger Leake
<b>DESCRIPTION OF PROPOSAL:</b>	New porch to front and single storey side extension. (Revised application)
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**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 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 3 The development, including site clearance, must not commence until a tree /hedgerow protection plan, to include all the relevant details of tree/hedgerow protection has been submitted to the Local Planning Authority and approved in writing.

The statement must include a plan showing the area to be protected and fencing in accordance with the relevant British Standard (Trees in Relation to Construction-Recommendations; BS.5837:2005). It must also specify any other means needed to ensure that all of the trees/hedgerow to be retained will not be harmed during the development, including by damage to their root system, directly or indirectly.

The statement must explain how the protection will be implemented, including responsibility for site supervision, control and liaison with the LPA.

The trees/hedgerow must be protected in accordance with the agreed statement throughout the period of development, unless the Local Planning Authority has given its prior written consent to any variation.

*This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions).*

### **Description of Proposal:**

This is a revised scheme following a previous refusal under planning ref: EPF/0458/07. The revised details are for the erection of a new front porch and single storey side extension with side bay window to the south facing flank wall.

### **Description of Site:**

The subject site is a 1980s one and a half storey detached chalet bungalow built on split levels sited to the north-western side of Woodbury Hill and the ground level slopes down steeply to the northern boundary of the site. The dwellings within proximity of the site are individually styled and set in a staggered layout. The site and surrounding area is situated within the constraints of Woodbury Hill Conservation area with the added constraint of the Metropolitan Green Belt boundary.

### **Relevant History:**

- Approved 1997 EPF/1683/97 – Single storey side extension and roof light to front
- Refused in 2006 EPF/1776/06 - Replacement sheds with 2 new sheds.  
*Reasons: Material would be out of character and harmful to the character and appearance of the Conservation Area*
- Approved in 2007 EPF/0045/07 - Demolition of three garden sheds and replacement two new sheds.
- Refused 2007 EPF/0458/07 – Two x single storey side extensions, side dormer window and front porch  
*Reason: The side extension and bay window on the south flank wall on the boundary with the adjacent footpath would seriously threaten and result in the loss of an existing hedgerow, exposing the view of the proposal from the footpath and hence impair the character and appearance of the Conservation Area*

### **Policies Applied:**

Green Belt, Conservation and Residential Development Policies from Epping Forest District Council's Replacement Local Plan: -

GB2A – Development within the Green Belt

GB14A – Extensions to Residential Dwellings in the Green Belt

HC6 – Development within Conservation Areas

HC7 – Standard of development within Conservation Areas

DBE4 – New buildings in the Green Belt

DBE9 – Amenity considerations.

### **Issues and Considerations:**

The main issues in considering this revised application are whether the reasons for the previous refusal have been overcome in relation to the potential harm to the hedgerow together with the design and appearance of the resultant dwelling to the character of conservation area and appropriateness of extension within the Metropolitan Green Belt.

### **Amenity**

- The description of this proposal as with the previously refused scheme is for the erection of a front porch and one and a half storey side extension with side bay window to the south flank wall.
- The neighbour that will be most affected from the proposal is adjacent neighbour to the south boundary of the site, Woodberrie Knoll. The site is on a lower level in relation to the neighbouring site and is demarcated with a public footpath which is additionally screened by high hedges on the boundary with this site. Therefore, the proposals will not result in any harm to the amenities of this neighbour and complies with the relevant policies.

#### *Design and appearance of extensions on the character of the conservation area and green belt*

- The proposed extensions to the south flank wall and front porch extension are relatively small-scaled extensions. The size of the front porch will project to a depth of 1.0m x 3.0m in width and the side extension measures to a maximum depth of 4.9m x 1.9m in width with a separate 1.0m x 2.4m bay window addition.
- The design of the front porch adopts a pitched roof design that complements the façade of the dwelling. The one and a half storey side extension and bay window is finished with a pitched roof that minimises the visual impact of the extensions when viewed from the footpath.
- The house has not been extended from when it was originally built in the early 1980s. It is therefore considered that due to the modest size, scale and design of the extensions with appropriate materials the additions will not result in any harm to the appearance of the dwelling and will not result in a conspicuous development within the green belt.

#### *Other consideration*

- The side extension will be built within proximity of the hedges along the public footpath. These hedges form important boundary markers effectively screening the dwelling from neighbouring Woodberrie Knoll and users of the public footpath. These functions raise the amenity value of the hedge and strongly support the need for its retention, which was the reason for the previous refusal under planning ref: EPF/0458/07.
- The revised scheme takes into account adequate protection measures in order to retain the established hedgerow and the Council's Tree Officer supports this revised scheme on the proviso that appropriate conditions will be imposed to protect the established hedgerow before and during the construction phase. This overcomes the reasons for the previous refusal.
- While the Town Council's objections have been taken into account and duly noted, with the appropriate protection measures, the proposal will not result in any harm to the established hedgerow.

#### **Conclusion**

The revised scheme takes into account the reasons for the previous refusal and the proposal will not result in any harm to the established hedgerow. The design of the extensions will not be out of character within the conservation area. Therefore, this scheme complies with the relevant Local Plan Policies and as such is recommended for approval with conditions.

#### **SUMMARY OF REPRESENTATIONS:**

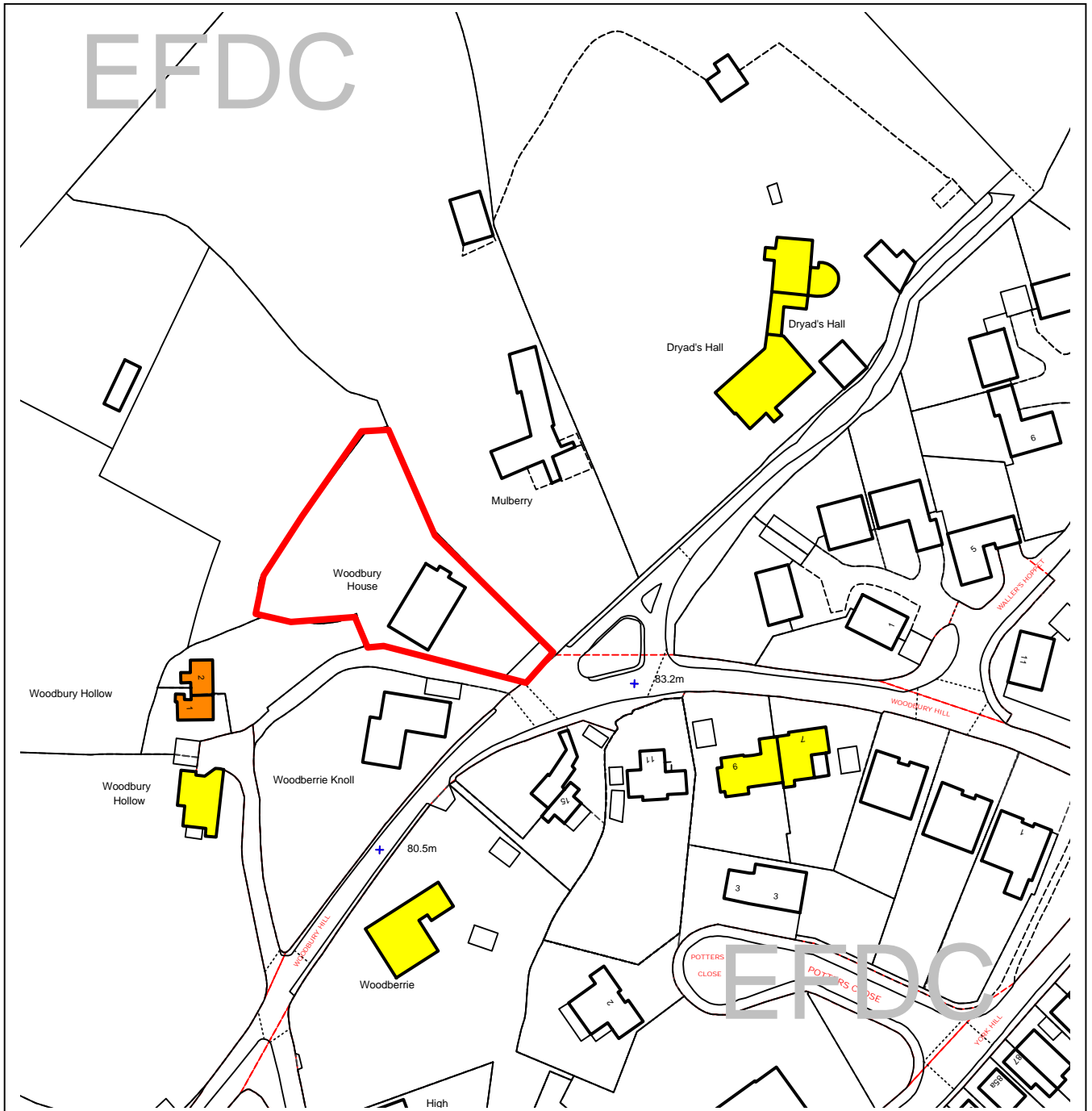
TOWN COUNCIL: The Committee OBJECTED to this revised application as it felt the proposed side extension would still be too close to the boundary posing a threat to the existing hedgerow with the resulting exposure of the building from the footpath impairing the character and the appearance of the Conservation Area. The Committee agreed that it was contrary to Policies LL10 & HC6 of Epping Forest District Council's adopted Local Plan and Alterations.





# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	7
Application Number:	EPF/1703/08
Site Name:	Woodberrie House, Woodbury Hill Loughton, IG10 1JB
Scale of Plot:	1/1250

**Report Item No: 8**

<b>APPLICATION No:</b>	EPF/1779/08
<b>SITE ADDRESS:</b>	9 - 11 High Beech Road Loughton Essex IG10 4BN
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Forest
<b>APPLICANT:</b>	Littlecroft Properties Ltd
<b>DESCRIPTION OF PROPOSAL:</b>	Ground and first floor extensions to sides, first floor infill extension to rear, new roof and front elevation remodelling. (Resubmitted application)
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**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 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 3 Prior to first occupation of the building hereby approved the proposed window openings in the first and second floor side elevations shall be fitted with obscured glass and have fixed frames to a height of 1.7m above the internal floor level, and shall be permanently retained in that condition.
- 4 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting the Order) no windows other than any shown on the approved plan shall be formed at any time in the first floor flank walls of the development hereby permitted without the prior written approval of the Local Planning Authority.
- 5 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority and these facilities installed prior to the commencement of any building works on site, and shall be used to clean vehicles leaving the site.

- 6 Before the commencement of the development or any works on site, details of the landscaping of the site, including retention of trees and other natural features, shall be submitted in writing for the approval of the Local Planning Authority, and shall be carried out as approved.
- 7 The parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of staff and visitors' vehicles.
- 8 Prior to the commencement of the development, details illustrating the provision of secure covered bicycle and motorbike parking shall be submitted to and approved in writing by the Local Planning Authority (LPA). The parking shall be implemented in accordance with these agreed details and shall be provided prior to the first use of the offices and maintained on site thereafter unless the LPA gives its written consent to any variation.
- 9 Provision shall be made for shower and changing facilities prior to first use of the premises hereby approved, the details of which shall have been previously submitted for approval in writing by the Local Planning Authority (LPA). The shower and changing facilities shall be implemented in accordance with these details and retained in situ thereafter unless otherwise agreed in writing by the LPA.
- 10 Measures shall be taken to ensure that no surface water shall drain onto the highway.
- 11 Prior to the commencement of the development, the method of construction of the foundations shall be submitted to and agreed in writing by the Local Planning Authority (LPA) The foundations shall be constructed in accordance with these approved details unless the LPA gives its written consent to any variation.
- 12 The rating level of noise (as defined by BS4142:1997) emitted from any plant room and any air conditioning units shall not exceed 5db(A) above the prevailing background noise level. The measurement position and assessment shall be made according to BS4142:1997.
- 13 Prior to the commencement of the development, a scheme that provides storage of refuse waste shall be submitted to and approved in writing by the Local Planning Authority (LPA). The scheme shall be carried out in accordance with these approved details prior to the occupation of the offices and shall be retained thereafter at all times unless otherwise agreed in writing by the LPA.
- 14 All construction/demolition works and ancillary operations (which includes deliveries and other commercial vehicles to and from the site) which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 15 The use hereby approved shall not be commenced until details of a Green Travel Plan containing a travel to work car use and car parking arrangement strategy of the development as a whole has been submitted to and approved in writing by the Local Planning Authority. The Plan shall comprise details to reduce car dependence and vehicle emissions and to establish and encourage the use of alternative transport modes of journeys to and from work and during working hours, including how to

deter visitors arriving and departing by motor car. Details of the proposals shall include measures to secure increases in car sharing, public transport use, cycling and walking, proposals for car parking restrictions and controls and details of on-site facilities to promote alternative modes of travel to the site. The plan shall contain relevant surveys, publicity and marketing; review and monitoring mechanisms shall identify targets, timescales and phasing programmes and on-site management responsibilities. The plan shall be implemented as approved and be subject to annual review for the first 5 years. This shall be carried out in conjunction with the Local Planning Authority.

*This application is before this Committee for the following reasons:*

- *This application is before this Committee since it is an application for commercial development and the recommendation differs from more than one expression of objection (Pursuant to Section P4, Schedule A (f) of the Council's Delegated Functions).*
- *This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions).*

### **Description of Proposal:**

This application seeks planning permission for extensions to the existing office building.

An existing two-storey side extension would be brought forward to align with the adjacent building and on the other side, the ground floor infilled under an existing first floor. In both cases, matching central ridged pitching roofs will be added to existing non-conforming roofs. In addition, a pair of double height bay windows will be built onto the front façade of the existing building.

At the rear, a first floor extension is proposed in between two similar rear projections. There will also be a reduction in the footprint of the ground floor at the rear with the removal of an existing single-storey extension to create an extended car parking area for 6 cars, accessed as existing from Smarts Lane.

### **Description of Site:**

The application site comprises a two storey building located on the eastern side of High Beech Road. The surrounding area is predominantly residential, however the building immediately to the north of the site is a taller three storey office block, which has a Mansard roof. The building immediately to the south is a two-storey residential building with a front bay window. The application building has a plain 1960s façade, linked to those either side by flat roofed 'additions', one of which has a void at ground floor level, allowing access to the entrance in the side of the building.

The road comprises a mixture of building styles, with two storey houses predominant. Three storey townhouses are directly opposite the site. Immediately to the rear are houses at No. 14b – 18 Smarts Lane. Their rear gardens back onto the site and the applicant's car parking area is accessed via a driveway off of Smarts Lane, between nos. 18 and 18a.

Within the vicinity of the site there are two public car parks; Smarts Lane and High Beech Lane. These are well used car parks and invariably nearly full during the day. Both Smarts Lane and High Beech Road have single yellow lines along one side with restrictions between 0930-1830. The other sides of both roads are generally parked up. However, these roads and car parks are very close to the main High Road commercial area. There is a mature street tree just in front of the site.

### **Relevant History:**

CHIG/125/54 – Alterations to form offices. Granted permission on 16/6/1954.  
CHIG/125A/54 – Alterations to form offices. Granted permission on 20/3/1957.  
CHIG/27/63 – Erection of addition to offices. Granted permission on 20/2/1963.  
CHIG/267/66 – Erection of addition to offices. Granted permission on 20/10/1966.  
EPF/1558/06 - Demolition of existing office and erection of three storey office. Refused permission on 07/12/2006 (appeal subsequently withdrawn).  
EPF/2640/07 - Extensions to offices – refused permission on 05/03/2008, currently subject of an appeal with a public inquiry set for 2 days in December.

### **Policies Applied:**

CP3 – New development  
CP6 – Achieving sustainable urban development patterns  
CP9 – Sustainable transport  
E4A – Protection of employment sites  
DBE1 – Design of new buildings  
DBE2 – Effect of new buildings on surrounding area  
DBE9 – Amenity considerations  
ST4 – Highway safety  
ST6 – Vehicle parking

### **Issues and Considerations:**

The main issue to be considered in this application are:

1. The impact of the proposed dwelling on the occupiers of neighbouring dwellings;
2. The impact of the proposed development on the character and appearance of the area;  
and
3. The impact of the proposed development on highways and parking.

### **Background**

This site has been subject of a planning application in 2008 (EPF/2640/07) for extensions to the existing office building to provide more office accommodation. This was considered at Sub Committee South on 07 March 2008 with an Officers recommendation for approval.

The Committee refused the application, citing the reasons for refusal as:

1. *The increase in height in relation to the adjoining buildings would have a detrimental effect upon the street scene.*
2. *The extension would appear over dominant and have a harmful visual impact upon the occupants of neighbouring residential properties to the rear in Smarts Lane.*
3. *Inadequate information was submitted in respect of staff levels and a travel plan, and together with inadequate provision for off-street parking in the site, the proposed substantial increase in office floor space would result in parking and traffic congestion.*

This refusal has been appealed and is to be subject of a Public Inquiry later this year. The applicant asked for the appeal to be placed in abeyance whilst this further application is submitted, which the Planning Inspectorate have agreed to.

### Applicants Case

Compared with the previous planning application, the applicants agent has provided more information including clearer elevations showing 3 dimensions of the proposed extensions relative to the street scene and neighbouring buildings, shadow diagrams showing before and after light impact, aerial views and further facilities to encourage use of public transport by staff (showers, Travel Plan Notice Board). He states that the application is to upgrade and provide a modest increase in floor space and more efficient use of the existing building for office purposes.

In addition the appellant has drawn to our attention the outcome of a series of recent appeals concerning 1 Connaught Avenue, which he also owns and is in close walking distance of the application site. It too is an office building in need of modernising and was the subject of three applications lodged with the Council in 2007 for a two storey extension, a further single storey extension combined with the two storey extension, and after these two applications had been refused, a separate application for single storey extension.

Members overturned Officer recommendations and refused all three applications on the grounds of adverse impact on the street scene, adverse impact on the amenities of immediate neighbours, and lack of parking provision and sustainable travel options. A 3-day Public Inquiry appeal against these refusals heard evidence from the immediate neighbour, with his own Planning barrister and Planning Agent, a Councillor of this Committee, a Planning Officer and an independent Highways Consultant (County Highways Officers had raised no objection to the planning applications).

All three appeals were allowed, and the Council's case was dismissed. A separate application for costs by the appellant was successful for both of the first two applications and partially successful for the third application. This is a substantial sum and is about to be settled.

The applicant has stated that the issues at High Beech Road, whilst not identical, are very similar to that of No 1 Connaught Avenue, viz: impact on street scene, neighbours and parking. The sites are in the same location (south Loughton in streets of a residential character just off of the High Street), and for serviced offices, with limited on-site parking, close to excellent public transport links.

He has instructed the same team of Barristers and Professional Experts to that assembled for the Connaught Avenue appeal and has been advised that they are very confident of success in this forthcoming appeal.

He has therefore submitted this planning application for this site with further supporting information in relation to the street scene and residential amenity issues, and agrees a travel plan for the site, and hopes that the Committee will review this further information and grant permission, avoiding the cost and burden on all parties' time and resources in preparing and taking part in a public inquiry. Should this application be granted planning permission, the applicant will withdraw his appeal.

### Officer Comments on applicants case

It is of course a matter for Member's to decide whether they feel the extra supporting information this time is sufficient for the Committee to come to an alternative view and support the Officer's recommendation to grant planning permission.

Officer's view is that given the Planning Inspector's judgement and award of costs against the Council, there are similar issues in this case and a prospect that the same decision could be made here. The applicant has assembled the same team of planning consultants and barrister and will make an application for costs. The Council should not of course decline to support a planning application because of the fear of costs, but its reasons do need to be substantiated. In the case of 1 Connaught Avenue, this was difficult because the street scene is varied, parking not such an issue because of the proximity to the High Street and public transport and the effect on the amenity of neighbours not significant.

The same issues relate to this site, but this time there is more information in the plans for Members in the terms of the analysis of visual impact, sunlight and daylight matters that were not evident before. Officers support their previous reasons for recommending grant of planning permission and this is further confirmed in the submission of this additional material.

### Impact on neighbours

Concern has been raised by the occupiers of properties opposite the site that the proposed development would give rise to a material loss of privacy. However, these properties are separated from the site by the street and it is not considered that the relationship between the buildings would be worse than others within the vicinity.

It is considered that properties in Smarts Lane, to the rear of the application site, would be more affected. 16 and 16a are directly behind the site, located a distance of between approximately 8.5 and 14 metres away. Accordingly, the view from these properties (which appear to be relatively recent additions to the street) is presently limited. The upper floor of the application building is set back a further 3.5 metres from these properties. The main alteration which would affect these properties would be the infilling of the first floor rear, resulting in an almost continuous frontage and the insertion of roof lights. The roof lights would be approximately 1.5 metres above floor level. Due to their height and restricted view that would arise from the angle at which the roof lights would be set, it is not considered that any overlooking would be greater than that which presently exists from the first floor windows. There may be an increase in resident's perception of being overlooked, but having regard to the position and number of windows presently in the rear elevation, it is not considered that this would be so harmful as to justify the refusal of planning permission.

Residents in Smarts Lane have also raised objections on the basis of loss of light. As the application site is located to the west of these residential properties, it is considered likely that there would be some loss of later afternoon/evening sun caused by the addition of pitched roofs to the flat roofed sections of the building. However, this would not be significant given the widths of these sections of the building and due to the heights of existing buildings either side. Furthermore, it is not considered that the additions are substantial enough to cause a material loss of daylight. Due to the 'infill' nature of the extensions proposed, it is not considered that there would be any material reduction in outlook.

The neighbouring property, 7 High Beech Lane is also residential and is within the applicant's ownership. This property has an area of garden to the rear and a second area of garden to the side, which is afforded some privacy by boundary planting. As the bulk of the extension to the side of the application building would infill the existing void, this would not impact upon the garden area of no. 7. However, the single storey addition to the rear of the building would extend along the remainder of the rear garden of this property. This would have only a limited additional impact on this property, due to the present impact of the existing building.

### Character and Appearance

It is considered that the proposed alterations would improve the appearance of the building and would, therefore, have a positive impact on the visual amenities of the area. The addition of the pitched roofs and the addition of the bays in the front elevation would enhance what is presently a fairly dated and bland elevation. Similar features exist in the street (bay window on the adjacent building) and the present flat roofs are an unfortunate reminder of 1960's design that do not conform to this or neighbouring buildings. In streetscape terms, the extensions will enhance the appearance of the building. The new roof will be at a shallower roof angle and higher ridge than no.7, but it conforms to good design principles, relating well to the host building and in a visually varied part of the street scene, it will not appear incongruous or out of keeping.

### Highways and Parking

The application proposes six car parking spaces to the rear of the site. These are not additional parking spaces; the existing, rather informal, layout would be revised.

Parking issues were not stated as a reason for refusal for the previous application on this site. Concern has been raised about the additional parking that would be generated as a result of this development. Whilst this is acknowledged and understood, the site is located in a highly accessible location, and is well served by public transport. Parking standards no longer require minimum provision of parking spaces for new developments, but set maximum levels to reduce reliance on the private car and encourage more sustainable means of transport. In this instance, the maximum standard for the total development would be 16 spaces.

This development proposes secure bicycle and motorcycle parking, and the applicant has stated that showering and changing facilities will be provided for staff who opt to walk or cycle to work. Additionally, the applicant advises that a Travel Plan notice board will be provided in a prominent location, this will be used to display public transport timetables and advertise car sharing opportunities. It is not considered that the proposed development would attract large numbers of additional people to the site and accordingly, a Travel Plan is not required by Policy ST5 of the local plan. Notwithstanding this, it is considered that the initiatives that are put forward voluntarily by the applicant, together with the location of the building means that the development complies with the principles of sustainable development. For these reasons, it is considered that the provision of parking below the maximum standard is justified.

### Conclusion

The level of objection to this development and the comments made have been fully considered. However, in light of the above appraisal, the submitted clearer evidence and the recent appeal at Connaught Avenue, it is considered that the proposed development would not be detrimental to the occupiers of neighbouring residential properties and would improve the appearance of the building within the street scene. Furthermore, it is considered that the proposed level of car parking is justified. Whilst appreciating the objections raised by local residents, the fact remains that there are already windows and extensions at this level and position and the three dimensional drawings demonstrate how they relate to the main building and the locality without causing visual harm. Accordingly, it is recommended that planning permission be granted.

## **SUMMARY OF REPRESENTATIONS**

The Town Council have not yet responded to the scheme and their comments will be reported orally to the Committee. Their previous comments were:



LOUGHTON TOWN COUNCIL. Objection. The Committee objected to this application which is contrary to Policy DBE9 (ii) of EFDC's adopted Local Plan and Alterations due to overlooking at the rear, intensification of parking and road safety problems in an already dangerous street.

14 SMARTS LANE. Objection. This is an overdevelopment, bulkier and will bring the building within feet of the Smarts Lane properties, increase overlooking and reduce privacy, loss of light.

14a SMARTS LANE. Objection still applies - Will take away privacy and daylight. Will bring more pollution and noise to us.

16a SMARTS LANE. Objection. Will take away privacy and daylight. Will bring more pollution and noise to us. Is no different from the last application and should be refused.

18 SMARTS LANE. Objection. This would result in an excessive and intrusive level of overlooking to residents in Smarts Lane. It would be an overdevelopment of the site in terms of scale and bulk. The design is not on keeping with the existing environment and would be visually intrusive to the street scene. The development would intensify the parking situation.

22 SMARTS LANE. Objection, is part of a residential conservation area and will bring more cars and people into an already full to capacity area.

24a HIGH BEECH ROAD. Objection still stands. The extension will cause mess, noise and inconvenience. Parking will worsen. The top floor will look directly into my bedroom invading my privacy. There is no need for more office space in a residential road. The rear of the building would infringe on properties in Smarts Lane.

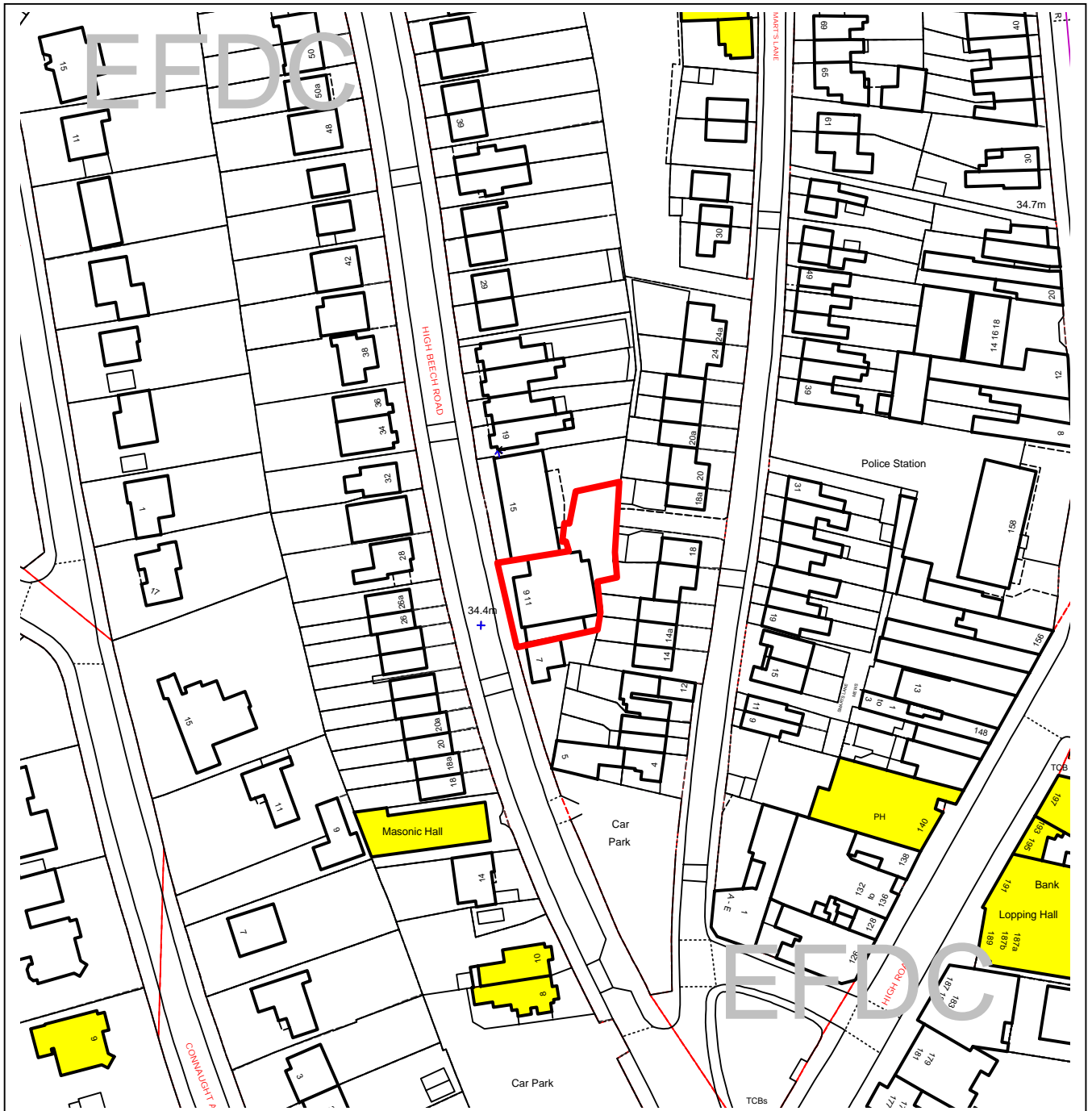
26 HIGH BEECH ROAD. Objection. My original objection still stands (More offices would worsen existing parking problems. The top floor faces directly into my lounge. The construction process will be noisy), how many times are they going to apply?

LOUGHTON RESIDENTS ASSOCIATION (PLANS GROUP) – Object for the same reasons as the last application – because of its detrimental effect on the street scene, harmful effect on neighbouring properties because of over-dominance, lack of info on staff levels and travel plans and inadequate parking.



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	<b>8</b>
Application Number:	EPF/1779/08
Site Name:	9 - 11 High Beech Road, Loughton IG10 4BN
Scale of Plot:	1/1250

**Report Item No: 9**

<b>APPLICATION No:</b>	EPF/1615/08
<b>SITE ADDRESS:</b>	160 Loughton Way Buckhurst Hill Essex IG9 6AR
<b>PARISH:</b>	Buckhurst Hill
<b>WARD:</b>	Buckhurst Hill East
<b>APPLICANT:</b>	Mr Syed Muhith
<b>DESCRIPTION OF PROPOSAL:</b>	Change of use from an A1 shop to A5 takeaway.(revised application)
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**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 takeaway hereby permitted shall not be open to customers outside the hours of 0900 to 2200 on Mondays to Thursdays and 0900 to 2300 on Fridays and Saturdays, and at no time on Sundays or Public/Bank Holidays.
- 3 No development shall take place prior to submission and approval in writing by the Local Planning Authority of an appropriate mechanical extraction system to suppress and disperse cooking/food preparation fumes to a minimum. The system shall be installed strictly in accordance with the approved details, be in full working order, and be in use at all times that the premises are open for business, and shall be operated and maintained in accordance with the manufacturer's instructions.
- 4 Detailed drawings that show adequate provision for foul drainage from the kitchen shall be submitted to and approved by the Local Planning Authority. Drains serving the kitchens in the development shall be fitted with a grease separator, as detailed in the building Regulations 2000, Approved Document H (Drainage and waste disposal), to comply with prEN 1825-1 and designed in accordance with prEN 1825-2 (Installations for separation of grease) or other effective means of removal. The approved drainage shall be retained and maintained while the premises are in use.
- 5 Prior to the premises being brought into use for the purpose hereby permitted, a scheme providing for the adequate storage of refuse from this use shall be submitted to and approved by the Local Planning Authority. The scheme shall be carried out and thereafter retained at all times.

*This application is before this Committee since it is an application for commercial development and the recommendation differs from more than one expression of objection (Pursuant to Section P4, Schedule A (f) of the Council's Delegated Functions).*

### **Description of Proposal:**

Permission is sought to change the existing sui generis use as a tanning and beauty parlour for the vacant commercial premises into a takeaway – A5 Use.

### **Description of Site:**

The subject site accommodates one of 12 ground floor commercial shop units located on the north-western side of Loughton Way. The shop is currently vacant with a two-storey level above used for residential purposes. The parade provides a lay-by that serves single lane traffic with vehicle parking and benefits from service access and parking to the rear. Within the vicinity of the site are residential dwellings and there is a public house to the north of the site.

### **Relevant History:**

Approved CHI/0339/64 – Use of shop as launderette

Approved EPF/0607/96 – New security shutters

Approved EPF/0674/02 – Change of use of ground floor shop to a tanning studio and beauty parlour

Withdrawn EPF/0856/08 – Change of use from an A1 shop to A5 takeaway

### **Policies Applied:**

TC1 – Town centre hierarchy

TC3 – Town centre

TC6 – Local centre

DBE9 – Neighbours' amenity

ST4 & ST6 – Parking and traffic congestion

### **Issues and Considerations:**

The main considerations in assessing this proposal are established residents' amenity, parking and the suitability of proposed use of the premises within a local shopping centre.

#### **Town Centre hierarchy**

- The subject site is identified as a local centre within Buckhurst Hill. The council's policies seek to protect existing shopping facilities for the benefit of local residents. The last use of the site is a tanning and beauty parlour – a sui generis use - and the shop is currently vacant. Although no supporting statement has been submitted to show how long the premises has been vacant, this is not significant as the existing use is not retail.
- The premises will be used from 09:00 until 22:00 Monday to Thursday and 09:00 until 23:00 Friday and Saturday, which would not result in stretches of 'dead' daytime frontage or late night activities around the site at unsociable hours.
- Therefore, it is assessed that the intended use as a takeaway could contribute towards day and evening activities that could positively reflect on the viability and vitality of this local centre and provide more choice of local facilities for the local population. The proposal is therefore appropriate to this parade of shops and will not result in loss of retail, therefore complying with the relevant town centre policies.

### Vehicle parking

- The site is located off Loughton Way, a relatively busy road that generates a certain amount of traffic and noise. It is considered that the proposed use will not result in higher levels of background noise to neighbouring dwellings' amenity.
- Parking is provided at the front and around the site and cars will not be parked for a lengthy period of time as such is sufficient for the intended use. County Council Highway officers have raised no objections to the change of use of this site which complies with highway requirements.

### Neighbour Amenity

- Details of the extract flue system have been submitted but the Director of Environmental Services is raising an objection to the low level extract point and information regarding odour abatement technology. Similar objections were raised to a similar change of use at no.148, a fish and chip take-away, but this was allowed on appeal in July 2001, with the Inspector concluding that the Environmental Health Officer's requirement for a high level extraction system was not practical in this case and would appear visually intrusive, and that it would be technically possible to achieve an extraction system which would not give rise to an unreasonable level of odour or smell. Officers consider that should the application be refused, a Planning Inspector would be consistent and take the same view, so it is appropriate to control this by a planning condition.

### Other Matters

- Neighbours' concerns over the noise can be covered by a time restriction preventing the late use of the site.
- Neighbours' concerns relating to pollution can be covered by a suitable condition that requires odour abatement.
- While other additional concerns relating to potential noise have been taken into account, however; it is considered that as there are existing evening uses around the site such as an off-licence at 64 Loughton Way and fish and chip takeaway shop at no. 148 Loughton Way, together with traffic generation from Loughton Way, the intended use as a takeaway will not worsen the current impact, hence this scheme meets with the relevant Local Plan policies.

### **Conclusion**

Officers have in the past refused a similar planning application at no.148 in this parade, but it was not supported at an appeal hearing. As this would be only the second hot-food take-away use in this parade, it represents only a small percentage take up. Neighbours concerns are understood though, but Members need to weigh up whether this would cause demonstrable harm. Officers have been swayed by the appeal decision at no.148, but understand that this is a balanced decision that can be argued either way. For the reasons stated above, having regard to all matters raised by the petition from neighbours and Environmental Services, provided suitable odour abatement equipment is installed and maintained prior to commencement of use, the proposed change of use from existing sui generis as a tanning shop into an A5 hot food takeaway would not give rise to significant noise, disturbance, smells and odours to residents and dwellings in the surrounding area. As such the conclusion of officers is that it complies with the relevant Local Plan policies and is recommended for approval with conditions.

### **SUMMARY OF REPRESENTATIONS:**

PARISH COUNCIL – NO OBJECTION

PETITION SIGNED BY 25 INDIVIDUAL LOCAL RESIDENTS OBJECTING:

Reasons: Potential increase in noise to residents especially on Friday and Saturday nights.

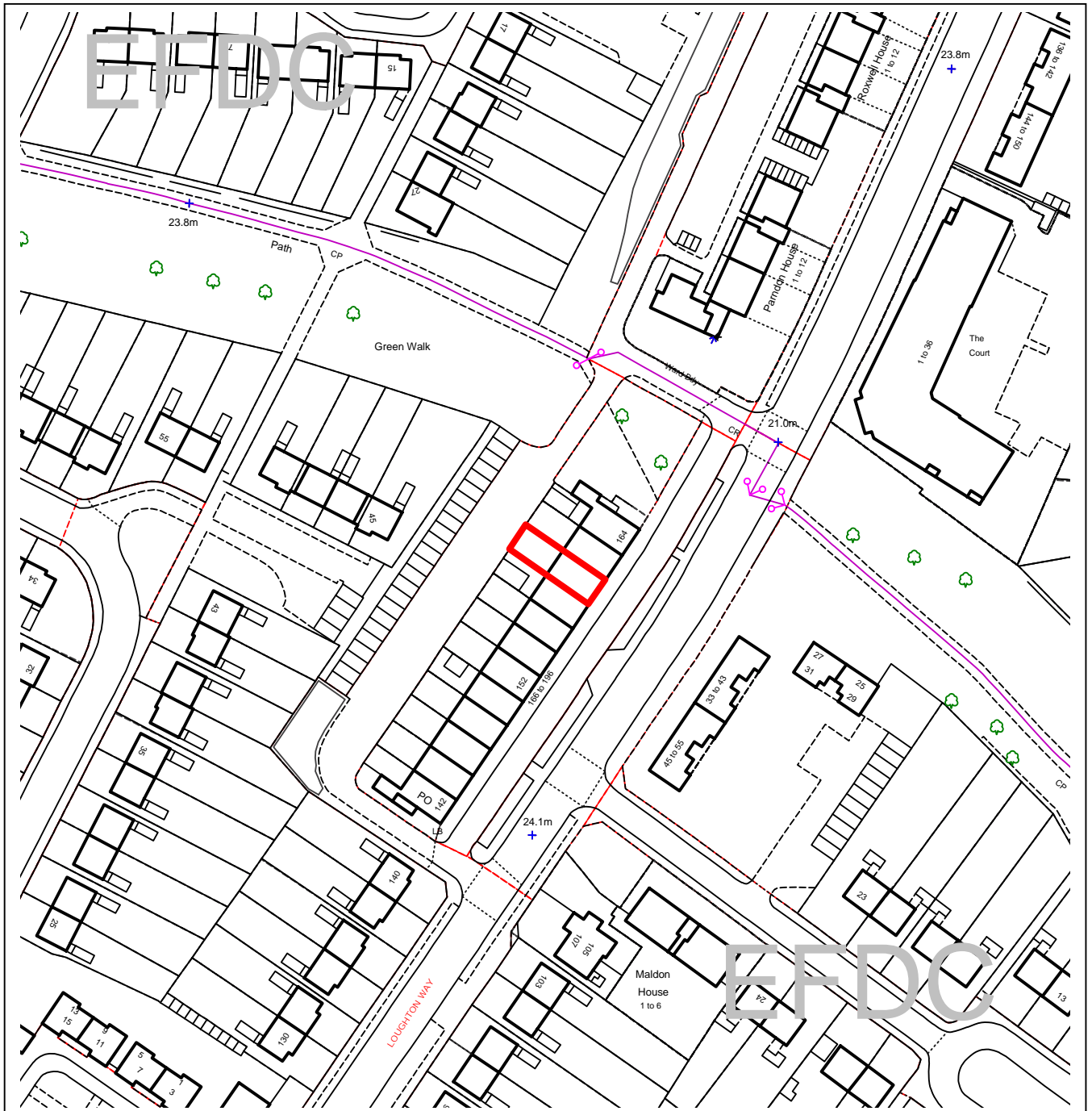
Potential increase in parking

Potential strong odour to residents living above



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	<b>9</b>
Application Number:	EPF/1615/08
Site Name:	160 Loughton Way, Buckhurst Hill IG9 6AR
Scale of Plot:	1/1250

**Report Item No: 10**

<b>APPLICATION No:</b>	EPF/1753/08
<b>SITE ADDRESS:</b>	102 - 104 Queen's Road Buckhurst Hill Essex IG9 5BS
<b>PARISH:</b>	Buckhurst Hill
<b>WARD:</b>	Buckhurst Hill West
<b>APPLICANT:</b>	Mr Jason Cooper - Mount Charm Group
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of existing property and erection of new commercial offices and meeting hall. (Revised application)
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**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 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 3 Prior to the commencement of development details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected before the occupation of any of the dwellings hereby approved and maintained in the agreed positions.
- 4 Prior to first occupation of the building hereby approved the proposed window openings in all flank walls shall be fitted with obscured glass and have fixed frames, and shall be permanently retained in that condition.
- 5 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting the Order) no windows other than any shown on the approved plan shall be formed at any time in the flank walls of the development hereby permitted without the prior written approval of the Local Planning Authority.
- 6 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting that Order) no enclosure or balcony shall be formed at any time on any part of the roof of the development hereby approved without the prior written approval of the Local Planning Authority.

- 7 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority and these facilities installed prior to the commencement of any building works on site, and shall be used to clean vehicles leaving the site.
- 8 Before the commencement of the development or any works on site, details of the landscaping of the site, including retention of trees and other natural features, shall be submitted in writing for the approval of the Local Planning Authority, and shall be carried out as approved.
- 9 The parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of staff and visitors vehicles.
- 10 Prior to the commencement of the development details of the proposed surface materials for the driveway and parking area shall be submitted to and approved in writing by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.
- 11 The meeting hall on the ground floor shall be retained for community uses as laid out in Class D1 of the Uses Classes Order 2005 and for no other use.
- 12 The D1 use hereby permitted shall not be open to staff/customers/ members of the public outside the hours of 0800 to 2200 on Mondays to Sundays.

*This application is before this Committee since it is an application for commercial development and the recommendation differs from more than one expression of objection (Pursuant to Section P4, Schedule A (f) of the Council's Delegated Functions).*

**Description of Proposal:**

Demolition of existing meeting hall and erection of a three storey commercial offices and meeting hall (revised application)

**Description of Site:**

An existing single storey meeting hall, set back some 26m to the south of Queens Road with a car park to the front of the hall. There are residential properties to either side, the rear and across the road. The hall is currently being used for office accommodation and is subject to an enforcement investigation regarding this use. The site is not within the Town Centre Area. The site slopes gently down to the east.

**Relevant History:**

CHI/0751/73	Use of hall for Play Group	approved
EPF/2337/07	Demolition of existing and new offices	withdrawn



## **Policies Applied:**

### East of England Plan

E1 – Provision of employment

### Local Plan

E4 – New business use

CP3 – New development

CP6 – Achieving sustainable urban development patterns

CP9 – Sustainable transport

DBE1 – Design of new buildings

DBE2 – Effect of new buildings on surrounding area

DBE9 – Amenity considerations

ST4 – Highway safety

ST6 – Vehicle parking

## **Issues and Considerations:**

The main issues in this application are:

1. Context
2. Design
3. Sustainability
4. Neighbours Amenity
5. Town Centre
6. Parking

It should be noted that the original scheme has been revised in its design and other details.

### Building in Context

- The site is 14m wide and 47m deep, with the existing building set back some 19m from the main building line in this part of Queens Road. It is 8.5m high with a gable ended pitched roof.
- The new scheme will see a three storey block, measuring a maximum of 22.5m deep, 11.7m wide and 10m high with a mansard roof. Parking will be at the rear, accessed via a tunnel on the east flank, with 7 parking spaces provided.
- The plan of the building is 'L' shaped with a single storey rear projection adjacent to the west flank with 106 Queens Road.
- A gap of 1m will remain to each flank.
- The scheme will have a meeting hall for community uses on the ground floor and two floors of offices.
- This is a fairly unusual case as the application is not to erect new flats on this previously developed site. The scheme will see the retention and improvement of the existing community facilities and the provision of new employment opportunities which is in line with the East of England Plan, in which the Council has to find a significant number of new jobs in concert with other local Councils.
- The site is only just outside the Town Centre, the community use on the site is historically well established and its retention is welcomed, as is the provision of new employment.
- As this is not a current residential site there is no loss of housing and the use of the site for employment with offices is considered one which will not cause any harm to the area in general terms.
- The building itself has been redesigned several times and is in a street of considerable diversity, ranging from attractive Victorian and Edwardian detached houses to 1960 monolithic flat roofed flat developments. This scheme will sit between two detached properties at 100 and 106.
- The new scheme has been designed to have a residential appearance, especially from the street, and whilst it is higher than 106, which has a very slack roof pitch, it is only 1m higher

than No 100, and a similar height to 108/110 and the 1960s three storey block of flats at 112 to the west.

- Whilst its depth is greater than either of the two neighbouring houses, this will not be obvious to users of the street due to the general built environment within the street, the fall of the ground to the east and the narrow frontages of several of the adjacent buildings.
- It also has the advantage of removing a badly sited building with prominent parking area at its front, and bringing a welcome uniformity of building line to this portion of the street.
- It is accepted that this is a balanced scheme in terms of its physical impact within the street scene, but taking into account the factors above it is considered that both the use and the building will not have an adverse impact on the character and appearance of the street scene, as it not out of keeping with the other properties within this diverse road and this is not a cramped or overly restricted site and can easily and comfortably accommodate a building of this size.

### Design

- The scheme for the detached building is of an acceptable design, sitting comfortably on the plot, and is not out of place within this streetscape.
- The scheme has been revised to improve the design of the roof, especially on the west flank.
- The materials can be conditioned to be appropriate to the area.

### Sustainability & Urban Development

- This is previously developed land. In both Policy CP6, 7 and PPG3 priority is given to the reuse of previously developed land in urban areas, but this should not be at the expense of the quality of the local environment and unsympathetic change.
- It is considered that this is a good quality and sympathetic scheme.

### Amenity & Impact on Neighbours

- The scheme will potentially impact on the adjacent neighbours (100 and 106), and neighbours to the rear (83 – 91 Princes Road).
- No 100 is to the east and is slightly lower due to the change in levels, and is a three storey house, with a 2m close boarded wooden fence on the boundary.
- The new building's rear elevation has been stepped back to reduce the impact on No 100 and the two rear projections on the new structure are away from this flank.
- There will be no adverse impact on daylight, and although some loss of sunlight to the rear garden will occur in the late afternoon at some times of year this would not justify a refusal on these grounds.
- There would be no adverse overlooking of the site.
- No 106 Queens Road has a large two storey flat roof rear extension and a 2m brick boundary wall, and has a greater potential for loss of light as a result of this scheme than No 100.
- The extension's main ground floor windows will not be significantly affected by the single storey rear extension due to the existence of the boundary brick wall and the fall of the ground and the 1<sup>st</sup> floor rear windows will not be adversely affected by this scheme, although the secondary windows at both levels will suffer some loss of light. It is considered that this would not, however, justify a refusal. It is the case that the owners of No 106 have not objected to the physical aspects of this scheme.
- There would be no adverse overlooking of No 106.
- With regard to overlooking both properties would have an improvement in the current situation where their rear elevations are overlooked from the car park area.
- The visual impact of the new scheme is also a factor to be assessed. It is considered that it will not have an adverse impact on the outlook of No 100, due to the step back of the design, and in the case of No 106, and due to changes of the fenestration and roof design it would be acceptable in its impact on this property.
- The premises in Princes Road to the rear of the site will not have any adverse impact in terms of outlook as the new building will be further away than the existing meeting hall, and in terms of overlooking the distance to their rear elevations is a minimum of 50m, well within acceptable

limits. It is also the case that planting is proposed on the site boundaries which will provide a further screening effect.

- The use of the site may also have an impact on the amenities of the neighbours.
- The meeting hall is designed for local groups and is unsuitable for wedding receptions and parties by its size and design. It is also the case that there is limited parking on the site, however, it is easily accessible by public transport which would remove the potential for disturbance to local residents by the arrival and departure of users by car.
- It is considered that a condition restricting the use to 10pm is reasonable in this busy thoroughfare, and it should be noted that the current use has unrestricted hours.
- The use of the top two floors as offices will not cause any adverse harm to the amenities of neighbouring residential properties.

### Parking

- The scheme provides off street parking in line with current parking standards.
- It is accepted that this is the minimum that would be accepted on this site, but it is also the case that the site is very close to excellent public transport links from local buses and trains.
- In addition it is reasonable to expect that the community use would be for local people who would be within easy walking distance of the site.
- Queens Road is a controlled area for parking and it is considered that these controls would prevent any further on-street parking from becoming a problem. It is also the case that due to its public transport links that most employees in the offices would use public transport.

### Conclusion

This is a scheme for a redevelopment of a good sized site and maintains an existing facility for the local community use as well as providing new employment opportunities. The scheme can be accommodated within the site without it being cramped and the design fits in well with the street scene. It does not have an adverse impact on the amenity of the neighbouring properties by design or its use. Officers recommend approval for the reasons laid out above.

### **SUMMARY OF REPRESENTATIONS**

PARISH COUNCIL – No objection in principle but would query whether there is adequate car parking facilities and feel conditions should be imposed to restrict evening use.

91 QUEENS ROAD – Object, commercial premises will be out of keeping, insufficient parking space.

100 QUEENS ROAD – Object, structure is bulky, excessive in height and overshadows its neighbours; I will lose significant light to the rear of my house.

83 PRINCES ROAD – Object, structure is unsuitable for a quiet residential area; there will be noise and commotion late at night.

85 PRINCES ROAD – Object, meeting hall will affect the quiet of the area, this section of Queens Road is residential, I will be overlooked, noise will be excessive, worried about construction traffic.

87 PRINCES ROAD – Object, I will be overlooked; use of meeting hall will affect my amenity.

GREEN ACRES, EPPING – No objection provided use of meeting hall does not extend beyond normal business hours and no license of alcohol will be granted, we are the owners of 106 Queens Road.



# Epping Forest District Council

## Area Planning Sub-Committee South



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Agenda Item Number:	10
Application Number:	EPF/1753/08
Site Name:	102 - 104 Queen's Road, Buckhurst Hill, IG9 5BS
Scale of Plot:	1/1250